



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
March 10, 2023 at 8:00 AM**

The hybrid meeting will be held at the Regents Room in
the Educational Services Building,
1780 East University Avenue, Las Cruces, NM
Webcast at the following address:
<https://nmsu.zoom.us/j/93914730638>

Regents of New Mexico State University

Chair Ammu Devasthali, Dina Chacón-Reitzel, Christopher T. Saucedo, Deborah Romero, Garrett Moseley

Non-Voting Advisory Members - Faculty Senate Chair Gaylene Fasenko, Ph.D., Employee Council Chair Susanne Berger

University Officials - Chancellor Dan E. Arvizu, Ph.D., Interim Provost Dorothy Campbell, Ph.D., Vice Chancellor Ruth A. Johnston, Ph.D., General Counsel Roy Collins III, J.D.

MINUTES

A. Call to Order, Chairwoman Ammu Devasthali

Chairwoman Devasthali called the meeting to order at 8:13 AM.

Pledge of Allegiance

Regent Garrett Moseley led the pledge of allegiance.

1. Introduction of the Media and Elected Officials, Associate Vice President Justin Bannister

Associate Vice President Bannister noted that there were no media or elected officials present.

2. Introductions, Chairwoman Ammu Devasthali

Chairwoman Devasthali introduced the next item of business and said, "We have two very special introductions today for our two new confirmed regents. First, Regent Garrett Moseley:

I would like to -re-introduce and welcome Garrett Moseley as Regent of New Mexico State University. Regent Moseley is a graduate of Valley High School in Albuquerque and he succeeds Neal Bitsie as student regent. He is an undergraduate student majoring in criminal justice and government and has previously served as the president of ASNMSU, the university's student government organization since fall 2022, having previously served as an ASNMSU senator from the College of Arts and Sciences. Regent Moseley also has aspirations of attending graduate school at NMSU after he completes his undergraduate degree. He was confirmed by the Senate on Wednesday with and his term runs through Dec. 31, 2024.

Please join me in welcoming Regent Garrett Moseley!

Next, we have Regent Deborah Romero.

Deborah (Debby) Romero retired as cabinet secretary for the New Mexico Department of Finance and Administration (DFA) in 2022 following a nearly 50-year career as a public servant in New Mexico state government. Regent Romero has worked for nine different gubernatorial administrations and participated in over 40 legislative sessions. She has worked in budgeting and finance across a wide variety of fields, with the majority of her career spent at DFA. Throughout her time at the department, she established the infrastructure capital outlay process for local governments, created the state's capital outlay tracking system,

and launched the state Infrastructure Finance Conference, which celebrated its 25th anniversary this year. She also previously served as Chief Financial Officer for the New Mexico Department of Homeland Security and Emergency Management, as well as the Director of Boards and Commissions under two previous administrations. Regent Debbie Romero succeeds Arsenio Romero, who vacated his position as a regent to serve as cabinet secretary for the New Mexico Public Education Department.

Please join me in welcoming Regent Debbi Romero!"

3. Confirmation of Quorum, Chairwoman Ammu Devasthali

The chief of staff noted that Regents Moseley, Romero, Saucedo, and Devasthali were present in the board room. Regent Chacón-Reitzel joined by Zoom. Advisory members present included Gaylene Fasenko who joined the meeting by Zoom, Employee Council Chair Suzanne Berger who was present in the board room along with Sophie Pettes representing ASNMSU. The university administration present included Chancellor Dan Arvizu and General Counsel Roy Collins who were present in the board room. Interim Provost Dorothy Campbell joining by Zoom. Vice Chancellor Ruth Johnston was excused and was not present. The quorum was confirmed and the roll called.

4. Approval of the Agenda, Chairwoman Ammu Devasthali

Regent Saucedo moved to approve the agenda as presented. Regent Moseley seconded. All voted in favor of the motion and the agenda was approved.

B. Approval of the Minutes and Confirmation of Prior Closed Sessions, Chairwoman Ammu Devasthali

1. Regular Meeting Minutes December 8, 2022

Regent Saucedo moved approval of the minutes for the Regular meeting on December 8, 2022 with a second from Regent Moseley. All voted in favor and the minutes from December 8, 2022 were approved.

2. Special Meeting Minutes December 28, 2022

Regent Moseley moved approval of the minutes for the special meeting on December 28, 2022 with a second from Regent Saucedo. All voted in favor and the minutes from December 28, 2022 were approved.

3. Confirmation of Prior Closed Executive Session February 10, 2023

The chief of staff read the following confirmation of closed session on February 10:

"The Board of Regents met in an online emergency closed executive session at 5:45 pm on February 10, 2023.

The closed meeting was called to discuss emerging circumstances that involved alleged policy violations which included a perception of imminent danger to NMSU students. Matters concerning NMSU employees in connection with this situation were discussed as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2).

Those board members who were present please certify that only matters of that nature were discussed."

Regents responded as follows:

Regent Saucedo - Yes

Regent Chacón-Reitzel - Yes

Regent Devasthali - Yes

4. Confirmation of Prior Closed Executive Session 8 AM on February 14, 2023

The chief of staff read the following confirmation of closed session on February 14 at 8 AM:

"The Board of Regents met in an online closed executive session at 8:00 am on February 14, 2023.

The closed meeting was called to discuss the acquisition of real property in accordance with NMSA Section 10-15-1 H(8) of the New Mexico Open Meetings Act. Those matters may include discussion subject to attorney client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(7).

Those board members who were present please certify that only matters of that nature were discussed."

Regents responded as follows:

Regent Saucedo - Yes

Regent Chacón-Reitzel - Yes

Regent Devasthali - Yes

5. Confirmation of Prior Closed Executive Session 5 PM on February 14, 2023

The chief of staff read the following confirmation of closed session on February 14 at 5 PM:

"The Board of Regents met in an online closed executive session at 5:00 pm on February 14, 2023.

The closed meeting was called to discuss limited personnel matters concerning individual NMSU employees as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2). Those matters include discussion of personally identifiable information about individual NMSU students as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(4).

Those board members who were present please certify that only matters of that nature were discussed."

Regents responded as follows:

Regent Saucedo - Yes

Regent Chacón-Reitzel - Yes

Regent Devasthali - Yes

6. Confirmation of Prior Closed Executive Session February 23, 2023

The chief of staff read the following confirmation of closed session on February 23:

The Board of Regents met in an online closed executive session at 1:00 pm on February 23, 2023.

The closed meeting was called to discuss limited personnel matters concerning individual NMSU employees as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2). Those matters include discussion of a decision concerning purchases in an amount exceeding two thousand five hundred dollars (\$2,500) that can be made only from one source pursuant to the Procurement Code as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(6).

Those board members who were present please certify that only matters of that nature were discussed.

Regents responded as follows:

Regent Saucedo - Yes

Regent Chacón-Reitzel - Yes

Regent Devasthali - Yes

7. Confirmation of Prior Closed Executive Session March 8, 2023

The chief of staff noted that, “As a point of order, the board noticed on the agenda a closed meeting that would have occurred on March 8, 2023. But it did not occur, as you know, because the regents were being sworn in on that day at that time when the closed meeting was to be held, so that meeting was not, in fact, held so. There is no need for a confirmation and prior closed executive session. That's represented as Item B. 7 on your agenda. So, are scratching that out.”

C. **Public Comment**, *Associate Vice President Justin Bannister*

Associate Vice President Bannister noted that no one had signed up for public comment.

D. **Consent Items**, *Chairwoman Ammu Devasthali*

Regent Chacón-Reitzel moved approval of the consent agenda items as presented with a second from Regent Saucedo. All were in favor and the consent agenda items were approved as presented.

1. **Proposal to create a Bachelor of Science in Computer Engineering program**, *Interim Provost Dorothy Campbell*
2. **Las Cruces: NMDA Building #330 Demolition**, *University Architect Heather Watenpaugh*
3. **Las Cruces: Pan American Center Seating and Facility Upgrades**, *University Architect Heather Watenpaugh*
4. **Las Cruces: Activity Center Weight Room and Student Lounge Renovation**, *University Architect Heather Watenpaugh*
5. **Las Cruces: Nursing Skills and Simulation Labs Renovation**, *University Architect Heather Watenpaugh*
6. **Las Cruces: Ag Modernization Phase 2, Arena Building**, *University Architect Heather Watenpaugh*
7. **Las Cruces: Aggie Memorial Stadium Operations Center**, *University Architect Heather Watenpaugh*
8. **Las Cruces: Aggie Memorial Stadium – Artificial Turf Replacement (REVISED PROJECT)**, *University Architect Heather Watenpaugh*
9. **EV3 Charging Station Lease Agreement**, *Special Assistant to the President Scott Eschenbrenner*
10. **2023 Annual Open Meetings Notice Resolution**, *University General Counsel Roy Collins*
11. **Disposition/Deletion of Property**, *Associate Vice President D’Anne Stuart*

E. **Action Items, Chairwoman Ammu Devasthali**

1. **Election of Officers, Chairwoman Ammu Devasthali**

Chairwoman Devasthali said, "At this time, we have election of officers on our agenda. As provided by state statute and Board of Regents Bylaws, we are to elect a Chair, Vice Chair, and Secretary/Treasurer in our annual meeting in March. First, we will have nominations and election for Chair. I will now entertain nominations for the position of Chair. Nominations for Chair are now open."

Regent Chacón-Reitzel nominated Ammu Devasthali as chair. Regent Saucedo seconded the nomination.

Chairwoman Devasthali asked if there are any other nominations and there were none.

Chairwoman Devasthali announced, "With that Regent Ammu Devasthali has been elected chair by acclamation."

Chairwoman Devasthali said, "Members of the Board I will now entertain nominations for the position of Vice Chair. Nominations for Vice Chair are now open."

Regent Devasthali nominated Regent Saucedo for Vice Chair. There were no other nominations and Chairwoman Devasthali announced that Regent Saucedo was elected Vice Chair by acclamation.

Chairwoman Devasthali said, "Members of the Board I will now entertain nominations for the position of Secretary/Treasurer. Nominations for Secretary/Treasurer are now open."

Regent Chacón-Reitzel nominated Regent Garrett Moseley as Secretary/Treasurer. There were no other nominations and Chairwoman Devasthali announced that Regent Garrett Moseley was elected Secretary/Treasurer by acclamation.

F. **Informational Items, Chairwoman Ammu Devasthali**

1. **Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period December 1, 2022 – February 28, 2023, Senior Administrator for Strategic System Services and Operational Policy Administrator Ermelinda Quintela**

Senior Administrator for Strategic System Services and Operational Policy Administrator Ermelinda Quintela provided a report on the revised policies from December 1 – February 28.

Ms. Quintela said, "My role today is to update you on some of the revisions to our operational policy for the University and I submitted three summaries for this presentation. The first one is submitted as interim and it is the university related international travel. This was submitted and updated as interim, which is provisional, and will be enforced for six months potentially, possibly one year, if approved by the Chancellor, but in the meantime the proposal sponsor will resubmit as official and permanent approval through our proposal process. The international travel policy is updated in order to update in accordance with some of our international travel requirements, and to ensure that we are aligned with the U.S. State Department Travel Advisory System. So I did provide you a summary of the update, and there are a few other compliance requirements that were included, such as export control and some other reporting requirements, verification of some of the offices that are involved, along with some procedures that are required, as we travel internationally for all faculty staff students, and anyone doing business on behalf of NMSU. The next 2 policies

are actually in the HR realm and they relate to retirement through NMERB and hiring of some of the individuals that are retired through NMERB. These policies were updated to align with the current legislation and now that the session is as close to being closed, we will also be updating in the near future with these two policies as well.”

There were no questions about the report.

G. Report from the New Mexico Department of Agriculture to the Regents of New Mexico State University (Board of Agriculture), Cabinet Secretary & Director Jeff Witte

Chairwoman Devasthali noted that, “As a result of the ongoing legislative sessions. Secretary Witte, who practically lives there in the roundhouse these days, has provided his report in advance, and there will be no oral report today.”

The report provided in writing follows:

BOARD OF REGENTS REPORT

March 7, 2023

Welcome to our new regents Deborah Romero and Garrett Moseley. I have had the honor of working with Regent Romero for many years and look forward to continuing that for the future and I look forward to working with Regent Moseley. I invite both of you, when you have time, to visit NMDA and become familiar with our operations. You not only sit as regents, but as I like to say, as the board of agriculture as you also govern over all rulemakings brought forth by the department. I would like to also extend my congratulations to Regent Devasthali on her reappointment.

The past few months have been dedicated to the 2023 legislative session. The budget is the primary priority. NMDA is also part of the Land of Enchantment Legacy Fund proposal which will establish a trust fund to provide consistent funding for conservation programs. NMDA is scheduled to receive 22.5% of the distribution annually. This funding will be used for programs associated with the Soil and Water Conservation Districts, Healthy Soils Programs and Noxious Weed Management.

I was asked to serve on the National Association of State Departments of Agriculture National Agriculture Statistics Advisory Committee. This committee advises USDA on agriculture surveys and data needs for the US.

We will provide a complete legislative impact update at the next update to the regents.

-New Mexico Agriculture Secretary Jeff Witte

Agricultural Programs and Resources

NMDA’s Healthy Soil Program Background

<https://nmdeptag.nmsu.edu/healthy-soil-program.html>

Visit the website above to watch two video clips about NMDA's Healthy Soil Program.

NMDA created its Healthy Soil Program after the Healthy Soil Act was signed into law in 2019. The purpose of the program is “to promote and support farming and ranching systems and other

forms of land management that increase soil organic matter, aggregate stability, microbiology and water retention to improve the health, yield and profitability of the soils of the state.”

Grants to improve soil health are the centerpiece of NMDA’s Healthy Soil Program. Every year, NMDA awards grants to implement on-the-ground projects that implement one or more of the five soil health principles, stated as follows in the legislative Act that created the program:

- keeping soil covered

- minimizing soil disturbance on cropland and minimizing external inputs
- maximizing biodiversity
- maintaining a living root
- integrating animals into land management, including grazing animals, birds, beneficial insects or keystone species, such as earthworms

The application period for Healthy Soil Program grants for individual applicants is open now. These grants will fund on-the-ground projects that occur between August 1, 2023 and May 31, 2024.

Agricultural and Environmental Services

From March 5 to March 7, NMDA participated in the Western Pecan Growers Conference held in Las Cruces. The conference is billed as the largest pecan conference in the country with participants from national and international pecan growing regions. NMDA's participation included staffing a booth at which growers were provided with information regarding pecan exporting requirements and insect pest eradication program progress. NMDA staff also provided an educational presentation during the event.

NMDA staff is concluding efforts directed at facilitating the export and interstate movement of in-shell pecans to ensure compliance with states' laws regulating the inter- and intrastate movement of in-shell pecans. These laws are primarily directed at preventing the spread of pecan weevil, a recently introduced pest to eastern New Mexico among other pecan growing counties in the state and the neighboring El Paso County and northern Chihuahua.

NMDA staff also facilitated a short training with Navajo EPA related to pesticide safety and inspection processes. The training was held in Farmington, utilizing licensed pesticide applicators as part of the process.

Marketing and Development

Second Class of New Mexico—Taste the Tradition® Chef Ambassadors

In the fall, NMDA selected Chefs Jordan Isaacson and Jon Young as the second class of the NEW MEXICO—Taste the Tradition® Chef Ambassador Program after a competitive application and

interview process. Both chefs will serve two-year terms strengthening the voice of New Mexico agriculture and creating experiences with lasting impact on buyers and consumers both in-state and nationally.

Chef Isaacson recently moved to Santa Fe where he will be starting a position at a new restaurant on the plaza. Chef Young is the chef/-owner of both a successful farm-to-table catering business and private chef business — for which he sources ingredients from his small farm located in Corrales.

Through Chef Young's participation in the 2nd Annual Matanza at the Agri-Nature Center in Los Ranchos February 25, NMDA helped to support this community in its ongoing efforts to educate others about New Mexico agriculture through experiential learning and food.

On February 27, both chefs served as judges for the 20th Annual New Mexico ProStart Invitational in Albuquerque, hosted by the Hospitality Industry Education Foundation and the New Mexico Restaurant Association.

Over the next several months, the Chef Ambassadors will create recipes and videos to enhance NMDA's digital marketing and promotional efforts, assisting at major national and international tradeshow such as the National Restaurant Association Show in Chicago, and the America's Food & Beverage Show in Miami, and much more.

Western United States Agricultural Trade Association (WUSATA) Winter Meeting

Staff attended the annual WUSATA meeting in Vancouver, Washington to submit proposals for 2024. Four international trade activities were proposed and approved for funding. The activities include a pair of Dried Fruit and Nut Inbound Missions with Europe and Korea, a Specialty Food Inbound Mission with Europe, and an Ingredient and Food Service outbound to Mexico.

U.S. Livestock Genetic Exports, Inc. (USLGE) Annual Meeting

Staff attended the USLGE annual meeting in Fort Worth last month. Staff served as the NMDA representative on the Board of Directors. In addition, staff led a presentation on “Cooperation with Members.” The meeting included USDA Foreign Agricultural Service workshops, country market updates, and site visits. Staff worked with other members to plan proposals for the 2024 Unified Export Strategy.

USLGE Mexico Inbound Mission

Staff coordinated a Livestock Genetics inbound mission with Mexico. Three cattle buyers from Mexico participated in this trade mission. The mission included a bull sale, tour of the NMSU Tucumcari Ag Experiment Station and Bull Test, as well as ranch tours. In-bound missions, such as this one, provide a critical opportunity to demonstrate the quality and value of New Mexico cattle and genetics to important trade partners. Out of this mission, a sale of 40 registered Hereford yearling heifers is currently being negotiated.

Local Foods Purchase Assistance Cooperative Agreement

In the past four months, NMDA has been a critical asset in the progress achieved with the Local Foods Purchase Assistance Cooperative Agreement (LFPA). The LFPA is a partnership between the NMDA, The Food Depot, and the New Mexico Farmers’ Marketing association whereby the cooperative partnership buys food from local farmers for distribution to food banks around the state. This opportunity provides \$1.8 million for food purchases from New Mexico farmers.

In the first week of purchasing, the cooperative partners acquired 4,741 pounds of food for distribution including meats, carrots, head lettuce and spinach.

By spearheading the task force, the NMDA has been able to develop a work plan centered around strategic progress, finalize procurement guidelines to help initiate food purchasing, collaborate with our partners to develop marketing and outreach materials – including a program website - and draft a grant amendment for an additional \$3.1 million in funding and an extra operational year to spend an additional \$2.0 million of that funding on local food purchases.

*Head lettuce from E.W. Farms in Clovis, purchased with LFPA funds for the Food Bank of Eastern NM. Pictured is owner/producer Marcus Petrosky.

Specialty Crop Block Grant Program

Through an external evaluation committee, NMDA has selected five projects, totaling \$561,526.43 (or \$610,354.81 with administrative expenses) to progress through the 2023 application process. The projects selected represent exciting opportunities to not only support the economic development opportunities for specialty crop farmers, but also the development of local food systems in underserved communities, indigenous food products, and infrastructure for specialty crops. Excluding the future 2023 funding, NMDA is currently closing out two funding cycles (2018 and 2019, totaling \$1.22 million) and administering four on-going funding cycles totaling over \$2.54 million.

National Cattlemen’s Beef Association Convention

In February, staff attended and exhibited at the National Cattlemen’s Beef Association Convention in New Orleans. The event is one of the largest cattle industry conventions held annually in the United States. Staff participated in international livestock and genetics meetings as well as sessions regarding the outlook of upcoming value-added opportunities for ranchers. Staff cost-shared a booth to exhibit at the trade show with

the NMSU College of ACES Animal and Range Science Department to network, promote and discuss New Mexico agriculture with the public and recruit graduate students to attend the university. Local food products were sampled and live clinics were demonstrated, which attracted many participants to interact with the NMDA/NMSU ACES booth.

Standards and Consumer Services

NMDA is gathering information from the petroleum and biodiesel industries regarding the implementation of the biodiesel mandate, New Mexico Biodiesel Mandate Section 57-19-29. The current waiver expires April 15, 2023.

H. **Announcements and Comments**, *Chairwoman Ammu Devasthali*

1. **Good News for NMSU!**

Regent Chacón-Reitzel congratulated Debbie Romero, Garrett Mosley, and Ammu Devasthali and welcomed them to the board of regents. She further noted that Regent Romero's, "acumen in finance and accounting will be very, very useful to the Board, and I appreciate your passion for NMSU. To Regent Moseley she stated, "I have always appreciated your leadership. I'm looking forward to serving with you. You'll be the eyes and ears of the students on campus, and that's a big job. So, thank you for stepping up to the plate and joining us on the board, and I wish you all success."

Regent Saucedo also congratulated the newly appointed regents and he also congratulated former regent Arsenio Romero who is now starting a new adventure as Cabinet Secretary. Regent Saucedo said, "it's very exciting for the State of New Mexico to have him in that position." Regent Saucedo also recognized Garrett Moseley's work in starting a program called "Rivals for Relief" with the UTEP and UNM student governments to raise money to help provide relief to immigrant families.

Regent Devasthali added, "They actually started the program with the help of The Community Foundation of Southern New Mexico. So it was a real nice way to bring the universities together. Bring the community together, and Terra Winter, who is the president of the Community Foundation, really provided them with good guidance. Thank you, Tara."

Regent Devasthali continued, noting that, "I do want to congratulate our women's basketball team. They won the first game against Rio Grande Valley and they gave the Southern Utah team a run for their money. That game could have gone either way, and our girls did so well. I was there in Las Vegas for the first game and missed the second one, because I was being sworn in at Santa Fe. Congratulations to Coach Jodi and her team."

Chancellor Arvizu said, "I just want to do a shout out for all of the people from New Mexico State University that spent time in Santa Fe over the last couple of months. I think the presence of NMSU is noteworthy, and I think we've heard lots of good positive comments. Thank you for your leadership there as well. Your personal contribution lobbying with the rest of us to seek the best interests of the of the University, and we're keeping our fingers crossed because the legislative session is not over, but it looks like it's been a good productive year."

Regent Chacón-Reitzel said, "I just want to thank Neal Bitsie. His last meeting was a few weeks ago, but he served admirably, and he was a great colleague on the Board of Regents, and we all know the extra challenges that our student regents have, to do good in their grades and their studies, and keep up with such a busy, busy job. So, I would just like to extend my thank you and my wishes for good luck in the future to Neal Bitsie."

1. **Adjournment, Chairwoman Ammu Devasthali**

Regent Saucedo moved to adjourn and Regent Moseley seconded the motion. The meeting adjourned at 8:38 AM.

Meeting Minutes Approved on May 11, 2023 by the New Mexico State University Board of Regents.



Ammu Devasthali
Board of Regents Chair



Garrett Moseley
Board of Regents Secretary/Treasurer