

**New Mexico Institute of Mining and Technology
Board of Regents
9:00a.m., Sunday, April 17, 2016
Fidel Center, Ballroom A
New Mexico Tech Campus / Socorro, New Mexico**

MINUTES

The New Mexico Tech Board of Regents convened at 9:07 a.m. with Board of Regents Chair Debra Peacock presiding. Other Board members present were Regent Jerry Armijo, Regent David Gonzales, Regent Donald Monette and Student Regent Myissa Weiss. University administrators, staff, and guests who were also present included:

Daniel H. López	Stephen Wells	JoAnn Salome
Warren Ostergren	Robert Balch	Nadir Yilmaz
Melissa Jaramillo-Fleming	Steve Simpson	Al Garcia
Van Romero	Mark Adams	Kiane Pound
Richard Cervantes	Leyla Sedillo	Thom Guengerich
Lala Garcia	Emma Aafloy	Valerie Kimble

1. **Proof of Meeting Notice.** The meeting was called to order at 9:07 a.m. by Chair Peacock. Ms. Garcia affirmed that proper legal notice had been given as required by state statute.
2. **Approval of Agenda.** The Chair announced the need for an executive session as Item 17. The Benefit Trust will not meet due to lack of an agenda. The regular Board meeting agenda was unanimously approved on a motion by Regent Armijo and a second from Regent Monette.
3. **Minutes.** Regent Monette moved to approve the Minutes from the March 21, 2016 meeting. Regent Gonzales seconded the motion which passed unanimously.
4. **Announcements.** *Enrollment Update.* Ms. Jaramillo-Fleming reported additional applicants compared with this time last year; numbers for transfer students also are up. *Report on Advancement.* The report is included in Regents' folders, noted the President, in the absence of Ms. Guengerich, who is away on University business. *Faculty Senate Update.* Dr. Simpson, vice chairman of the Faculty Senate, attended on behalf of Dr. Dave Raymond. While Dr. Simpson had no formal report, he did announce the retirement of Dr. Raymond this summer. President López cited Dr. Raymond's "incredible reputation" and praised him for his leadership. *Chemistry Building Update.* Mr. Garcia reported that three months into construction, the building project is on schedule and on budget. Next phase is to install site utilities. Thus far, there are no outstanding issues, including safety. *Introduction of PRRC Director.* President López reported that after an international search for a successor to former PRRC Director Dr. Robert Lee, the University determined that

Dr. Robert Balch, a senior scientist with the PRRC, was the best candidate. The Chair extended her congratulations to Dr. Balch for his appointment as an Oil Conservation Commissioner for New Mexico.

Other. Chair Peacock announced that the inaugural Inventors and Entrepreneurs Workshop was “incredible . . . the best conference I’ve attended in the state of New Mexico” with 160 attendees and national speakers who paid their own way here. She recognized Dr. Peter Anselmo of the Management Department and Larry Udell, special advisor, for their efforts in organizing the event, saying she learned a lot about goings-on at New Mexico Tech.

5. Public Comment. None.

6. Degree Conferrals for March 2016. President López, for the benefit of his successor, Dr. Wells, explained the process the University uses to confer degrees and diplomas outside the regular commencement cycle. February degree completions conferred in March comprised four Bachelor of Science and five Master of Science degrees.

7. Academic Tenure and Promotions Recommendation to Associate Professor:

- **Dr. Tan Nguyen, Assistant Professor, Petroleum Engineering.** Saying this was the “high point of our year,” Dr. Ostergren recommended tenure and promotion to associate professor for Dr. Nguyen, citing success in his department and in acquiring drilling apparatus to better instruct students. Regent Armijo moved to approve tenure and promotion for Dr. Nguyen. Regent Weiss seconded the motion which passed unanimously. Dr. Ostergren noted that promoted faculty would be recognized at the Board meeting in May.
- **Dr. David Grow, Assistant Professor, Mechanical Engineering.** Dr. Ostergren recommended tenure and promotion to associate professor for Dr. Grow, citing his energetic robotics program and research activity. Regent Monette, stating that he recently visited Dr. Grow’s “amazing” laboratory, moved to grant him tenure and promotion. Regent Weiss, calling Dr. Grow fantastic and a hard worker, seconded the motion which passed unanimously.

Academic Promotion Recommendations to Full Professor:

- **Dr. Glenn Spinelli, Associate Professor, Earth & Environmental Science.** Dr. Ostergren recommended promotion to full professor for Dr. Spinelli, a specialist in hydrogeology with many publications to his credit. Regent Gonzales moved to approve promotion for Dr. Spinelli. Regent Weiss seconded the motion which passed unanimously.
- **Dr. Frank Huang, Associate Professor, Civil & Environmental Engineering.** Dr. Ostergren recommended promotion to full professor for Dr. Huang, a past recipient of the University’s “Distinguished Teaching Award,” also involved with the project-based Living and Learning Communities (LLC). Regent Armijo moved to approve promotion for Dr. Huang. Regent Weiss seconded the motion which passed unanimously.
- **Dr. Nadir Yilmaz, Associate Professor, Mechanical Engineering.** Dr. Ostergren recommended promotion to full professor for Dr. Yilmaz, who was present. He, too, is a past recipient of Tech’s Distinguished Teaching Award with numerous publications, 27 with student co-authors. He has won multiple national awards, including a recent

top honor from ASME, as acknowledged by Chair Peacock. Regent Weiss moved to approve promotion for Dr. Yilmaz. Regent Monette seconded the motion which passed unanimously. Dr. Yilmaz, noting he had been at Tech for 10 years, credited his success to his students, adding that he wanted to be a good role model.

- **Dr. Sayavur Bakhtiyarov, Associate Professor, Mechanical Engineering.** Dr. Ostergren recommended promotion to full professor for Dr. Bakhtiyarov, a former department chair with tremendous support from students and a wide range of publications. Regent Weiss moved to approve promotion for Dr. Bakhtiyarov. Regent Gonzales seconded the motion which passed unanimously.

8. **Financial Analysis for March 2016.** Mr. Cervantes provided a financial analysis for the three-quarter mark of FY16, noting that revenue trends are similar to those for last month. The Student Aid transfer addressed in last month's report tracks below three-quarters of the year due to frequency of occurrence. Overhead is 12 percent less than in 2015, but the trend should reverse due to changes in regulations allowing the University to collect more from vendors, he said. During discussion, it was determined that while no site has yet been chosen for the Data Center, options include one location on-campus and one closer to EMRTC. Architectural plans are being developed for the Jones Hall remodel, the facility that currently houses the Chemical Engineering Department. Regent Monette moved to approve the financial analysis. Regent Armijo seconded the motion which passed unanimously.

9. **Final Budget Adjustment Request for FY'16 – Unrestricted Funds.** Mr. Cervantes requested a revenue adjustment to I&G to reflect an over-budget in tuition and revenue; to increase the Bureau of Geology budget for publications activity; to record several budget transfers and increase I&G for faculty salary equalization. During discussion, it was noted that projecting tuition revenue is difficult, as is forecasting student enrollment, necessitating significant budget margins. Any changes to the state-approved budget must be reported to the state. Regent Monette moved to approve the BARs. Regent Armijo seconded the motion which passed unanimously.

10. **Final Budget.** President López reviewed the budget process from its internal preparation to review by the Legislative Finance Committee (LFC) and Higher Education Department (HED) to preliminary hearings in June and July, and through the more formal hearing in December. The process was described as being "fairly intense back-and-forth." Mr. Cervantes in his presentation noted that the budget, due to the state on May 1, includes 2 percent in compensation benefits, and that University I&G balances are conservative within the range prescribed by HED. During discussion, Ms. Sedillo clarified several issues raised by Regents, including comparisons with previous budgets and the high cost of utilities, particularly electricity. The President noted his years-long battle on behalf of the Council of University Presidents (CUP) for a state budget line-item that more accurately reflects actual utility costs. "Budgeting is an art, not a science," he said during discussion, adding, "The state has to account for money in a different way than the private sector." Regent Gonzales, in noting the need for budget cuts in general, asked why the budget for student government was increased. With oversight and strict guidelines, Tech is the only university in the state whose student government organizations control their finances, a valuable

educational experience, replied Ms. Sedillo. Regent Weiss then voiced her support for the boost to student government. Regent Armijo moved to approve the final budget, followed by a second from Regent Monette. The motion passed unanimously. Mr. Cervantes and Chair Peacock recognized Ms. Sedillo for her hard work in meeting a short deadline in preparing the final budget for Board approval.

11. **Unrestricted Fund Purchases – EBSCO Library Subscription and Elsevier Library Subscription.** Discussion on what over the years has been described as a “monopoly” by the two subscription series was introduced by Dr. Stone, who has assumed the temporary role of Librarian. He explained that Elsevier, whose cost is \$338,000, is a single dealer that has purchased journal copyrights; EBSCO, available under state contract, is a “bundler” which provides its services for \$389,000. Discussion centered on cost versus need, which Dr. Romero voiced as an 11 on a scale of one to 10. Dr. Ostergren explained that the issue is national in scope and cannot be solved at the local level. Dr. Romero said that down the line, the University may produce its own journal on explosives and energetic materials; in the meantime, “We’re stuck.” Regent Armijo moved to approve purchase of the subscription series. Regent Weiss seconded the motion which passed unanimously.
12. **Restricted Fund Purchase Notification.** For information only – data included in Regents’ packets.
13. **Student Investment Club Resolution.** Under “housecleaning,” Mr. Cervantes informed the Board of the need to remove his predecessor, Lonnie Marquez, as a signee for the club, to be replaced by Ms. Jaramillo-Fleming. During discussion, the President agreed to report to Regents at their May meeting as to whether signatories need to be bonded. Regent Gonzales moved to approve Ms. Jaramillo-Fleming as club signatory. Regent Monette seconded the motion which passed unanimously.
14. **Property Items to be Removed from Inventory.** Regent Armijo moved to approve the resolutions regarding disposal of inventoried property. Regent Monette seconded the motion which passed unanimously. The President explained that the state requires universities to go through this process regarding obsolete or unused property.
15. **New Business.** Chair Peacock opened discussion on setting dates for the Board’s summer retreat, and suggested it take place on campus to include tours and a focus on each of the University’s centers. The retreat will take place Aug. 4 – 5. The next meeting will be at 1:30 p.m. on May 13, the Friday before Commencement, details to be determined. Chair Peacock and Regents Monette and Gonzales will be unable to attend. The Chair announced that the Governor has asked her to help with nominations for the next Mine Inspector to succeed the retiring Terence Foreback. Ms. Salome verified that the position is posted on Tech’s website and that résumés are being forwarded to the Governor’s Office.
16. **Individual Board Member Comments.** Regent Monette noted that the Research Park Corporation Committee met on April 11. The Committee approved minutes, updated the by-laws and is moving forward with its reconfiguration. He also reported being queried as to the University’s application for another liquor license – as did President López,

explaining that this, a state license, is different from a commercial liquor license. Attorney Bruce Kite is handling the issue. Regent Gonzales suggested that the Advancement report be reconfigured so that year-to-date figures match the accompanying narrative. The President suggested that Ms. Jaramillo-Fleming and Advancement work with Ms. Sedillo and Mr. Cervantes on a replacement worksheet. Chair Peacock pronounced the recent President's Club Dinner as a nice event, and recognized Ms. Pound for her work in organizing the affair. The Chair also congratulated Dr. Romero and recognized alumnus Bill Macey for the honors they received as faculty member and alumnus of the year respectively.

17. **Executive Session Pursuant to 10-15-1(H)(2) & 10-15-1(I)(2), NMSA 1978.** Regent Armijo moved that the Board recess to meet in executive session. Regent Monette seconded the motion. The meeting was recessed and the Board unanimously approved at 10:45 a.m., to go into Executive Session on a roll call vote recorded by Ms. Garcia.
18. **Adjournment.** Regents returned to regular session at 1:03 p.m. on a motion by Regent Monette and a second from Regent Gonzales. The motion passed unanimously. The Chair announced that no action was taken and only legal and personnel issues were discussed. With no further business to come before the Board, the meeting was unanimously adjourned at 1:04 p.m. on a motion by Regent Monette and a second from Regent Weiss.

Secretary-Treasurer

Attest:

President