

The University of New Mexico
Board of Regents' Meeting
September 13, 2011
Student Union Building Ballroom C
Meeting Minutes

Members present: President Jack L. Fortner, Vice President Don L. Chalmers, Secretary Treasurer Carolyn J. Abeita, J.E. "Gene" Gallegos, Bradley C. Hosmer, James H. Koch, Jacob P. Wellman (Quorum).

Administration present: President David J. Schmidly, Executive Vice President David Harris, Chancellor Paul Roth, Interim Provost Chaouki Abdallah, Vice President Julia Fulghum (R&D), Vice President Helen Gonzales (Human Resources), Vice President Paul Krebs (Athletics), Vice President Ava Lovell (Controller), Vice President Eliseo Torres (Student Affairs), Interim University Counsel Lee Peifer.

Administrators unable to attend: Vice President Josephine De Leon (Equity & Inclusion).

Regents' Advisors present: President Timothy Ross (Faculty Senate), President Mary Clark (Staff Council), President Katie Richardson (GPSA), President Jaymie Roybal (ASUNM), Past President Steve Chreist for President Waneta Tuttle (UNM Alumni Association), Chair Gary Gordon (UNM Foundation), President Maria Probasco (UNM Parent Association), President Scott Obenshain (UNM Retiree Association).

Regent Fortner called the meeting to order at 9:05 a.m.

I. Confirmation of a Quorum; Adoption of the Agenda, Regent Fortner

Motion to adopt the agenda passed unanimously (1st Chalmers, 2nd Abeita).

II. Approval of Summarized Minutes of the August 9, 2011 BOR Meeting and the BOR Special Meeting, Presidential Search Committee August 30, 2011, Regent Fortner

Motion to approve the minutes passed unanimously (1st Chalmers, 2nd Gallegos).

III. Regents' Meritorious Service Award-Susan McKinsey, Director of Communications, Breda Bova, President's Office Chief of Staff

Dr. Bova recited just a few of Mrs. McKinsey's accomplishments prior to and during her career at UNM and noted the many activities in which she's been involved. She expressed the gratitude of all at UNM for "...all you have done for us and we wish you the best on the next leg of your journey. We thank you for everything, the number of hours and the number of times you have been there for all of us...Thank you for all you've done."

President Schmidly presented the award. He stated that he has worked with a number of folks in public relations over the years and never worked with a finer or more talented person than Mrs. McKinsey. The Regents also expressed their appreciation for Mrs. McKinsey's work.

Mrs. McKinsey thanked the Regents for the honor. She introduced the staff of the University Communications and Marketing office and credited them and their predecessors for the work they have done.

IV. President's Administrative Report, President David Schmidly

President Schmidly welcomed everyone back to campus for the fall semester. He reported that the university's overall enrollment is up 1%, the non-resident enrollment is up 6% and new graduate student enrollment is up 7½%. While this freshman class may be smaller in size, it is likely the best academically prepared freshman class to attend UNM.

He introduced the new insert in the New Mexico Business Weekly. It is called UNM Connect Ed and UNM will author it monthly. It will provide news on students and faculty, updates on important topics and each issue will highlight one of UNM's schools or colleges. Positive results have already manifested from the first issue.

UNM receives its state-appropriated dollars according to the funding formula. A proposal for a new formula, with the focus on "outputs" rather than "inputs," is currently being discussed in the legislature. "Inputs" are items such as enrollment growth, increases in credit hours taken. "Outputs" would be things like the number of credit hours completed, the number of at-risk students that graduate, workforce development in health care. UNM's new admission standards went into effect this semester which should increase our "outputs."

- **The funding task force, led by Curt Porter, will finalize its recommendations tomorrow. The recommendations will be sent out for a comment period on the 15th, with a goal of adopting the new formula approach by October 15th. Recommendations include ending the state "tuition credit" and FY2012 as the basis for the formula.**
- **The strategic budget process used in FY 2012 is being reviewed with an eye toward doing more budget development through the F&F (Finance and Facilities) Committee process. The budget advisory teams instituted last year will be continued. The teams will begin to be assembled next week.**

Dr. Schmidly reported that a new business model for UNM Continuing Education is being contemplated. He also noted that eight professors have been promoted to the rank of Distinguished Professor: James Ellis, School of Law, O.C. Ferrell, Anderson School of Management, Miguel Gandert, Communication and Journalism, Ted Jojola, Community and Regional Planning, Enrique Lamadrid, Spanish and Portuguese, Virginia Scharff, History, Christopher Shultis, Music and David Sklar, Emergency Medicine.

Dr. Schmidly asked that the importance of travel be considered in the discussion regarding the Regents' Travel Policy. For many faculty, grad students and staff, travel is the most critical element of their work. It supports teaching, research and public service, the missions of the University. Approximately 85% of the \$10 million spent annually on travel is paid with non-state funds. A good policy should adhere to state and federal legal standards, it should support our mission, which is quite different from other state agencies, it should support employees in doing their jobs without paying out of their pockets, and it should be efficient and save money.

V. **Comments from Regents (none)**

VI. **Public Comment, specific to agenda items (none)**

VII. **Comments from Regents' Advisors (reports included in BOR E-Book)**

Faculty Senate, Timothy Ross, President. Dr. Ross reported on the four policies the Faculty Senate is working on. Also, the ad hoc report on the benefits of an Honors College rather than an Honors Program is complete. The formation of such a college would require approval by appropriate University bodies and by the state.

- **The proposal that will detail the specifics necessary to form an Honors College should come before the Faculty Senate before winter break and be through the campus comment phase by the end of spring semester.**

Staff Council, Mary Clark, President. Ms. Clark noted the report submitted by the Staff Council Student Success Committee. She asked that the BOR be mindful of the financial impact to staff of any reduction in per diem as a result of changes to the Travel policy.

GPSA, Katie Richardson, President. In addition to the GPSA update items, Ms. Richardson commented on agenda items; the Master Plan 2011 and the proposals for changes to the Travel and Per Diem Policy.

- **GPSA will provide an update at the next BOR meeting on initiatives to support graduate students.**

- **GPSA council anticipates voting on a new set of bylaws at its next meeting.**

ASUNM, Jamie Roybal, President. In addition to her report, Ms. Roybal stated that ASUNM and GPSA are working with the administration to address the makeup of the SFRB (Student Fee Review Board). In response to Regent Fortner, Ms. Roybal said she could support a 5:3 or 5:2 ration of undergrad to grad student representation on that board.

UNM Alumni Association, Steve Chreist, Past President. Mr. Chreist invited the BOR to attend the Grand Re-Opening of Hodgkin Hall and the All University Breakfast, and noted the on-line silent auction is being held again this year. The Zia Award recipients are: Larry Abraham, Steve Ciepiela, Michael Currier, Nedra Matteucci, Denise Pena, and Elba Saavedra. The Lobo Award will go to Lillian Montoya-Rael. He reported that the Alumni Association will be shipping about five tons of green chile to chapters around the country to raise funds for scholarships.

UNM Foundation, Gary Gordon, Chair. Mr. Gordon introduced Henry Nemcik, President and CEO of the UNM Foundation. Mr. Nemcik said UNM compares favorably to data from a two-year-old Eduventures benchmarking study of about ninety colleges. UNM Foundation is a member of Eduventures and hopes to be invited to participate in the update of the study this year.

- **Mr. Nemcik will try to get Mountain West schools engaged in the next study.**

UNM Parent Association, Maria Probasco, President. In addition to her report, Ms. Probasco stated the Parent Association supports the ASUNM and GPSA views on student fees and would like to have an ex officio member on the SFRB.

Retiree Association, Scott Obenshain, President. Dr. Obenshain said the Retiree Association board membership has been expanded. A major concern of the association is benefits.

VIII. Approval of the UNM Consolidated Master Plan 2011, Chris Vallejos, AVP Institutional Support Services, Dale Dekker, Dekker Perich Sabatini (<http://iss.unm.edu/PCD/university-planning/master-planning/index.html>)

Motion to approve the UNM Consolidated Master Plan 2011 passed unanimously (1st Chalmers, 2nd Hosmer).

Regent Hosmer commended the careful process that has led to this plan. Regent Chalmers commented that it is time to approve a Master Plan; building expansion approvals have been ongoing without an updated master plan for the last several years.

In response to Regent Chalmers question regarding the process for changes future Boards might wish to make to the plan, Mr. Dekker said the plan includes a provision for an annual update to the BOR and that any major changes would clearly have to be approved by the BOR. He said caution should be taken to protect and preserve the historic buildings and the open space of the University.

Regent Gallegos questioned how implementation would be tracked.

Regent Abeita said that the HSC Board met on August 23rd at which time the board recommended that the HSC component of this Master Plan be approved (see Health Sciences Board Consent Agenda Item A).

Regent Koch asked if Mr. Dekker had an estimate of the cost of the monorail as requested at the August 9th BOR meeting. Based on information from Parsons Brinkerhoff, Mr. Dekker estimated the cost at \$40 to \$50 million per mile. The distance from South Campus all the way to the North is probably about 3½ miles.

IX. Regent Committee Reports (reports in BOR EBook)

Academic/Student Affairs & Research Committee, Regent Bradley Hosmer, Chair

Action Items:

- A. Approval of Summer 2011 Degree Candidates, President Ross

Motion to approve the Summer 2011 Degree Candidates passed unanimously (1st Hosmer, 2nd Gallegos).

President Ross said the names of degree recipients are included as an electronic attachment to the minutes of the Academic/Student Affairs committee.

- B. Approval of Posthumous Degree for Christina Joe, President Ross

Motion to approve a Posthumous Degree for Christina Joe passed unanimously (1st Koch, 2nd Hosmer).

Information Items:

- C. International Affairs Update, Provost Abdallah

Dr. Natasha Kolchevska was appointed Vice Provost for International Affairs. She has been very active establishing advisory committees and consolidating international affairs efforts across campus.

- D. Enrollment Status Report, Terry Babbitt, AVP, Division of Enrollment Management

The census data is as of September 9, 2011. Albuquerque Campus head count and credit hours are up, slightly over 1%. Valencia Campus head count was up more than 6.6% and credit hours up by 5.85%. The remaining three branch campuses followed the state trend of decreasing enrollment and credit hours. The Rio Rancho Campus is not a branch. It has an increase in head count of more than 62%, from 311 in Fall 2010 to 504 in Fall 2011.

Gateway students are not included in UNM's enrollment numbers.

The international student population remains, overall, at just under one thousand. This year we have a large increase in the number of international applicants. Two thirds to three quarters of international students are at the graduate level

Our national scholars target was reduced to forty students because of budget cuts. We stand at forty four national scholars. The targets were reduced from 130 to 40 because budget constraints could not support that many high level scholarships for four years.

Finance and Facilities Committee, Regent Don L. Chalmers, Chair

Consent Agenda:

- A. Disposition of Surplus Property for Main Campus on list dated August 12, 2011
- B. Contract Approval: UNMH-NM Department of Public Health
- C. Approval of Third Amendment to Lease for UNM Hospitals Addiction and Substance Abuse Program at 2450 Alamo Avenue SE, Kim Murphy, Director, Real Estate
- D. Approval of Naming Request for TriServices Building, Breda Bova, Chief of Staff, President's Office

Motion to approve Consent Agenda Items A, B, C and D passed unanimously (1st Chalmers, 2nd Gallegos).

Regent Chalmers said it was not necessary for the Anderson School naming request to come before the full BOR.

Action Items:

- E. Overview of UNM Golf Course Financial Sustainability Plan and Contract Approval: UNM Institutional Support Services-Mountain West GolfScapes, Chris Vallejos, AVP Institutional Support Services (ISS)

Motion to approve Mountain West GolfScapes contract passed unanimously (1st Chalmers, 2nd Abeita).

Regent Chalmers and Mr. Vallejos agreed that the deficit of the UNM South Golf Course had been trimmed from \$870 thousand four years ago to a projected \$10 thousand at the end of FY 2012. Part of the savings will come from this contract award to Mountain West GolfScapes.

- **In six months, ISS will bring to the BOR a plan for long term financial stability.**

In response to Regent Gallegos, Mr. Vallejos said that the South Golf Course is included in the 2011 Master Plan just passed by the BOR. Public-private partnerships are anticipated, including working with Mesa del Sol and commercial development possibilities.

Regent Wellman said that the South Golf Course should become the preferred golf course for all UNM hosted golf tournaments, such as those to be held in concert with Homecoming.

- **A quarterly update on revenues will be provided to the F&F Committee.**

F. Approval UNM Regents Travel Policy 7.7, Lee Peifer, University Counsel

Motion passed, with Regent Koch voting nay, to table this issue until the October 11, 2011 BOR meeting (1st Hosmer, 2nd Wellman).

Regent Chalmers said that it was more difficult than he first thought to reformulate the Travel and Per Diem Policy, noting that more than one law applies and the possibility that unanticipated consequences might result. The goal was to save money. It must also be legal and it should support the University's mission.

Mr. Peifer explained the "tension" between federal and state law. The New Mexico Per Diem and Mileage Act provided that Article 12 research institutions in NM may reimburse at federal rates for travel associated with federally sponsored activities. Later, the federal OMB (Office of Budget and Management) circular provided that reimbursement charged to the federal government must be consistent with what is allowed by the university in its non-federally sponsored activities.

The F&F proposal recognizes both the state act and the federal regulation. It makes a distinction between state funds and other institutional funds. It makes a distinction between federally sponsored and other travel. It reduces all in-state travel reimbursement to the lowest federal rate applicable to New Mexico. With regard to other than federally sponsored travel, it requires the difference between the reimbursement rate allowed in the state act and that allowed under the federal rates to be made up with institutional or funds other than state funds.

The Audit Committee proposal recognizes that the state act allows reimbursement under two schemes: the aggregate per diem scheme (a flat rate for both lodging and meals) and the scheme of reimbursement of lodging at actual and meals at a fixed rate. In Mr. Peifer's opinion, there is a significant legal issue with the part of the proposal that deals with aggregate rates. In both sections of the statute that deal with aggregate rates there is a base rate. There is a higher rate that the governing body is permitted to implement for Article 12 institutions. However the statute requires that the implementation of the higher rate requires a finding that the base rate is inadequate. Further, it appears that that finding must be reached on a locality by locality basis, rather than across the board.

There appears to be an increasing feeling that a receipt-based actual expenses system is an obvious and automatic solution. It is a potential solution, but it should be kept in mind that, under the statute, resorting to an actual system requires a finding by the BOR in open session of extraordinary circumstances that justify that system. That would require an identification and articulation of extraordinary circumstances warranting the approach.

Regent Koch stated he feels that Mr. Peifer's opinion supports the view of the "University" rather than the BOR, attempting to continue payments greater than those specified in the state act. If an outside opinion on this issue were to be obtained, he believes it would differ from Mr. Peifer's.

Regent Chalmers asked if Mr. Peifer's opinion was shared by previous University Counsels going back to at least 1996. Mr. Peifer responded that the design of University Counsel office requires that it be very aware of the "identification of the client." In this case, the only issue his office considered is what does or does not comply with the law. It has stayed assiduously away from "policy" considerations. He has not touched on a previous discussion of whether the current policy comports with the law. He cannot say whether the current policy complies with the law, as he is not an appellate court. What he can say is, that after looking at all available sources on the history of the policy, the logic is apparent and he believes he could defend it. He believes the current policy is based on the provision in the statute that allows Article 12 institutions, upon finding of extraordinary circumstances, to reimburse actual expenses rather than the rates in the state Per Diem Act. The logic appears to be that, having reached that finding, the regents identified federal reimbursement rates as the actual cost of traveling to locations identified in the federal regulation. There is nothing in the state statute that specifically allows the equation of federal rates to actual expenses.

Regent Koch said that he was acting chair of the F&F Committee at the time the current policy was passed and there was no discussion of this issue.

Regent Chalmers said the issue is not whether what we're doing is legal but whether we are going to have an austere budget or not. The whole impetus of looking at this policy now is to save money.

Regent Gallegos said this matter came before the Audit Committee on June 16th. The committee believed that the current policy is not in compliance with state law. It drafted a policy that said we will comply with state law, but found out it is not as straight forward as that. The August 18th Audit Committee meeting produced the proposal today. The F&F meeting on September 1st produced the other version that has the distinctions between state and "institutional" funds. We have two proposals because Regent Koch thought both should be brought before the full BOR.

Regent Gallegos said the statute has distinct sections. There is one for officers & employees of post-secondary institutions. There is no doubt that officers and employees of the university are, by the terms of that act, not to be treated differently from how everybody else is treated. As for the idea of "institutional funds," there are state agencies that receive no state appropriations but still follow the state statute on per diem.

He went on to say that OMB Circular A-21 says charges for federal travel will be consistent with those normally allowed for like circumstances in the institution's non-federally sponsored activities. Following state law is, in no way, going to violate a federal regulation.

There are two flaws in the F&F proposal: it allows for reimbursement in excess of the state statute and it does not provide for the extraordinary circumstances that give us safe harbor so

that if the BOR can be shown evidence that the state rate is insufficient at various destinations, and therefore, we can reimburse more than that. Regent Hosmer emphasized in committee that there is this way to accommodate those places where the state rates are insufficient.

The problem with the Audit Committee version now is, we automatically built in the higher rates.

Mr. Peifer clarified that he did not say following state law would violate federal law. Following the state per diem rate but charging the federal government a different rate would violate federal regulations.

Making up the difference between state and federal rates with “institutional” funds is a model followed by research institutions around the country. The logic is that the state statute is not designed to regulate how much people spend; rather it is designed to regulate how much people can expect to be reimbursed. It is clearly not designed to regulate how much people can be reimbursed from any source because it specifically states that people traveling on university business on federally sponsored business can be reimbursed at a different rate. That is the difference in the designation of “state” and “institutional” funds.

Regent Hosmer would like to investigate a third way: the University establishing a table of allowed meal expenses for different destinations in which a judgment is made, with some evidence, that the state rates are inadequate. It could be the basis for a legislative proposal should we choose to go that direction. It would lead to a framing by regents of exceptional circumstances for travel to those destinations and, since it is such a finding, it should probably be reviewed and updated annually. Any alternative proposal needs to be examined carefully. Regent Hosmer is not prepared to make a final judgment on this matter as yet.

VP Lovell stated that the auditors who conduct the annual audit of the University stand in place of the federal auditors when they complete the “single audit,” per OMB A-133. The auditors have said “...if you do not use the same rates for federal that you use for state, you are out of compliance.” I looked at the financial consequences of each proposal. The Audit Committee proposal, for the \$230 to \$240 million in contracts and grants already in place that have been authorized at the federal rates and for which no agency would go back and reallocate the “excess” per diem reimbursement to another use. We would lose that direct cost and the indirect cost. I took a sample and did estimates based on the 20 thousand requests for reimbursement processed in 2010. The estimated loss of more than \$500 thousand is net of savings that would be realized. \$233 thousand is the overhead, or indirect cost, that is returned. A lot of that money is used for supporting grad students, for start-up money, for new faculty. That money would be lost and it would be a recurring loss every year. With the F&F proposal, we would have the savings of state money and institutional money and we would lose nothing on the C&G (Contract and Grant) money. In support of the research mission, I would favor the F&F proposal. Colleagues at DFA have said they only set rates for state and local governments. Governing boards set rates for higher education.

Dr. Ross commented that faculty don’t consider themselves special employees. Rather they consider much of their work to be unusual. While traveling with students on research trips they encounter significant expenses not usually associated with “business” travel. When faculty and students travel to conferences in locations with high cost, they encounter unusual expenses. It would seem that the reason university employees and the state legislators are granted an exception from state per diem rates is in recognition of this issue. Members of the

faculty and the Faculty Senate with whom he has spoken have unanimously supported his suggestion that the BOR table this motion, table the consideration of both proposals, indefinitely until such time as there's a legal challenge to what we are doing now. If that becomes the case, we should let the courts decide.

Regent Abeita said both proposals refer to rates of \$135 and \$215. Is that a fatal flaw in both proposals? Mr. Peifer said these rates are in the finding of inadequacy sections of the statute not in the finding of extraordinary circumstances sections. When the F&F version was being drafted in the policy office the intention was to bring over as much as possible from the Audit Committee version. That was before the flaw was identified today.

Regent Gallegos stated that the Audit proposal, subject to the changes to the lower rates, complies with state law and doesn't violate WMB A-21.

- **BOR questions will be explored and the F&F Committee will recommend options to the full BOR.**
- **Regent Fortner will discuss Regent Koch's idea of obtaining outside legal counsel with him.**

- G. Approval of Land Exchange City of Albuquerque (Gibson Fire Station Site for 4th Street Healthcare Clinic Site), Kim Murphy, Director Real Estate

Motion to approve Land Exchange City of Albuquerque passed unanimously (1st Chalmers, 2nd Gallegos).

The difference in value between the two parcels will be paid to the University by the city in either cash or infrastructure, at the University's discretion. Neighborhood associations in both areas are in favor of the exchange. The agreement covers a number of conditions such as rezoning, platting and site development. The City Council approved this agreement on September 7, 2011. The exchange will provide better services to South Campus.

Regent Koch said that the F&F Committee passed the proposal on to the BOR with the stipulation that the difference in value be paid in cash by the city. Mr. Murphy said that because the agreement stipulates that the payment type is at the discretion of the University, that the payment will be in cash if that is the direction of this board.

Regent Chalmers told Regent Gallegos that the HSC/UNMH will pay the University for the property.

- H. Approval of Refunding of Series 2002A Bonds, Andrew Cullen, AVP Budget

Motion to approve refunding of Series 2002A bonds passed unanimously (1st Chalmers, 2nd Gallegos).

Mr. Cullen said this refunding would lower the interest rate which would lower the debt service accordingly. The bonds will be re-funded if an aggregate net present value savings of 4% (approximately \$1.4 million) or greater can be realized.

Information Items:

- I. UNM Ratings Agency Update, Andrew Cullen, AVP Budget

Mr. Cullen said that given three successive recessions and three successive budget cuts, these rating reports are good news. The fee for each agency was approximately \$50 thousand. Fitch wasn't used because our financial advisors' opinion is that the expertise of Fitch lies in

the public infrastructure area not higher education. Additionally, both Moody's and Standard and Poor's are familiar with the University.

J. Facility Scan and Credit Impact, Andrew Cullen, AVP Budget

It is a consistent Moody's and Standard & Poor's request, when we go forward with a bond issue, so they can understand how the issuance of these dollars and the capital improvements associated with the issuance ties with the academic mission of the University. We are just now drawing down the last of the funds associated with the 2007 UNM bond issue. We've had several years of minimal capital dollars from the state. And, as we complete the Sandoval Regional Medical Center (SRMC) and the Main Campus housing project, we need to look at facility needs on both Main Campus and the HSC and develop a comprehensive capital renewal program to take place over the next several years.

Mary Vosevich, Director, Physical Plant, said engineering evaluations of the Fine Arts Building show that it is structurally sound. We see no subsidence of the building, no subsidence of structural columns or upper floors. There are voids under the floor, under the lower slab. The problem first appeared about a year after the building was constructed and repairs took place. We do not know exactly what was entailed in the repairs.

• **PPD will be doing an investigation of the voids beneath the slab tonight.**

When we know the extent of the voids, the engineers will suggest a remediation plan. Ms. Vosevich said the engineering letter says the building is structurally sound and so we do not have a concern that the safety of building occupants is at risk. If the void is extensive, we would like to take that opportunity to repair/upgrade any piping under the floor.

Regent Wellman was assured that the scan would include student life facilities, such as dining halls and Johnson Center.

Health Sciences Board, Chancellor Paul Roth for Regent Carolyn J. Abeita, Chair

Consent Items:

- A. Approval of HSC Master Facility Plan, Steve McKernan, CEO, UNM Hospitals
- B. Approval of UNMH Contract with the New Mexico Department of Health

Motion to approve Consent Agenda Items A & B passed unanimously (1st Abeita, 2nd Hosmer).

Both items were addressed earlier in this agenda. These items were heard by the HSC Board and reviewed by the F&F Committee.

Audit Committee, Regent Gene Gallegos, Chair

- A. Audit Committee Report, August 18, 2011 Meeting

We continue to have past due audit items due to the Gallup Campus. Dr. Schmidly advises he has put together a team to address the overall circumstances in Gallup. He visited the Gallup Campus last week, went through the audit findings and believes we are in process of getting them all straightened out.

X. Public Comment (none)

XI. Vote to close the meeting and to proceed into Executive Session

Motion to proceed into Executive Session passed unanimously at 11:50 a.m. (1st Wellman, 2nd Abeita).

XII. Executive Session 11:51 a.m. – 1:53 p.m.

- A. Discussion and determination where appropriate of threatened or pending litigation pursuant to Section 10-15-1.H (7) NMSA (1978).
- B. Discussion and determination where appropriate of limited personnel matters pursuant to Section 10-15-1.H (2) NMSA (1978).
- C. Discussion and determination where appropriate of the purchase, acquisition or disposal of real property pursuant to Section 10-15-1.H (8) NMSA (1978).

XIII. D. Vote to Re-open the meeting.

Motion passed unanimously at 1:53 p.m. to return to open session (1st Koch, 2nd Chalmers).

- F. Certification that only the matters described in Agenda item XII. were discussed in Executive Session and, if necessary, final action with regard to those matters will be taken in Open Session.

Motion to certify no actions were taken in executive session passed unanimously (1st Koch, 2nd Wellman).

Action item:

Approval of donation of 1.44 acres at Young Ranch to Cochiti Pueblo, according to similar terms and language from the previous donation, including use for academic purposes

Motion passed to approve the donation, with Regent Abeita abstaining and Regents Koch and Fortner out of the room.

XIV. Adjournment

Motion to adjourn the meeting passed at 1:59 p.m. (1st Abeita, 2nd Wellman).



Jack L. Fortner

President, UNM Board of Regents



Carolyn J. Abeita

Secretary/Treasurer, UNM Board of Regents