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The Minutes of the Marshall University Board of Governors Meeting, February 25, 2013

Marshall University Board of Governors

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MARSHALL UNIVERSITY
BOARD OF GOVERNORS

February 25, 2013

Marshall University Memorial Student Center
Shawkey Dining Room
Huntington, WV

Members present, in person: Joseph B. Touma, Chair; John G. Hess; Phyllis H. Arnold; Dale C. Lowther; Joseph McDonie; Wyatt Scaggs; Michael G. Sellards; Miriah Young; Martin Amerikaner;

By Phone: Verna K. Gibson, David E. Haden

Absent: Letitia Neese Chafin, Oshel Craigo, Michael J. Farrell, Raymond Harrell II, Edward Howard, A. Michael Perry (emeritus)

I. Call to Order

Upon determining that a quorum was present, the meeting was called to order by Dr. Touma, Chairman, at 10:55 a.m.

II. Minutes

The following minutes were approved:

August 14, 2013, motion by Mr. Sellards, seconded by Mr. McDonie, and unanimously approved; October 30, 2012, motion by Mr. Sellards, seconded by Mr. McDonie; December 13, 2013, motion by Mr. Lowther, seconded by Mr. McDonie. The Emergency and Special minutes were approved as one group: September, 28, 2012, October 10, 2012, November 26, 2012 and January 9, 2013 with a motion by Mr. Scaggs, seconded by Mr. McDonie. All motions were unanimously approved.

III. Committee of the Whole

A. Construction Contract Award: East Hall

Dr. Karen Kirtley discussed the bids for the East Hall project. Mascaro Construction's bid came in under budget and they were recommended by the University's Purchasing and Facilities Planning and Management. Dr. Kirtley noted that all three alternates were accepted as part of the bid. Upon a motion by Mr. McDonie, seconded by Mr. Sellards, the following resolution was read and unanimously approved:

Resolved, that the Marshall University Board of Governors approves the award of the Construction contract for the Renovation of East Hall.

B. Policy of Rulemaking

Mr. Michael McGuffey presented an approval recommendation of amendments to the Policy on Rulemaking by the Board of Governors (GA-11). The modifications to the existing policy include:

- Addition of a requirement that the board initiate the notice of proposed rulemaking;
- Changes to the notification process (including a physical posting requirement);
- Removal of references to the former Marshall Community and Technical College.

After approval, a comment period will open and remain open until 10:00 a.m. on March 28, 2013. A final policy will be presented the Board for approval at a subsequent meeting.

Upon a motion by Mrs. Young, seconded by Mrs. Arnold, the following resolution was read and unanimously approved:

Resolved, that the Marshall University Board of Governors approve Policy No. GA-11, Rulemaking by the Board of Governors as a proposed policy and initiate the notice of proposed rulemaking process.

IV. President's Report

Dr. Stephen Kopp began by talking about retention. He discussed accreditation and the Higher Learning Commission Pathways project. He appreciated the Board's change of this meeting date to today to allow him to get to the HLC mandatory meeting tomorrow. He commended Dr. Mary Beth Reynolds with her role in the Pathways project as well as Dr. Gayle Ormiston. Then he reported on and discussed budget and budget planning. He discussed the cuts to higher education and Marshall University. He talked about the problems the cuts would cause and candidly spoke about his concerns and those of the students of Marshall University.

V. Committee Reports

Finance, Audit and Facilities Planning Committee, Dale Lowther, Chair

Mr. Lowther discussed the informational items brought to the Committee. He noted that the committee discussed financial updates, Administration updates were given by Dr. Kirtley to the Board, the School of Medicine's fundraising plan and the LCME visit June 23-26, as well as Athletics report on the Vision Campaign and skybox construction updates. An Internal Audit

report was given by Mr. Perry Chaffin to the committee discussing the auditing plan.

He then continued with the action items brought before the Committee, noting that Action items were discussed at length during the Committee Meeting. The first item was the financial/budget report for six months ending December 31, 2012. He noted that the financials looked good. Upon a motion by Mr. Sellards, seconded by Mr. McDonie and unanimously approved, the Board passed the following resolution:

Resolved, that the Board of Governors receives the Financial Budget Report for the six months ending December 31, 2012.

The Investment Earnings Update is the next action item. Upon a motion by Mr. Scaggs, seconded by Mrs. Arnold and unanimously approved, the board passed the following resolution:

Resolved, that the Marshall University Board of Governors receives the Investment Earnings Report for the six months ending December 31, 2012.

The next item is the request for approval of modified Enrollment Fee Deposit for Physical Therapy. The fee will be \$500 and is non-refundable. However, the deposit will be applied to the student's tuition once they register. Upon a motion by Mr. Sellards, seconded by Mrs. Arnold, the Board unanimously approved the following resolution:

Resolved, that the Marshall University Board of Governors accepts the proposed modified fee for Fiscal Year 2012-2013 for the Department of Physical Therapy.

The final action item is the Public Higher Education FY 2012 Consolidated Audit Report from the HEPC Meeting on February 1, 2013. Upon a motion by Mr. Scaggs, seconded by Mr. McDonie, the Board received and reviewed the Fiscal Year 2012 Consolidated Audit report for the Higher Education Fund for Fiscal Year ending June 30, 2012.

Academic & Student Affairs Committee, Edward Howard, Chair

Mr. McDonie gave the Academic Affairs report.

Dr. Ormiston gave an update regarding the approval and acceptance of the 2012 Compact Update from the Higher Education Policy Commission and a Supplemental Request from them. The 2012 Compact was approved 2/1/13 at the HEPC Meeting. The next approval update is November 1, 2013.

VI. Chairman's Report

Dr. Touma gave a report and encouraged members to contact the Governor regarding the budget cuts. He noted that he is planning to rearrange the membership of committees once new members are appointed by the Governor.

VII. Executive Session under the authority of WV Code §6-9A-4

There was no executive session.

VII. Announcements and Adjournment

The next Board Meeting is April 18, 2013 unless we have to call a special board meeting.

As there were no other matters to bring before the Board, upon a motion by Mr. Lowther, seconded by Mrs. Young and unanimously approved, the meeting was adjourned.

Michael G. Sellards, Secretary