MINUTES OF THE
BOARD OF REGENTS
Special Meeting
Friday, March 13, 2009
10:50am

I. PRELIMINARY MATTERS

Attendance:

Board of Regents: Chairperson Charles Cepeda, Vice-Chairperson Maria (Malua) Peter, Regent Dr. Rita Hocog Inos (via VTC from Honolulu, Hawaii), Regent Elaine Hocog Orilla, Regent Janet Han King, Honorary Faculty Senate Regent Frank Sobolewski, Honorary Staff Senate Regent Joyce Taro, Honorary Student Regent Ivan Mereb.

College Staff and Faculty: Dr. Carmen Fernandez, NMC President; Frankie Eliptico, OIA Director; Dr. Debra Cabrera, Accreditation Liaison Officer/Dean of Academic Programs; Rogelio Madriaga, CFAO; Tee Abraham, Dean of COMPASS; Janice Tenorio, Director of Student Support Services; David Attao, Community Development Institute Director; William Castro, Office of Institutional Effectiveness Director; Wil Maui, Instructor Business Dept; Maria H. Aguon, NMC Tinian Administrator (Via VTC in Tinian); Martin Mendiola, NMC Rota Administrator (Via VTC in Rota); Mark Haag, Languages & Humanities Dept. Chair; Elena Hofschneider, Staff Senate member; Larry Lee, Acting Business Dept. Chair; Rik Villegas, Business Dept. Instructor; Duane Sablan, PPMO; and Helen Camacho, Office of Institutional Advancement (Recorder).

Others: Agnes McPhetres; Jesse Borja, NMC Legal Counsel, Mark Scoggins, Legal Counsel, Janel Villegas, NMC Student, Junhan B. Todeno, Marianas Variety Reporter; Moneth Deposa, Saipan Tribune Reporter;

The Special Meeting of the Board of Regents was called to order on March 13, 2009, at 10:50 a.m., in the BOR Conference room, Northern Marianas College.

A. Roll Call

Chairperson Cepeda called roll call. Five members of the Board of Regents were present.

B. Review and Adoption of Agenda

Motion: Regent King moved to adopt the agenda.
Second: Regent Orilla seconded the motion.
Vote: Unanimous.

II. NEW BUSINESS
A. Board Member resignation

Citing a legal opinion (handout provided) that specified that no Board action is needed to effectuate Regent McPhetres’s resignation, Chairperson Cepeda stated that such resignation is then deemed effective. He further stated that the resignation need not be accepted or declined by the Board, and, as such, Regent McPhetres is no longer a member of the Board of Regents. Chairperson Cepeda then opened the floor for any comments from the members of the Board.

At this time Agnes McPhetres provided a summary of the circumstances with which her resignation letter was disseminated. First, she provided a copy of her resignation to the College. She had then intended to hand deliver the letter to the Governor’s office because she was scheduled to meet with him at 4:00p.m. When she finally met with the governor, she explained to him that she was there to deliver her letter of resignation from the Northern Marianas College Board of Regents. She and the governor briefly talked about recent activities at the College, according to McPhetres, the Governor convinced her that it would not be in the best interest of the College if she resigned. As soon as her meeting with the governor ended, she contacted the College staff to hold back her letter but she was told that it had already been distributed to the other members of the Board of Regents.

Then, Regent King stated that the Board would have to effectuate Regent McPhetres’ resignation through some action. She disagreed with the legal opinion provided by the legal counsel.

Chairperson Cepeda explained that in all of past resignations from former members, the Board had never had to take an action to either accept or decline any resignation.

Mark Scoggins, who authored legal opinion, explained that the letter of resignation was considered effective when it was submitted and the decision cannot be rescinded.

Frank Sobolewski, Honorary Regent directed several questions regarding the letter of resignation to Regent McPhetres. He asked to whom the letter was addressed and under CNMI law what constitutes a receipt of a resignation letter by the governor. He said that it would seem that for the resignation to be effective it has to be officially received by the governor or the office of the governor. McPhetres stated that she handed her resignation letter to the governor’s secretary and at the same time made an appointment to see him.

Ivan Mereb, Honorary Student Regent informed the Board that the Northern Marianas College students are concerned with the credibility of the College because of the constant articles in the newspapers. He also said that there is a petition being circulated in support of this matter and requested that the Board consider it if any decision is to be made. He said that he is going to be reporting to the Inter-Club Council later in the day on the results of the Board’s meeting.

At this time Agnes McPhetres stood to address the attendees of the Board meeting (including staff and faculty) and thanked everyone for their support. She said that it is apparent that Chairman Cepeda does not want her to be a member of the Board. She stated that for the sake of peace, integrity and truthfulness, she is stepping down. More
importantly, she wanted everyone to know that she never called the governor’s office to make an appointment and she was never involved in any of the allegations she was accused of being a part of. She informed everyone that she is stepping down because she was not believed by the members of the Board of Regents. She stated that she leaving this board on clean slate.

At this time, a member of the audience, Janel Villegas, asked Chairperson Cepeda if he had reviewed the letter of support that was distributed immediately before the Board meeting began. Chairperson Cepeda responded that he had not reviewed it and the Board has no authority to act on it.

Another member of the audience, Duane Sablan, indicated that he is speaking as a member of the public and indicated that members of the public do not go through the regular NMC grievance procedures. He said that members of the public can bring any concerns and that the agenda can change if sought by the public. Chairperson Cepeda indicated that members of the public are welcome to provide their comments and input in regular meetings, however, he indicated, this was a special meeting with a specific agenda item and that the agenda for this particular meeting had not changed.

Chairperson Cepeda then recognized Regent King, who made the following motion.

**Motion:** Regent King motioned to put this matter to a vote of the existing members to act on the resignation.

**Second:** The motion was not seconded.

Chairman Cepeda reiterated that it is the opinion of the legal counsel that they do not and cannot act on something that is not within their authority. The resignation has been made official by the Regent who resigned and submitted the letter. There is no action necessary or required to act on.

### III. EXECUTIVE SESSION

An executive session was called at 11:45p.m. No action needed to be taken by the Board in executive session.

### IV. ADJOURNMENT

The meeting adjourned at 12:00p.m. on March 13, 2009.