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The Minutes of the Marshall University Board of Governors Meeting, June 28, 2006

Marshall University Board of Governors

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MARSHALL UNIVERSITY
BOARD OF GOVERNORS

Minutes of June 28, 2006

A meeting of the Marshall University Board of Governors was held on June 28, 2006, at the Robert C. Byrd Institute, Huntington, WV.

Present, in person: Menis Ketchum, Chairman, Letitia Chafin, Mike Farrell, John Hess, Virginia King, General H. F. Mooney, A. Michael Perry, Robert Shell, Sue Richardson, Gary White, Sherri Noble, Dr. Jim Sottile, and Chad Caldwell.

Members Absent: Gary Adkins, Brent Marsteller and Verna Gibson.

Others Present: President Kopp, President Riley, Marshall Onofrio, Toney Szwilski, David Steele, members of the press, visitors, and university staff

I. Call to Order

Chairman Ketchum called the meeting to order.

II. Swearing in of new member

Chairman Ketchum swore in Sue Richardson as a board member. She will take the place of Bill Smith whose term expired as the board member representing the Community & Technical College advisory committee.

Mike Perry moved, seconded by Tish Chafin, that the Board of Governors extend their thanks to Bill Smith for his excellent service during the two years he served on the Board of Governors. The motion passed.

III. Minutes

General Mooney moved, seconded by John Hess, that the minutes of March 8, 2006, March 22, 2006, April 13, 2006, and May 23, 2006, be approved. The motion passed.

IV. Community & Technical College Meeting

President Riley gave an informational report.

Tish Chafin gave an update on the 2006-07 compact submission and the proposed culinary school.

Tish Chafin moved, seconded by Mike Farrell, that the following resolution be approved:

Resolved, at the March 8, 2006 meeting, the BOG authorized the Executive Committee to select and contract with an architect to analyze the needs of the Community College and design a Community College facility. The Executive Committee entered into a contract with Bastian & Harris Architect on 3/15/06 to do Phase I programming and a study for the proposed construction of a new and/or renovated facility for the sum not to exceed \$50,000.00. This action of the Executive Committee is hereby ratified by the BOG.

The resolution passed.

V. University Meeting

President Kopp gave an informational report to begin the University Meeting.

VI. Presentations

Marshall Onofrio announced his leaving Marshall to accept a new position in New Jersey. He thanked the Board for its support during his tenure.

Dr. Tony Szwilski gave an informational report on Marshall's new Brownfields Assistance Center.

David Steele updated the Board on Marshall's benefits and costs in Conference USA and compared them to the projections made when Marshall joined Conference USA.

VII. Committee Of The Whole

Jim Sottile moved, second by Mike Farrell, that the following resolutions be adopted.

Resolved, the Marshall University Board of Governors adopt the following policies: AA-41, Individual Conflict of Interest in Research; AA-42, Marshall Dependent Scholarships; SA-3, Student Code of Rights and Responsibilities; SA-4, President's Emergency Authority; SA-5, Directory Information.

Resolved, the executive orders known as Interim Executive Policy Bulletins are all hereby repealed and voided.

Resolved, the Marshall University Board of Governors adopt the Capital Project Management Policy.

Mike Perry moved, seconded by Virginia King, that the Capitol Project Management policy presented be amended to add in Appendix A, under ABuilding, Exterior Design the following elements: Landscaping, signage, and site work. The amendment passed.

Resolved, the Marshall University Board of Governors adopts the Travel Policy.

Resolved, the Marshall University Board of Governors adopts the awarding of assessment, collection and refund of Student Tuition and Fees Policy.

Resolved, the Marshall University Board of Governors adopts the awarding of Undergraduate, Graduate, and Professional Fee Waivers Policy.

The motion to adopt all these resolutions, as amended, passed.

Thereupon, Jim Sottile moved, seconded by Bob Shell, that President Kopp appoint a committee to recommend any amendments needed in the University policies. All recommendations will be made to the BOG after the proposed amendments are submitted to the various University constituent groups pursuant to the University Policy on Rule Making. The committee will include the Boards faculty and staff representative, and one member nominated by President Riley.

The motion passed.

VIII. Finance, Audit and Investment Committee

Mike Perry moved, seconded by Virginia King, that the following resolutions be adopted:

Resolved, the Marshall University Board of Governors approves a \$40 graduate student application fee for FY 2006-2007.

Resolved, the Marshall University Board of Governors receives the Financial/Budget Report for the nine months ending March 31, 2006.

Resolved, the Board hire the firm named Ethics Points to assist Marshall handling whistle blower complaints.

The resolutions passed.

IX. Academic Committee

Jim Sottile moved, seconded by Virginia King, that the following resolutions be adopted:

Resolved, the Marshall University Board of Governors reviews and accepts the tuition waiver report.

Resolved, the Marshall University Board of Governors approves the Intent to Plan the Master of Arts in Spanish.

Resolved, the Marshall University Board of Governors approves the addition of a new major in Biotechnology.

The resolutions passed.

X. Medical School Committee & Athletic Committee

No action items.

XI. Executive Session

Jim Sottile moved, seconded by Mike Farrell, that the Board go into executive session pursuant to W.Va. Code, 6-9a-4 to discuss:

- (a) Potential real estate transactions;
- (b) Personnel matters in the admissions office;
- (c) Advanced construction planning on the Weiler property;
- (d) The Ridpath and K.C. lawsuits.

The motion passed.

After a time the Board came out of executive session.

XII. Post Executive Session

Jim Sottile moved, seconded by Gary White, that the Board adopt the following resolution:

Resolved, there is presently a great need for additional campus-wide parking because there is not enough available parking near campus for students. The vacant property owned by F.O.G. Incorporated on Maple Avenue, aka Maplewood Avenue, is needed for student parking. F.O.G. Incorporated has refused to accept Marshall's offers to purchase the property. Therefore, the President is directed to file an eminent domain application in the Circuit Court of Cabell County to condemn the property owned by F.O.G. Incorporated known as Lots 22, 23, 24, 25, 27 & 28, Block No. 293, in the City of Huntington which lots border on Maple Avenue, aka Maplewood Avenue.

Furthermore, the vacant property owned by Mouwafak & Hanan Ghannam on Buffington Avenue is needed for student parking. The President of Marshall is directed to file an eminent domain application in the Circuit Court of Cabell County to condemn the vacant property owned by Mouwafak and Hanan Ghannam known as Lots No. 19 and 20, Block No. 318 on Buffington Avenue in the City of Huntington, WV.

The motion passed.

XIII. Adjournment

There being no further business, the meeting was adjourned.

Verna Gibson, Secretary