

**EASTERN NEW MEXICO UNIVERSITY**  
**Board of Regents Meeting**  
**ENMU-Portales**  
**Administration Bldg. – Regents Room**  
**March 25, 2022 – 8:30 a.m.**

**CALL TO ORDER**

Regent President Lance Pyle called the meeting to order at 8:31 a.m. and declared a quorum. Regents Lance Pyle, Phillip Bustos, Trish Ruiz and Dan Patterson were present. Regent Chandlar Head was not present

*Roll call: Regent Pyle – Yes; Regent Bustos– Yes; Regent Head – Not present;  
Regent Ruiz– Yes; Regent Patterson –Yes.*

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**PLEDGE OF ALLEGIANCE**

**APPROVE THE AGENDA**

*Regent Pyle moved to amend the agenda by moving the Consideration of a Resolution of Intent (Solar Project) to be presented prior to the Consent Agenda and remove item four from the Consent Agenda. This item will be brought back at the April 2022 meeting.*

*Regent Ruiz moved to approve the agenda as amended.  
Regent Bustos seconded the motion. Vote: 4-0-0. Motion approved.*

**APPROVAL OF MINUTES**

*Regent Pyle asked for two corrections to the February 19, 2022 minutes (pages 6 & 7, “Vote 4-0-0”)*

*Regent Ruiz moved to approve the minutes of February 18, 2022 with corrections.  
Regent Patterson seconded the motion. Vote: 4-0-0. Motion approved.*

**EXECUTIVE SESSION**

*Regent Patterson moved to enter into executive session at 8:37 a.m. to discuss and deliberate the faculty appeal of Dr. Stephen Karpowicz. Regent Ruiz seconded the motion.  
Vote: 4-0-0. Motion approved.*

*Roll call: Regent Pyle –Yes; Regent Bustos – Yes; Regent Head – Not present;  
Regent Ruiz – Yes; Regent Patterson – Yes.*

*Regent Patterson moved to return to open session at 9:32 a.m. Regent Ruiz seconded the motion. Vote 4-0-0. Motion approved.*

*Roll call: Regent Pyle –Yes; Regent Bustos – Yes; Regent Head – Not present;  
Regent Ruiz – Yes; Regent Patterson – Yes.*

## OPEN SESSION

### BUSINESS MATTERS

#### Consent Agenda

1. Amendments to Policy (*Mr. Benito Gonzales, Action*)
2. Approval to Auction and/or Transfer Equipment, Furniture, and Material, Roswell (*Dr. Shawn Powell, Action*)
3. Architect Selection, Roswell (*Dr. Shawn Powell, Action*)
4. Fee Approvals for FY23, Ruidoso (*Mr. Ryan Trosper, Action*)

*Regent Ruiz moved to approve the consent agenda as presented.*

*Regent Patterson seconded the motion. Vote: 4-0-0. Pyle – Yes; Bustos – Yes; Ruiz – Yes; Patterson – Yes. Motion approved.*

#### Other Matters

1. Consideration of a Resolution of intent to issue The Board of Regents of Eastern New Mexico University System Improvement Revenue Bonds, setting preliminary parameters with respect to such bonds and authorizing applications to the State Board of Finance, the Higher Education Department and the New Mexico Finance Authority, Portales

Mr. Scott Smart introduced Greg Salinas, bond council from McCall, Parkhurst & Horton LLP, to present ENMU's intent to acquire financing through NMFA. The crucial elements of the resolution set the parameters of the bond issue not to exceed \$9.5 million, an interest rate not to exceed 5%, and a final maturity date no later than April 1, 2047.

Mr. Salinas reiterated this process is to clear the terms before the final resolution is submitted to the Regents at the April 2022 meeting. Hilltop Securities will attend the April meeting to discuss the interest rate cap.

*Regent Patterson moved to approve the resolution of intent to use ENMU System Improvement Revenue Bonds for the applications to the State Board of Finance, the Higher Education Department, and the New Mexico Finance Authority for the ENMU Solar Project as presented. Regent Ruiz seconded the motion. Vote: 4-1-0. Pyle – Yes; Bustos – No; Ruiz – Yes; Patterson – Yes. Motion approved.*

2. Property Acquisition Funding Change, Ruidoso

Mr. Ryan Trosper stated \$1.2 million was awarded to ENMU-Ruidoso from Senate Bill 212 to “purchase, plan, design, construct, renovate, equip, and furnish a building.” This award replaces previous plans to secure funding through New Mexico Finance Authority.

*Regent Ruiz moved to approve the property acquisition funding changes for the ENMU-Ruidoso campus as presented. Regent Patterson seconded the motion. Vote: 4-0-0. Pyle – Yes; Bustos – Yes; Ruiz – Yes; Patterson – Yes. Motion approved.*

*Regent Chandler Head joined the meeting.*

3. Proposed Student Fee Activity Allocation, Portales

Dr. Jeff Long introduced the Student Fees Board Chair, Tamia Smith. Ms. Smith led the Regents through the rationale behind funding allocations. A few organizations had healthy carryover funds from the previous year, and no additional money was allocated to them for 2022-2023. Safe Ride was given a large allocation due to high maintenance and repair costs but remained at a lower funding rate than the previous year.

Regent Chandlar Head joined the meeting virtually and asked that this matter be tabled and be brought back to the April 22, 2022 meeting.

*Regent Head moved to table the proposed student fee activity allocation proposal and revisit this matter at the April 22, 2022 meeting. Regent Ruiz seconded the motion. Vote: 5-0-0. Motion approved.*

## REGENT MATTERS

### Information Only

#### Dr. Patrice Caldwell

##### 2022 Lobbying Report

Dr. Caldwell reported ENMU will receive an 11.2% funding increase as the result of a successful Legislative Session. This is the most significant amount of funding from the state in over 40 years.

- Instruction and General Base Increase (formula, equity, and workload adjustments) - \$2,974,300
- Teacher pipeline and student support services – \$464,300

Regent Pyle asked about the \$785K that was vetoed. Dr. Caldwell responded that Senator Stuart Ingle thinks this matter may be discussed at the upcoming Special Session.

As of June 1, 2022, Peter Mallery will be stepping away from his lobbyist position and has offered recommendations for candidates to fill this vacancy. He expressed his appreciation for the privilege of working for ENMU for the past 17 years. He will be available to attend the Special Session.

##### Update on Chancellor/President Search Firm Request for Proposals

There were three respondents to RFP-313, and each has sent appropriate materials. Dr. Caldwell pointed out the cost for services will be reviewed after the initial screening takes place in accordance with our Purchasing Department protocols.

Regent Bustos asked about the time frame to begin reviewing the submitted materials. Dr. Caldwell responded that the committee could meet as early as next week. It was agreed that Regents Bustos and Ruiz would complete the initial review by Friday, April 1.

Update on Roosevelt Science Center and Next Steps

Dr. Caldwell reported Dekkar, Perich, & Sabatini, and Bradbury Stamm are involved with the RSC user committee to develop the final construction plans and budget for the remodel. The deadline is May 9. These plans will be presented to the HED Capital Projects Committee on June 8 and if approved, will be presented to the State Board of Finance on July 19. If approved by both bodies, the Regents will be asked to approve the contract, and construction could begin.

Regent Pyle voiced his concerns about expending the \$8 million from the 2018 GO Bond funding within the required time frame. He also stated that ENMU is contributing \$7 million toward this project, but thinks it is important for this facility to be a state-of-the-art science center and make further reserves available if necessary.

Statement by Regent Trish Ruiz

Regent Ruiz asked for a point of personal privilege and her comments to be on record. The dialog has been condensed into bullet points (transcript available upon request).

- Did not know about Dr. Caldwell's intention to resign prior to the February 18, 2022, Regents meeting
- Does not agree with what precipitated this decision and was not included in the board's discussion
- Does not support Dr. Caldwell's untimely resignation and has asked her numerous times to rescind this decision
- Does not agree with and will not support having an interim chancellor
- Does not agree with an internal search for our next chancellor
- Does not support the promotion of a pre-selected staff member for the position of chancellor. Anyone seeking the position must go through the formal application process
- Supports a formal, national presidential search with all University constituencies represented
- Supports allowing Dr. Caldwell to remain in office, allowing her to mentor and impart knowledge to the next chancellor
- Supports additional ethics training for the Board of Regents

Regent Pyle commented that he and Dr. Caldwell have had several conversations and her 42 years at ENMU is greatly appreciated. She has agreed to extend her retirement until we find the next best leader for ENMU.

Regent Bustos added a point of clarification that the internal search would mean using internal resources, not that we would just be searching internally.

Regent Head echoed Regent Ruiz's sentiments regarding Dr. Caldwell's devotion to the University and agreed that it would be good to go through another ethics training.

Regent Patterson commented that he too, loves ENMU and the board is doing its best to act in the best interest of the University.

Dr. Regina Aragon asked to address the board. Regent Pyle welcomed her comments. She confirmed there are two schools of common knowledge being circulated on and off campus.

1. To appoint Dr. Paul Weir as the next president, foregoing a national search.

2. To create the position of Executive Vice President for Dr. Weir to oversee all vice presidents, clearing out current Core Staff, and then moving into the president's position.

Dr. Aragon said she too, cares tremendously for ENMU and wants its continued success. The aforementioned plans are unsettling and there is great concern for the problems either scenario would create. The University community is looking for confirmation that there will be a legitimate search, with all constituents represented and that we are not facing instability. Regent Pyle assured Dr. Aragon that neither scenario is correct. An RFP has been issued for a professional search firm and a national search will commence very soon.

**Dr. Jamie Laurenz**

Update on Summer Programs/Classes/Partnership with the Foundation

In response to the Board's request, Dr. Laurenz reported on community engagement opportunities that have been vetted through Dean's Council. The belief is that if we can get young students on our campus, it is a recruiting event.

Dr. Laurenz listed several upcoming events, including Boys State and Girls State in May and June, the Teen Community Emergency Response Basic Training Camp, ENMU Choir Camp, the Spanish Immersion Insituto, and several other opportunities. In addition, consideration is being given to a Freshman seminar pilot program to offer "The History of Rock and Roll."

Survey results were discussed and approximate 49% of undergraduate and 68% of graduate students plan to enroll in summer classes. Both groups preferred 8-week courses and an online delivery method.

Dr. Laurenz said he met with Noelle Bartl and there were no new proposals for summer but recruiting efforts were discussed.

**ROUTINE MATTERS**

**REPORT FROM THE PRESIDENT OF THE BOARD**

Regent Lance Pyle said he is proud of the ENMU Chamber Singers and thanked the ENMU Foundation for funding their trip to New York City.

Dr. Caldwell was recognized for receiving the Roosevelt County Chamber of Commerce, Warm Heart of the Sunbelt award for 42 years of service.

Regent Pyle stated the University's focus has to be on recruitment; we must think outside of the box and be creative in bringing new students to campus.

**REPORT FROM THE ENMU-ROSWELL PRESIDENT**

Dr. Shawn Powell reported efforts are underway to update their strategic plan this fall and they are working with the Artesia Chamber of Commerce, Roswell Hispanic Chamber, and Roswell Chamber, and the Community Advisory Council.

Upcoming events include a ribbon cutting on April 13 for the Auto/Welding building renovation, which will be followed by a CCB meeting where Ralph Fresquez, long standing board member will be recognized for his service to ENMU-Roswell and the community.

Other events coming this spring are an Art Gala, the Foundation Golf Tournament and Hunger Awareness Day.

#### **REPORT FROM THE ENMU-RUIDOSO PRESIDENT**

Mr. Ryan Trosper thanked the ENMU-Portales Education Department for visiting on March 9 to promote the new teacher education platform. There were 20-30 area students in attendance and they are very excited about the potential for special education program opportunities. Sincere thanks to Dr. Kathie Good and Dean Hurren for their efforts.

Mr. Trosper met with the Mescalero Tribal Council yesterday. The initial MOU for a physical cyber-security range partnership has been signed and they will be moving forward with this mutually beneficial program. Also, a new MOU is in the works for a partnership with San Juan College related to energy programs.

The parking lot renovations, as part of Nexus Phase III, will begin April 4.

#### **REPORT FROM THE CHANCELLOR OF THE ENMU SYSTEM**

Dr. Caldwell recognized Dr. Hamid Allamehzadeh, Robin May and the Grants Office for their work on submitting the National Science Foundation grant application.

The ENMU system now has an approved records retention plan which will provide for the disposal and retention of documents. The NMHEAA Conference, which has been organized by ENMU since 1997, was held last month in Albuquerque. Fifteen ENMU faculty members were among the presenters. Mr. Todd DeKay of ENMU-Roswell has been selected as NMHEAA president for 2023.

#### **PUBLIC COMMENT**

Dr. Mary Ayala thanked the board for clarification on their presidential search intentions.

Dr. Ali Hussein spoke on behalf of Faculty Senate stating they support a professional search firm be involved in a national search for the next ENMU Chancellor.

#### **EXECUTIVE SESSION**

1. *Regent Ruiz moved to enter executive session at 11:26 a.m. to discuss the faculty appeal of Dr. Stephen Karpowicz. Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.*

*Roll call: Regent Pyle – Yes; Regent Bustos – Yes; Regent Head – Yes; Regent Ruiz – Yes; Regent Patterson – Yes.*

*Regent Bustos moved to return to open session at 11:45 a.m.  
Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.*

## OPEN MEETING

### Faculty Appeal

Regent President, Lance Pyle stated the following:

*We have heard the appeal of Dr. Stephen Karpowicz and the response from the ENMU Administration. We thank them for their thoughtful discussion and analysis.*

*I move to uphold the decision of the ENMU president to award a terminal contract to Dr. Karpowicz for the 2022-2023 academic year. Regent Bustos seconded the motion. Vote: 5-0-0. Pyle – Yes; Bustos – Yes; Head – Yes; Ruiz – Yes, Patterson – Yes. Motion approved.*

## EXECUTIVE SESSION

1. *Regent Bustos moved to enter executive session at 11:47 a.m. to discuss one threatened or pending litigation matter involving the University pursuant to Section 10-15-1(H)(7), NMSA (1978). Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.*

*Roll call: Regent Pyle – Yes; Regent Bustos – Yes; Regent Head – Yes; Regent Ruiz – Yes; Regent Patterson – Yes.*

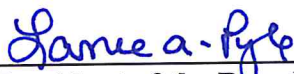
*Regent Bustos moved to return to open session at 12:50 p.m.  
Regent Ruiz seconded the motion. Vote: 5-0-0. Motion approved.*


## OPEN MEETING

Regent Pyle reported one pending litigation matter was discussed. No actions were taken.

## ADJOURNMENT

*Regent Ruiz moved to adjourn the meeting at 12:51 p.m.  
Regent Patterson seconded the motion. Vote: 5-0-0. Motion approved.*

  
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President of the Board

  
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Secretary of the Board