

**MESALANDS COMMUNITY COLLEGE
BOARD OF TRUSTEES
MINUTES OF THE SPECIAL BOARD MEETING**

February 14, 2023

The Mesalands Community College Board of Trustees met in special session on Tuesday, February 14, 2023, at 5:30 p.m. via Google Meet in Tucumcari, New Mexico.

I. CALL TO ORDER

Mr. Streetman, Chair, called the meeting to order at 5:30 p.m.

ROLL CALL

The following board members were present: Ms. Teresa Stephenson, Mr. Phillip Box, Mr. Jimmy Sandoval, Mr. James Streetman, and Mr. Tom Sidwell.

Mr. Streetman announced those in attendance at the meeting, are the following:

- Mr. James Streetman
- Ms. Teresa Stephenson
- Mr. Jimmy Sandoval
- Mr. Phillip Box
- Mr. Tom Sidwell
- Mr. Joel Kiser
- Mr. Josh McVey
- Dr. Duane Brooks
- Ms. Blanca Pauliukevicius
- Dr. Denise Hackett
- Mr. Julio Galindo
- Mr. Jason Nemrow
- Mr. Mark Martinez
- Dr. Allen Moss
- Mr. Russell Irby
- Ms. Margaret Ragland
- Institutional Computing (Justin Hatterman)

LIST OF ACTION ITEMS

- 1) Approval of Agenda
- 2) Approval of Consent Agendas
- 3) Discussion on Emergency Solvency Plan to HED
- 4) Approval to Immediately enact the Emergency Solvency Plan
- 5) Approval to go into Executive Session
- 6) Approval to Reconvene from Executive Session
- 7) Action if needed from Executive Session

II. APPROVAL OF AGENDA (Exhibit 1) – ACTION

ACTION – Mr. Box moved to approve the agenda with the following order changes: move the VII-Executive Session, VIII-Reconvene from Executive Session and XI-Action from Executive Session after III-Comments by the Public. Mr. Sandoval seconded the motion. A roll call vote was taken with members voting: Mr. Streetman, yes; Mr. Box, yes; Mr. Sandoval, yes; Mr. Sidwell, yes; and Ms. Stephenson, yes. The motion carried.

III. COMMENTS BY THE PUBLIC ON ITEMS ON THIS AGENDA

As per Board Policy 2.3 Procedures for Addressing the Board: Any person wishing to speak to the agenda must register prior to the meeting and their comments are limited to five (5) minutes.

Mr. Streetman asked Ms. Ragland if she received any Public Comments. She responded yes, there are some Public Comments that were received at this time.

1. Mr. Ernie Rogers
2. Mr. Marty Garcia
3. Mr. Paul Moss

IV. EXECUTIVE SESSION - ACTION

ACTION – Mr. Box moved that the Board enter Executive Session for limited personnel matters as allowed for in NMSA 1978, Section 10-15-1 (H) (2), for litigation as allowed for in NMSA 1978, Section 10-15-1 (H) (7), and for real property and water rights as allowed for in NMSA 1978, Section 10-15-1 (H) (8). Ms. Stephenson seconded the motion. A roll call vote was taken with members voting: Mr. Sidwell, yes; Mr. Streetman, yes; Mr. Box, yes; Mr. Sandoval, yes; and Ms. Stephenson, yes. The motion carried.

V. RECONVENE FROM EXECUTIVE SESSION – ACTION

ACTION – Mr. Box moved that the Board Reconvene from Executive Session which was limited to discussions as stipulated above for limited personnel matters as allowed for in NMSA 1978, Section 10-15-1 (H) (2), for litigation as allowed for in NMSA 1978, Section 10-15-1 (H) (7), and for real property and water rights as allowed for in NMSA 1978, Section 10-15-1 (H) (8). Ms. Stephenson seconded the motion. A roll call vote was taken with members voting: Mr. Box, yes; Mr. Sandoval, yes; Ms. Stephenson, yes; Mr. Streetman, yes; and Mr. Sidwell, yes. The motion carried.

VI. ACTION, IF NEEDED BASED ON EXECUTIVE SESSION

Mr. Streetman stated there was one action that is needed, based on Executive Session.

ACTION – Mr. Sidwell made the motion the Board of Trustees appoint Dr. Allen Moss as the Temporary Acting President with all powers granted.. Mr. Sandoval seconded the motion. A roll call vote was taken with members voting: Mr. Sandoval, yes; Mr. Sidwell, yes; Ms. Stephenson, yes; Mr. Streetman, yes; and Mr. Box, yes. The motion carried.

It was asked by Mr. Russell Irby if the Board had a different meeting to appoint Dr. Moss to this position? Also, Mr. Irby asked if we could start having in-person meetings again, even if some of the Board member need to access the meeting virtually so that everyone could have a chance to have their concerns heard. Mr. Streetman, we will have to see about that. Mr. Streetman stated that the last Board meeting that we had on February 9, 2023, Dr. Allen Moss was discussed for this position in the Executive Sessions by the Board, we did not announce it then as Mr. Streetman needed to asked if Mr. Moss would even be willing to accept this position first before bringing it before the Board. Mr. Streetman contacted Dr. Moss on Saturday to ask if he would consider this position. The Executive Staff wanted it noted that they felt this was retaliatory measure by not choosing someone from the executive staff. Mr. Streetman stated that it needed to be someone that was in a neutral position and Dr. Moss has many years of experience as an administrator. Dr. Allen Moss suggested that Mr. Irby spell-out the proper procedures. Dr. Allen Moss stated he would not be offended if we need to wait and take action on this at a later date, and does not want to do anything that would make this job more difficult. Dr. Brooks stated that our only concern right now as an executive staff and Dr. Allen Moss is a wonderful person for the position, so don't get us wrong. Our concern right now is that to our knowledge, no action has be taken on the current president, we still have a president Busch, who he is not here of course and is not on this conference call, I want to be clear on that. And we are still paying him as the sitting president, it does not show that we are being fiscally responsible, especially since HED and everyone here is aware that we only have one more pay period. We cannot afford to pay the sitting president as well as the interim president we need to move forward quickly now. Mr. Russell Irby asked the question, what occurs if Dr. Busch walks back on campus tomorrow? Mr. Streetman replied, Dr. Busch will not be back on campus. Who has the authority as president? Mr. Phillip Box stated that Dr. Moss will be the one in charge as he is being appointed as acting Temporary president., Ms. Stephenson stated we voted in good faith for Dr. Moss, we were considering it a personnel issue, and the vote should stand. Mr. Jimmy Sandoval feels the same way about Dr. Moss. Mr. Sidwell said he is in favor of Dr Moss being the Temporary Acting President, let's get this thing resolved. Mr. Irby thanked the Board for clarifying that Dr. Moss has the authority as acting president. Mr. Streetman – we must move forward.

APPROVAL OF CONSENT AGENDA – ACTION

1. Regular Board Meeting, January 17, 2023 (Exhibit 2) – **ACTION**
2. Special Board Meeting, January 24, 2023 - 5:45 (Exhibit 3) – **ACTION**
3. Special Board Meeting, January 24, 2023 - 5:45 (Exhibit 3) – **ACTION**

ACTION – Mr. Sandoval moved to approve the Regular Board Meeting minutes dated January 17, 2023, the Special Board Meeting, January 24, 2023-5:45, and the Special Board Meeting February 9, 2023. Mr. Sidwell seconded the motion. A roll call vote was taken with members voting: Mr. Box, yes; Mr. Sandoval, yes; Mr. Sidwell, yes; Ms. Stephenson, yes; and Mr. Streetman, yes. The motion carried.

VII. CHAIRPERSON'S REPORTS

- Mr. Streetman (Exhibit 5)

- The Board has not seen a true financial statement for quite some time now, we have tried to be lenient, We need to see the following items listed on Exhibit 5

Blanca stated that she is not able to produce these reports because of the difficulties in the Business Office. The reconciliations are a year behind. There are many problems due to the systems not being able to produce reports. The business office is understaffed and are doing a lot of manual work. My next Board report will include all of the challenges that we face. Have you have been receiving my reports? With all due respect, I will do my best, I will give you everything that I have given to HED. The equable compensation that was done last January 2022 that was approximately eight hundred thousand, did you know how much that was before you approved it? Mr. Streetman stated they did not know the amount. Dr. Brooks stated, who approve all of the new hires, and then left the college, he is not here now, and why was not any of the executive staff considered for the temporary acting president? Mr. Joel McVey asked if the Campus Works report was shared with the Board? Mr. Streetman replied he did not remember. We have not received reports from the Business Office, we would like to have as much as we can get. We know a lot of the conditions existed before this administration. We were not aware of the situation until December or January. Blanca stated the 2021 audit was submitted in late September, October, Marty has been having a hard time finding data just as we are. Marty will be submitting the audit today, as it has been in second review for a while because of all the issues. Josh gave a timeline of the business office staff which has been a contributing factor to this situation. Mr. Irby stated that the salaries were deserved, however, there is a proper process that should be followed. Dr. Allen Moss asked, how is it that we need 4.7 million, what else contributed to this amount beside the eight hundred thousand dollars in equitable raises given in January 2022? Blanca replied the new hire salary overrun was about 2.5 million as far as she could project with the very limited data that was available at this time. All of the operating dollars was consumed by the salary and fringe benefits. Dr. Moss replied, it sounds like this is a combination of all these things going back several year. Dr. Brooks stated the there was a letter sent from Secretary of State, Stephanie Rodriguez January 18th sharing all of these issues. Mr. Julie Galindo stated the we need the Foundation to help Mesalands by calling a meeting and electing officers and helping the college.

VIII. DISCUSSION ON EMERGENCY SOLVENCY PLAN TO HED (EXHIBIT 6) – ACTION

There was some discussion on putting the 2% pay cuts back in the Emergency Solvency Plan. Dr. Moss stated the purpose was to be a very minimal amount and to show that “everyone has some skin in the game”. Mr. Streetman does not think we should put it back in the Emergency Solvency Plan, as this is very hard on those making smaller amounts. Dr. Brooks stated there may need to be more cuts coming, HED has looked at it, they want to start seeing results of the plan now. HED may suggest there may need to more action taken. Ms. Stephenson made the motion to leave the Emergency Solvency Plan as it is. Mr. Sidwell seconded the motion, since it is pretty fluid. A roll call vote was taken with members voting: Ms. Stephenson, yes; Mr. Streetman, yes; Mr. Box, yes; Mr. Sandoval, yes; Mr. Sidwell, yes; and. The motion carried.

**IX. APPROVAL TO IMMEDIATELY ENACT THE EMERGENCY SOLVENCY PLAN
– ACTION**

ACTION – Mr. Sidwell moved to immediately enact the Emergency Solvency Plan to HED. Mr. Sandoval seconded the motion. A roll call vote was taken with members voting: Mr. Streetman, yes; Mr. Box, yes; Mr. Sandoval, yes; Mr. Sidwell, yes; and Ms. Stephenson, yes. The motion carried.

X. ANNOUNCEMENTS

A. Tuesday, February 21, 2023, Mesalands Community College Board of Trustees Regular Board Meeting, 5:30 p.m.

XI. ADJOURN

Mr. Streetman stated there was no further business and the meeting adjourned. The meeting adjourned at 7:40: p.m.

[signature on original]

James P. Streetman
Chair

[signature on original]

Thomas Sidwell
Secretary/Clerk