MINUTES OF THE SPECIAL MEETING
of the
Board of Regents
Tuesday, April 29, 2008
3:52pm
CONTINUED Friday, May 2, 2008

PRELIMINARY MATTERS

PRESENT:

Board of Regents: Acting Chairman Joey P. San Nicolas, Regent Elaine Orilla, Regent Agnes McPhetres, Regent Malua Peter
Absent/Excused: Regent Charles Cepeda, Chair Dr. Rita Inos

College Staff and Faculty: NMC President Dr. Carmen Fernandez, Honorary Faculty Regent Frank Sobolewski, Honorary Staff Regent Lorraine Cabrera, Office of Institutional Effectiveness Director William Castro, Dean of COMPASS Tee Abraham, IT Director Adrian Atalig, CFAO Raaj Kurapati, Student Services Dean Daisy Villagomez-Bier, Honorary Student Regent Ivan Mereb, Faculty member Lynda Rowe, Academic Programs Manager Joyce Taro, BOR Special Asst. Mark Mendiola

Others: Legal Counsel Jesse Borja, Roman Demapan, Jose Pangelinan, Hector Sevilva, Herman Cabrera

I. OPENING PROCEDURES

A.Welcoming Remarks by Acting Chairman Joey P. San Nicolas.

1. Roll Call: Acting Chairman Joey P. San Nicolas called roll call. Four members of the Board of Regents were present; a quorum was established. Chair Dr. Rita Inos and Regent Charles Cepeda are excused absent.

B. Public Comments/Miscellaneous

1. Mr. Roman Demapan, a local architect, was present to address the Board in regards to the Master Plan of the proposed College facilities and specifically was concerned whether NMC followed procurement regulations as far as selecting an awardee for a project of this magnitude. He shared his concerns with the Board regarding this matter by asking the following questions:

A. Is there an RFP that was issued for this project?
B. Did the college follow procurement rules?
C. Is it a sole source and is there a justification?
D. Has the contract been followed up on?
E. Were local preference laws followed in terms of procuring this type of contract?

The Chairman explained that Mr. Demapan’s questions will be referred to the President and the Board will deliberate on the questions.

2. Former Representative Manny Tenorio was also present to address the Board on similar concerns brought about by Mr. Demapan. The Board should be aware that there is a local preference law that he authored when he was still in office. Mr. Tenorio was particularly concerned with giving locally owned companies the opportunity first.

3. Mr. Herman Cabrera, who is a local architect and formerly worked for the PSS as a CIP planner for 21 years, was also present to address the Board regarding the proposed master plan for the College. He indicated that his specialty is in school planning and explained that CNMI has a different local condition, such as the zoning regulations.

4. Mr. Jose Pangelinan, a private citizen, was present to speak to the Board regarding the master plan of the College. He sought the Board’s support to allow several local consultants to assist in the design and conceptual planning of the college.

Acting Chairman San Nicolas thanked the local architects and engineers for participating in the meeting and informed them that the Board will take their opinions and questions very seriously. It will be discussed thoroughly and will be deliberated on later in the meeting.

5. Honorary Regent Frank Sobolewski addressed the Board regarding WASC show cause issues. First, is on the vacancy of Dean of Academic Programs & Services. He explained that WASC cited the College on this matter in accreditation letters from Dr. Beno of January 2007 and January 2008 (Eligibility Requirement #5 Administrative Capacity). However, the college has been operating with an Acting Dean since the position was vacated in January. Honorary Regent Sobolewski also mentioned that he has discussed this issue with the President as an expression of concern on this issue. President Fernandez indicated that she and Honorary Regent Sobolewski will meet after the meeting to continue discussions about this matter.

Acting Chairman San Nicolas inquired if the Faculty Senate prepared a formal resolution on this issue. Mr. Sobolewski explained that there is no resolution but just a concern brought about by the group.

President Fernandez apprised the Board that she did meet with the Faculty Senate President regarding this matter and she has requested the Human Resources (HRO) to expedite the process.

II. OLD BUSINESS
A. FY09 Budget
The Chairman of the Fiscal Committee is absent at this time and Acting Chair San Nicolas referred to Acting Committee Chair, Regent Agnes McPhetres to chair the meeting. She welcomed everyone and explained that the committee looked at the refinement of the budget and the committee recommended that the Board approve it.

The committee agreed that the ceiling be increased to 6.2 million dollars. During their deliberation, Regent McPhetres mentioned that the Board be cognizant of the current CNMI financial condition. She indicated that the respective Fiscal Committee members have reviewed the FY09 budget and recommend it for approval.

**Motion:** Regent Agnes McPhetres moved to adopt the FY09 budget as submitted with a new ceiling of $6.2 million for operations and a ceiling at $1.2 million for P.L.10-66.

**Second:** The motion was seconded by Regent Orilla.

**Discussion:** Chairman San Nicolas thanked the hardworking Fiscal Committee the President, and staff for producing a workable document for submission to the Legislature.

**Restated Motion:** Regent McPhetres moved to accept the budget that was presented to the Fiscal Committee and which was delivered with a ceiling of $6.2 million under operations and a ceiling of $1.2 million for P.L. 10-66.

**Further Discussion:** Regent McPhetres reiterated that although the college is submitting a $6.2 million budget, the Commonwealth doesn’t have the money.

**Vote:** Unanimous voice vote to approve the budget with a ceiling of $6.2 million for operations and $1.2 million for P.L. 10-66. There were no objections, and the budget ceilings were approved and accepted.

*Executive Session called at 4:15pm  
Back at 5:20pm*

**Motion:** Regent Orilla moved to go into executive session.

**Second:** The motion was seconded by Regent Peter.

**Vote:** Unanimous voice vote. There were no objections and the Board went into executive Session. All were excused with the exception of the President and Legal Counsel.

**III. NEW BUSINESS**

**A. OMIP Grant**

Acting Chairman San Nicolas indicated that legal matters were discussed under executive session and it was decided that this item (OMIP grant) would be tabled.

**Motion:** Regent McPhetres motioned to table this matter.

**Second:** The motion was seconded by Regent Orilla.

**Discussion:** None.

**Vote:** Unanimous voice vote to table this matter. There were no objections and the motion passed.
Motion: Regent McPhetres motioned to recess and resume the meeting on Friday, May 02, 2008 at 3:30pm.
Second: The motion was seconded by Regent Orilla.
Discussion: None.
Vote: Unanimous voice vote to go into recess until Friday, May 02, 2008 at 3:30pm.
II. NEW BUSINESS
   A. OMIP Grant
      Motion: Regent Peter motioned to approve emergency procurement of Key Trio and Sandy Pond consultants.
      Second: The motion was seconded by Regent Orilla.
      Vote: There were no objections and the motion passed by a unanimous voice vote.

III. MISCELLANEOUS
      Regent McPhetres announced that the next Special meeting is tentatively scheduled for Thursday, May 15, 2008 at 3:30 p.m.

IV. ADJOURNMENT
      The meeting adjourned at 4:05 p.m.