

NEW MEXICO JUNIOR COLLEGE

BOARD MEETING

Thursday, December 19, 2013

Zia Room – Library

3:00 p.m.

AGENDA

- | | |
|---|----------------|
| A. Welcome | Guy Kesner |
| B. Adoption of Agenda | Guy Kesner |
| C. Approval of Minutes of November 21, 2013 | Guy Kesner |
| D. President's Report | Steve McCleery |
| E. New Business | |
| 1. Monthly Expenditures Report | Dan Hardin |
| 2. Monthly Revenue Report | Dan Hardin |
| 3. Oil and Gas Revenue Report | Dan Hardin |
| 4. Schedule of Investments | Dan Hardin |
| 5. Consideration of Land Conveyance to Lea County | Steve McCleery |
| 6. Consideration of Entertainment Technology MOU | Steve McCleery |
| 7. Consideration of Retirement Resolution | Steve McCleery |
| F. Public Comments | Guy Kesner |
| G. Announcement of Next Meeting | Guy Kesner |
| H. Adjournment | Guy Kesner |

NEW MEXICO JUNIOR COLLEGE

BOARD MEETING

NOVEMBER 21, 2013

MINUTES

The New Mexico Junior College Board met on Thursday, November 21, 2013, beginning at 4:00 p.m. in the Zia Room of Pannell Library. The following members were present: Mr. Guy Kesner, Chairman; Ms. Patricia Chappelle, Secretary; Mr. Travis Glenn; Mrs. Mary Lou Vinson; Mr. Ron Black; Mr. Zeak Williams; and Mr. Hector Baeza.

Mr. Kesner called the meeting to order and welcomed visitors and guests present: Beth Hahn, News-Sun.

Upon a motion by Mrs. Vinson, seconded by Mr. Glenn, the agenda was unanimously adopted, as presented.

Upon a motion by Mr. Williams, seconded by Mr. Baeza, the Board unanimously approved the minutes of October 17, 2013.

Under President's Report, Coach Jeff Becker introduced the Cross Country team and Coach Drew Sanders introduced the Women's Basketball team. Dr. McCleery presented Coach Sanders with a plaque for his 600th win. Charley Carroll presented the Board with the "Best Practices Award for Outstanding Achievement in the Field of Education" received at the 18th Annual New Mexico Infrastructure Finance Conference. David Chavez and Robin Strauser with CES gave an overview of the New Mexico Purchasing Cooperative.

Under New Business, Josh Morgan presented the October financial reports and with a motion by Mr. Black, seconded by Ms. Chappelle, the Board unanimously approved the expenditures for October, 2013. Upon a motion by Mr. Glenn, seconded by Mrs. Vinson, the Board unanimously approved the Fiscal Watch Reports.

Charley Carroll presented a request to transfer the funds remaining from the Computer Center remodel (\$133,400.85) to remodel the track field house. Upon a motion by Mrs. Vinson, seconded by Mr. Williams, the Board unanimously approved the request.

Dr. McCleery recommended Ms. Kristina Dyer for the Recruiter for Automotive Technology position at an annual salary of \$39,722. Upon a motion by Mr. Black, seconded by Mr. Glenn, the Board unanimously approved the employment of Ms. Dyer, effective December 2, 2013.

Kelly Holladay recommended Mr. Lucius Brister for the Professor of Accounting/Business position at a nine month salary of \$45,993. Upon a motion by Mr. Glenn, seconded by Ms. Chappelle, the Board unanimously approved the employment of Mr. Brister, effective January 7, 2014.

Phillip Roybal recommended Ms. Susan Fine for the Director of Communications position at an annual salary of \$67,702. Upon a motion by Mrs. Vinson, seconded by Ms. Chappelle, the Board unanimously approved the employment of Ms. Fine, effective January 6, 2014.

Steven Blandin recommended Ms. Sherhil Alcos for the Instructional Technology Specialist position at an annual salary of \$41,699. Upon a motion by Mr. Williams, seconded by Mr. Baeza, the Board unanimously approved the employment of Ms. Alcos, effective December 3, 2013.

Dr. McCleery recommended Mr. O. Kelly Tooker for the Director of Oil & Gas Technology position at an annual salary of \$67,730. Upon a motion by Ms. Chappelle, seconded by Mr. Williams, the Board unanimously approved the employment of Mr. Tooker, effective December 2, 2013.

Mr. Kesner called for comments from the public. There being none, the next regular board meeting was scheduled for Thursday, December 19, 2013, beginning at 3:00 p.m.

Ms. Chappelle moved the board go into closed session for the discussion of limited personnel matters under the provisions of section 10-15-1-H (2) of New Mexico Statutes Annotated 1978. Mr. Williams seconded the motion. The roll call vote was

as follows: Mr. Glenn – yes; Ms. Chappelle – yes; Mr. Black – yes; Mr. Baeza – yes; Mr. Williams – yes; Mrs. Vinson – yes; and Mr. Kesner – yes.

Upon re-convening in open meeting, Mr. Kesner stated that the matters discussed in the closed meeting were limited only to those specified in the motion for closure.

Upon a motion by Mr. Black, seconded by Mrs. Vinson, the board meeting adjourned at 6:15 p.m.

NEW MEXICO JUNIOR COLLEGE

Expenditure Report

November 2013

42% of Year Completed

| Fund | 2012-13 | | | 2013-14 | | | |
|---|-------------------|-------------------------------------|-------------------------------|-------------------|--------------------------------|------------------------|-------------------------------|
| | Final Budget | Year-to-Date Expended or Encumbered | Percentage of Budget Expended | Budget | Current Expended or Encumbered | Expended or Encumbered | Percentage of Budget Expended |
| CURRENT UNRESTRICTED FUND | | | | | | | |
| Instruction and General: | | | | | | | |
| Instruction | 8,638,205 | 3,303,724 | 38% | 9,106,822 | 821,438 | 3,551,678 | 39% |
| Academic Support | 2,247,244 | 898,054 | 40% | 2,259,588 | 153,722 | 970,007 | 43% |
| Student Services | 1,704,267 | 714,399 | 42% | 1,823,694 | 130,484 | 693,150 | 38% |
| Institutional Support | 3,137,158 | 1,459,195 | 47% | 3,337,419 | 275,792 | 1,610,614 | 48% |
| Operation & Maintenance of Plant | 3,232,175 | 1,314,277 | 41% | 3,288,327 | 240,005 | 1,435,630 | 44% |
| Subtotal - Instruction & General | 18,959,049 | 7,689,649 | 41% | 19,815,850 | 1,621,441 | 8,261,079 | 42% |
| Student Activities | 0 | | 0% | 0 | 0 | | 0% |
| Research | 0 | | 0% | 0 | 0 | | 0% |
| Public Service | 0 | | 0% | 0 | 0 | | 0% |
| Internal Service Departments | 81,772 | 97,923 | 120% | 84,909 | 19,363 | 204,725 | 241% |
| Student Aid | 543,551 | 374,117 | 69% | 568,551 | 27,823 | 425,686 | 75% |
| Auxiliary Enterprises | 1,780,078 | 1,078,673 | 61% | 1,799,060 | 4,511 | 843,261 | 47% |
| Athletics | 1,150,211 | 469,883 | 41% | 1,019,727 | 52,384 | 584,410 | 57% |
| Total Current Unrestricted Fund | 22,514,661 | 9,710,245 | 43% | 23,288,097 | 1,725,522 | 10,319,161 | 44% |
| CURRENT RESTRICTED FUND | | | | | | | |
| Grants | 1,280,443 | 360,484 | 28% | 1,280,443 | 99,015 | 382,735 | 30% |
| Student Aid | 5,033,468 | 2,038,169 | 40% | 5,033,468 | 49,216 | 2,487,201 | 49% |
| Total Current Restricted Fund | 6,313,911 | 2,398,653 | 38% | 6,313,911 | 148,231 | 2,869,936 | 45% |
| PLANT FUNDS | | | | | | | |
| Capital Outlay / Bldg. Renewal & Repl. | | | | | | | |
| Projects from Institutional Funds | 9,149,363 | 2,890,746 | 32% | 15,096,621 | 52,457 | 5,200,862 | 34% |
| Projects from State GOB Funds | 222,313 | 9,339 | 4% | 3,324,582 | 0 | 2,714,359 | 0% |
| Projects from State STB Funds | 521,652 | 34,652 | 7% | 1,487,000 | 0 | 1,023,485 | 0% |
| Projects from General Fund | 19,115 | 7,558 | 40% | 275,374 | 8,755 | 22,105 | 0% |
| Projects from Private Funds | 5,965 | 1,288 | 22% | 0 | 0 | 0 | 0% |
| Projects from State ER&R | 568,173 | 180,293 | 32% | 671,725 | 21,977 | 296,516 | 44% |
| Projects from State BR&R | 1,815,302 | 627,108 | 35% | 1,003,998 | 103,626 | 510,545 | 51% |
| Subtotal - Capital and BR&R | 12,301,883 | 3,750,984 | 30% | 21,859,300 | 186,815 | 9,767,872 | 45% |
| Debt Service | | | | | | | |
| Revenue Bonds | 0 | 0 | 0% | 0 | 0 | 0 | 0% |
| Total Plant Funds | 12,301,883 | 3,750,984 | 30% | 21,859,300 | 186,815 | 9,767,872 | 45% |
| GRAND TOTAL EXPENDITURES | 41,130,455 | 15,859,882 | 39% | 51,461,308 | 2,060,568 | 22,956,969 | 45% |

NEW MEXICO JUNIOR COLLEGE

Revenue Report

November 2013

42% of Year Completed

| Fund | 2012-13 | | | 2013-14 | | | |
|---|-------------------|----------------------|-------------------------------|-------------------|------------------|----------------------|-------------------------------|
| | Final Budget | Year-to-date Revenue | Percentage of Budget Received | Budget | Current Revenue | Year-to-date Revenue | Percentage of Budget Received |
| CURRENT UNRESTRICTED FUND | | | | | | | |
| Instruction and General: | | | | | | | |
| Tuition and Fees | 3,684,200 | 2,329,627 | 63% | 3,684,200 | 329,003 | 2,489,531 | 68% |
| State Appropriations | 5,888,800 | 2,511,758 | 43% | 5,933,300 | 490,950 | 2,454,750 | 41% |
| Advalorem Taxes - Oil and Gas | 6,100,000 | 2,926,538 | 48% | 6,455,000 | 1,180,316 | 3,810,868 | 59% |
| Advalorem Taxes - Property | 5,255,000 | 244 | 0% | 5,455,000 | 0 | 0 | 0% |
| Interest Income | 5,000 | 803 | 16% | 5,000 | 176 | 761 | 15% |
| Other Revenues | 292,526 | 135,829 | 46% | 356,361 | 47,233 | 127,808 | 36% |
| Subtotal - Instruction & General | 21,225,526 | 7,904,799 | 37% | 21,888,861 | 2,047,678 | 8,883,718 | 41% |
| Student Activities | 0 | 0 | 0% | 0 | 0 | 0 | 0% |
| Public Service | 0 | 0 | 0% | 0 | 0 | 0 | 0% |
| Internal Service Departments | 24,000 | 7,962 | 33% | 24,000 | 55 | 5,160 | 22% |
| Auxiliary Enterprises | 2,198,000 | 1,245,170 | 57% | 2,213,000 | 48,570 | 1,257,922 | 57% |
| Athletics | 326,200 | 136,386 | 42% | 330,900 | 27,825 | 137,525 | 42% |
| Total Current Unrestricted | 23,773,726 | 9,294,317 | 39% | 24,456,761 | 2,124,128 | 10,284,325 | 42% |
| CURRENT RESTRICTED FUND | | | | | | | |
| Grants | 1,290,682 | 449,075 | 35% | 1,179,460 | 2,275 | 329,761 | 28% |
| Student Aid | 5,033,468 | 2,041,836 | 41% | 5,033,468 | 132,821 | 2,278,155 | 45% |
| Total Current Restricted | 6,324,150 | 2,490,911 | 39% | 6,212,928 | 135,096 | 2,607,916 | 42% |
| PLANT FUNDS | | | | | | | |
| Capital Outlay / Bldg. Renewal & Repl. | | | | | | | |
| Projects from State GOB Funds | 0 | 0 | 0% | 0 | 0 | 0 | 0% |
| Projects from State STB Funds | 1,240,754 | 34,652 | 3% | 427,000 | 109,855 | 109,855 | 0% |
| Projects from General Fund | 0 | 0 | 0% | 0 | 0 | 0 | 0% |
| Projects from Private Funds | 0 | 3,750 | 0% | 0 | 0 | 0 | 0% |
| Interest Income (LGIP) | 30,000 | 7,160 | 24% | 30,000 | 1,310 | 5,071 | 17% |
| Total Plant Funds | 1,270,754 | 45,562 | 4% | 457,000 | 111,165 | 114,926 | 25% |
| GRAND TOTAL REVENUES | 31,368,630 | 11,830,790 | 38% | 31,126,689 | 2,370,389 | 13,007,167 | 42% |

NEW MEXICO JUNIOR COLLEGE

Oil and Gas Revenue Report

November 2013

42% of Year Completed

| | | OIL | | GAS | | COMBINED | | |
|--|-----------------------|---------------|----------------------|---------------|---------------------|------------------|-------------------------|------------------------------|
| Sales | Month of Distribution | Price per BBL | Lea County BBLs sold | Price per MCF | Lea County MCF sold | Monthly Revenue | 2013-14 Original Budget | Variance Over (Under) Budget |
| Actual | July | \$78.08 | 3,279,028 | \$4.85 | 14,257,158 | 876,131 | 400,000 | 476,131 |
| Actual | August | \$101.07 | 3,476,512 | \$5.42 | 14,665,344 | 954,096 | 400,000 | 554,096 |
| Actual | September | | | | | 1,125,403 | 400,000 | 725,403 |
| Accrual | October | | | | | 400,000 | 400,000 | 0 |
| Accrual | November | | | | | 400,000 | 400,000 | 0 |
| Accrual | December | | | | | | 400,000 | (400,000) |
| Accrual | January | | | | | | 400,000 | (400,000) |
| Accrual | February | | | | | | 400,000 | (400,000) |
| Accrual | March | | | | | | 400,000 | (400,000) |
| Accrual | April | | | | | | 400,000 | (400,000) |
| Accrual | May | | | | | | 400,000 | (400,000) |
| Accrual | June | | | | | | 400,000 | (400,000) |
| Y.T.D. Production Tax Revenue | | | | | | 3,755,630 | 4,800,000 | 1,044,370 |
| Y.T.D. Equipment Tax Revenue | | | | | | 55,238 | 1,655,000 | 1,599,762 |
| Total Year-to-Date Oil & Gas and Equipment Tax Revenue | | | | | | <u>3,810,868</u> | <u>6,455,000</u> | <u>2,644,132</u> |

Source: New Mexico Taxation and Revenue Department

NEW MEXICO JUNIOR COLLEGE
Schedule of Investments
November 2013

42% of Year Completed

| Financial Institution | Amount Invested | Account Number | Interest Rate | Interest Earned |
|---|-------------------------|----------------|---------------|---------------------|
| State of New Mexico Local Government Investment Pool | 9,589,592 | 7102-1348 | 0.104% | 1,262 |
| Plus deposits | 0 | | | |
| Less withdrawals | 0 | | | |
| Total LGIP investments | <u>9,589,592</u> | | | <u>1,262</u> |

| Capital Projects | 11/30/2013 |
|----------------------------------|----------------------|
| Vehicles | 267,528.92 |
| Technology Upgrade | 23,068.44 |
| JASI | 66,039.44 |
| WHM South Gallery | 294,421.57 |
| Baseball Field | 30,162.96 |
| Rodeo Arena | 49,653.12 |
| Original Entrance Landscaping | 12,321.77 |
| Student Housing Construction | 557,712.44 |
| Luminis Software | 11,568.00 |
| Campus Signage | 0.00 |
| Roof Replacement | 27,382.26 |
| Dorm/Apartment Refurbish | 1,740.67 |
| Campus Construction | 19,752.27 |
| Oil & Gas Training Ctr | 0.00 |
| Maintenance Equipment | 3,452.01 |
| Public Sector | 1,826.53 |
| Campus Security | 7,027.10 |
| Track/Arena Area Enhancement | 15,294.58 |
| Lumens Software-Distance Learnig | 5,000.00 |
| Welding Lab | 41,246.00 |
| Copier Replacement | 11,540.88 |
| Non-Recurring Compensation | 552,169.10 |
| Athletics | 5,638.96 |
| Student Life Programming | 17,440.37 |
| Warehouse/Cont Ed Remodel | 1,640.92 |
| Succession Plan | 108,152.25 |
| Energy Technology Equipment | 548,390.00 |
| WHM Exhibits | 137,400.93 |
| Remodel McLean | 133,400.84 |
| Senior Warm Water Wellness Ctr | 1,500,000.00 |
| Paradigms Users Fees | 6,345.00 |
| Track Upgrades | 1,894,649.24 |
| Driving Range Upgrades | 200,000.00 |
| Lockheed Martin Nuclear Training | 500,000.00 |
| Cosmetology Remodel | 400,000.00 |
| Equine Program | 103,852.20 |
| Entertainment Technology | 300,215.30 |
| Channel 19 Upgrade | 25,000.00 |
| FERPA & Title IX | 18,229.50 |
| Professional Development HS | 14,036.29 |
| Equestrian Center | 3,000,000.00 |
| Infrastructure Upgrade | 1,473,937.50 |
| Workforce Training Contingency | 6,987.22 |
| Total | 12,394,224.58 |

NOTE: Capital projects total does not include encumbered funds

NEW MEXICO JUNIOR COLLEGE

Vice President for Finance

5317 Lovington Highway
Hobbs, NM 88240
Phone: (575)492-2770
Fax: (575)492-2768

To: New Mexico Junior College Board members
From: Dan Hardin
RE: Convey property to Lea County
Date: December 13, 2013

Board members, at the September 26, 2013 NMJC Board meeting the Board approved the Memorandum of Understanding between Lea County and New Mexico Junior College for an indoor equestrian facility. In the Memorandum, the College agreed to transfer the ownership of land to the County for the Equestrian Facility. There have been several discussions and meetings concerning the layout and amount of land needed for the Equestrian Facility. The project requires the College to convey approximately 13.73 acres to the County. The land that has been identified to be conveyed to the County is located just south of the existing indoor arena, down to Millan Drive and over to the Training and Outreach Building.

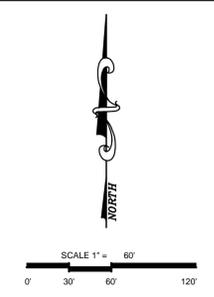
The first step in the process of completing the transfer of land to the County requires the New Mexico Junior College Board to approve the transfer of the land to Lea County. While this may have been covered in the Memorandum, at this time we are asking for specific approval.

Attached is an aerial picture of the New Mexico Junior College rodeo and equine facilities along with the Training and Outreach facilities showing the boundaries of the land that is to be conveyed to the County.

Respectfully,

Dan Hardin

PROJECT SURVEYOR: M. Kneeland
 DRAWN BY: M. Kneeland



INDEXING INFORMATION FOR COUNTY CLERK

OWNER:
 LOCATION:

REVISIONS

| No. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
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| | | |
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Sketch
 OF
NMJC Arena Facilities
 FOR
 NMJC

PROJECT NUMBER:
2013.1275

SHEET:
 1 of 1
SU - 101



**MEMORANDUM OF UNDERSTANDING BETWEEN
LEA COUNTY AND NEW MEXICO JUNIOR COLLEGE**

For An

**Entertainment / Recording / Live Sound and Lighting Technology
Program**

THIS Memorandum of Understanding (MOU) is made this _____ day of _____, 2013 between New Mexico Junior College (hereinafter "NMJC") and Lea County, New Mexico (hereinafter "Lea County").

WHEREAS, the Quality of Life Initiative involving Lea County, City of Hobbs, Hobbs Municipal Schools, NMJC, University of the Southwest, and the J.F Maddox Foundation has identified enhancements to the Lea County Event Center as something that is needed in Lea County in order to enhance the quality of life for existing residents and further diversify and grow the local economy; and

WHEREAS, the enhancements needed for the Lea County Event Center are part of the Quality of Life Recreational Master Plan adopted by the Board of County Commissioners of Lea County ("County Commission") on _____, 2013; and

WHEREAS, NMJC desires to begin an Entertainment / Recording / Live Sound and Lighting Technology Program; and

WHEREAS, Lea County in conjunction with NMJC has performed extensive research related to enhancing the Lea County Event Center production and programming opportunities, including having a delegation from Lea County and NMJC tour a program at Guilford Technical Community College in North Carolina similar to the program NMJC desires to begin;

WHEREAS, the County Commission and the NMJC Board of Directors (“NMJC Board”) desire to collaborate to enhance the Lea County Event Center by offering additional production and programming opportunities at the Lea County Event Center in conjunction with the proposed NMJC Entertainment / Recording / Live Sound and Lighting Technology Program; and

WHEREAS, a small portion of the Lea County Event Center could be utilized periodically for teaching Live Sound and Lighting Technology in the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program; and

WHEREAS, the County Commission and the NMJC Board believe that growing the NMJC student population by adding the proposed Entertainment / Recording / Live Sound and Lighting Technology program substantially improves Lea County economic development and adds to the quality of life in Lea County; and

WHEREAS, the County Commission and the NMJC Board believe that additional Lea County Event Center production and programming opportunities enhance quality of life in Lea County.

NOW, THEREFORE, it is mutually agreed as follows:

1. UTILIZATION OF LEA COUNTY EVENT CENTER SPACE

- A. A portion of a storage room (the room marked “1” on the attached Exhibit A) in the Lea County Event Center will be converted, at the expense of the NMJC, to a Live Sound and Lighting Technology teaching lab space on the conditions set forth below.
- B. NMJC will provide a small Line Array Sound System and Lighting System

as well as other related equipment that can be easily flown in and out of the Lea County Event Center main floor. The location and installation of the equipment must meet the approval of the Director of the Lea County Event Center. The Event center staff will have access to the equipment for any Lea County Event performances or scheduled events. New Mexico Junior College will be responsible for the maintenance, repair and replacement of the equipment, and no Lea County Event Center staff will be needed for setup. The intent of the easily flown in and out sound and lighting equipment is to utilize a small portion of the Lea County Event Center main floor as a teaching lab. Scheduling and location of this space will be approved by the Director of the Lea County Event Center, and a schedule will be developed that does not interfere with any Lea County Event Center activity or scheduled events. Additionally, NMJC understands that Lea County Event Center Scheduling must remain fluid, and last minute Lea County Event Center activity opportunities will maintain precedence.

C. Once per semester, the Director of the Lea County Event Center, in conjunction with the Director of the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program will schedule the use of the Lea County Event Center Main Floor by the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program for a total of no more than three (3) days including setup and take down. The days may not be

separated and must be utilized for one three day time frame. The Director of the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program is responsible for contacting the Director of the Lea County Event Center to schedule usage pursuant to this paragraph. The County reserves the right to re-schedule any usage of the Lea County Event Center pursuant to this paragraph if the schedule of a desired third party performer conflicts with the dates schedule pursuant to this paragraph.

D. If the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program Director desires to use the Lea County Event Center Banquet Hall instead of the Lea County Event Center Main Floor for the once per semester event set forth above, the Director of the Lea County Event Center may allow that change subject to availability of the Lea County Event Center Banquet Hall.

E. Students in the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program will be given the opportunity, whenever possible, to observe the setup, take down, and presentation of select performances or events at the Lea County Event Center. These observational opportunities will be determined in the sole discretion of the Director of the Lea County Event Center.

F. At no time will any students in the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program make any changes or

adjustments to any Lea County Event Center equipment of any kind.

G. At the sole discretion of the Director of the Lea County Event Center and with the agreement of the producer of a performance, students in the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program may be allowed to assist with the production of or produce performances at the Lea County Event Center.

2. DESIGN AND REMODEL COST RESPONSIBILITIES

A. If NMJC should decide to equip the Teaching Lab Space with any equipment necessary for Live Sound and Lighting Technology, then NMJC will bear the cost of the equipment and any necessary installation.

B. Any equipment which NMJC desires to install in the Teaching Lab Space must have the prior written approval of the Director of the Lea County Event Center both as to equipment selected and as to the installation method and location. Lea County reserves the right to reject the installation of any equipment which it believes, in its sole judgment, may interfere with any equipment installed at the Lea County Event Center or any performances or events that may be held at the Lea County Event Center.

C. After the installation of any equipment in the Teaching Lab Space, if NMJC should desire to discontinue its use of the Teaching Lab Space, then NMJC will bear the cost of any separation of the Lea County Event Center equipment from the equipment installed by NMJC and any

equipment installed by NMJC which has been attached to the building or property of the Lea County Event Center so that its removal would damage the property will be considered a fixture and will remain as part of the property.

- D. If NMJC should desire to install any equipment outside the Teaching Lab Space, that installation will be discussed with the Director of the Lea County Event Center and the Lea County Manager and would require a separate memorandum of understanding. Lea County reserves the right to reject the installation of any equipment which it believes, in its sole judgment, may interfere with any equipment installed at the Lea County Event Center or any performances or events that may be held at the Lea County Event Center.
- E. If any equipment installed by NMJC in either the Teaching Lab Space or any other area of the Lea County Event Center interferes with the operation of the Lea County Event Center as determined in the sole judgment of the Director of the Lea County Event Center, then NMJC will promptly remove that equipment at NMJC's cost and NMJC will restore that area of the Lea County Event Center to the its condition prior to the installation of the equipment.

3. DESIGNATED RESPONSIBILITIES

A. NMJC will:

1. Maintain general liability and other insurance sufficient to cover any incidents that may occur at the Lea County Event Center involving students of the NMJC Entertainment / Recording / Live Sound and Lighting Technology Program utilizing the Lea County Event Center with the County named as an additional insured on all such insurances.
2. Indemnify Lea County and the Lea County Event Center against any cost, liability or expense arising out of any claims of any person or persons whatsoever by reason of the use or misuse of the Lea County Event Center by NMJC or any of its students or participants in its Entertainment / Recording / Live Sound and Lighting Technology Program or any other persons utilizing the Lea County Event Center in any way associated with the Entertainment / Recording / Live Sound and Lighting Technology Program of NMJC and shall indemnify Lea County and the Lea County Event Center against penalty, damage or charge incurred or imposed by reason of any violation of law or ordinance by NMJC or any of its students or participants in its Entertainment / Recording / Live Sound and Lighting Technology Program or any other persons utilizing the Lea County Event Center in any way associated with the Entertainment / Recording / Live Sound and Lighting Technology Program of

NMJC against any costs, damage or expense arising out of the death of or injury to any persons

3. Provide appropriate student oversight for any Entertainment / Recording / Live Sound and Lighting Technology Program students utilizing the Lea County Event Center

B. Lea County will:

1. Own and operate the Lea County Event Center
2. Attract quality shows and programs to the Lea County Event Center.

- C. NMJC and Lea County will promote the use of the Lea County Event Center for activities, programs and shows that will enhance the lives of current Lea County citizens and attract people to Lea County for the purpose of economic development.

4. ANNUAL REVIEW and Communication

To maintain good communication, the Chief Financial Officers for Lea County and NMJC, the County Manager, the NMJC President, the Director of the Lea County Event Center, a County Commissioner and an NMJC Board Member will meet and discuss the entertainment technology collaborative partnership and review the MOU and the usage of the Lea County Event Center by the Entertainment / Recording / Live Sound and Lighting Technology Program each

year and make recommendations for improvements and changes to the

utilization.

5. TERMINATION OF MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding shall continue in full force and effect, subject to written amendments as described herein, until terminated by a party.

This Memorandum of Understanding may be terminated by either party upon that party giving three months written notice to the other party with the notice being delivered as follows:

New Mexico Junior College
ATTN: President
5317 Lovington Highway
Hobbs, New Mexico 88240

Lea County, New Mexico
ATTN: County Manager
100 N. Main, Ste. 4
Lovington, New Mexico 88260

6. AMENDMENT

Any amendment to this Memorandum of Understanding shall be in writing, executed and approved by the parties hereto.

7. SEVERABILITY

If any one or more of the provisions contained in this Memorandum of Understanding shall be for any reason held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect other provisions hereof, and the Memorandum of Understanding shall be construed as if such invalid, illegal or unenforceable provision had never been a part hereof.

8. EFFECTIVE DATE

This Memorandum of Understanding shall be in full force and effective upon execution and approval of all parties hereto and the Secretary of the Department of Finance and Administration.

9. APPROVAL.

This Agreement is subject to the approval of all state of New Mexico agencies and governmental entities required by law.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals by their duly authorized officers, agents or representatives.

NEW MEXICO JUNIOR COLLEGE

LEA COUNTY, NEW MEXICO

By: _____
Guy Kesner, Board Chairman

By: _____
Gregory Fulfer, Commission Chairman

Attest:

Attest:
Pat Chappelle, Lea County Clerk

By: _____
Board Secretary

By: _____
Kelli Williams, Deputy

APPROVED AS TO FORM:
Maddox, Holloman & Kirksey, PC

By: _____
Lee A. Kirksey

RESOLUTION

Regina G. Organ

- WHEREAS, Regina G. Organ**, being one of the Staff Members of New Mexico Junior College, has faithfully served the College for fifteen years; and
- WHEREAS, Regina G. Organ** has served as Vice President for Student Services from 1998 to 2013; and
- WHEREAS, Regina G. Organ** has served as Adjunct Professor from 2006 to 2013; and
- WHEREAS, Regina G. Organ** has served on various committees at New Mexico Junior College and in the community; and
- WHEREAS, Regina G. Organ** has been a devoted, enthusiastic and loyal staff member at New Mexico Junior College; and
- WHEREAS, Regina G. Organ**, as a staff member, has always reflected a favorable image for New Mexico Junior College; and
- WHEREAS, Regina G. Organ** has elected to retire the 1st day of January 2014.

NOW, THEREFORE BE IT RESOLVED that New Mexico Junior College desires to give special recognition and appreciation to **Regina G. Organ** for her service and dedication to New Mexico Junior College.

ADOPTED THIS 19th day of December 2013.

ATTEST: _____

New Mexico Junior College Board Chairman

New Mexico Junior College Board Secretary

