

MINUTES OF THE BOARD OF GOVERNORS
MISSOURI STATE UNIVERSITY
JULY 31, 2009

1. Roll Call

Present- Ms. Elizabeth Bradbury, Governor
Mr. Michael Duggan, Chair of the Board (by conference call)
Mr. Gordon Elliott, Governor
Mr. Brian Hammons, Vice-Chair of the Board
Mr. Orvin Kimbrough, Governor
Ms. Mary Sheid, Governor
Ms. Cathy Smith, Governor
Mr. John Winston, Governor (by conference call)

Absent- Ms. Phyllis Washington, Governor

Also

Present- Michael Nietzel, President
Drew Bennett, Chancellor of the West Plains Campus
Earle Doman, Vice President for Student Affairs and Dean of Students
Jim Baker, Vice President for Research and Economic Development
Belinda McCarthy, Provost
Ken McClure, Vice President for Administrative and Information Services
Nila Hayes, Chief Financial Officer
Brent Dunn, Vice President for University Advancement
Clifton Smart, General Counsel
John McAlear, Secretary of the Board

2. Presiding --- The presiding officer for the meeting was Mr. Michael Duggan, Chair of the Board of Governors. He called the meeting to order at 10:00 a.m. in the Traywick Parliamentary Room in the Plaster Student Union on the campus of Missouri State University in Springfield, Missouri.

3. New Business --- Mr. Duggan commented that today is the meeting at which board officers are elected for the coming year. He asked if there was a nomination for a slate of officers. Ms. Sheid moved that the board officers for the next year be: Brian Hammons, Chair; Phyllis Washington, Vice-Chair; John McAlear, Secretary; and Nila Hayes, Treasurer. Ms. Smith provided the second to the motion.

Nominations passed unanimously.

Mr. Hammons presided over the remainder of the meeting. He stated that Board Bylaws require the Board members to approve the membership of the Executive Committee. He proposed that the Executive Committee be made up of the following governors: Phyllis Washington, Michael Duggan, Gordon Elliott, and Brian Hammons (ex officio). Ms. Sheid so moved, receiving the second of Mr. Kimbrough.

Motion passed 8-0.

Mr. Hammons next announced board committee assignments for the upcoming year:

Academic Affairs Committee: Elizabeth Bradbury (chair), Michael Duggan, and Brian Hammons.

Student Affairs Committee: Cathy Smith (chair), Mary Sheid, and Phyllis Washington.

Finance Committee: Gordon Elliott (chair), John Winston, and Orvin Kimbrough.

Mr. Hammons then announced that Mary Sheid would continue serving as an ex officio board member of the Missouri State University Foundation (representing the Board of Governors).

4. Approval of Minutes:

a. Board of Governors' Meetings --- Mr. Hammons asked for a motion for the approval of the minutes for the open and closed meetings of June 19, 2009. Ms. Bradbury so moved, receiving the second of Ms. Smith.

Motion passed 8-0.

5. Consent Agenda --- Mr. Hammons noted that the next item of business on the agenda was the approval of the Consent Agenda for this meeting. The items included in the Consent Agenda are:

West Plains Campus

Approval of actions concerning West Plains Campus academic employees (West Plains Campus Personnel No. 298-09).

Approval of actions concerning West Plains Campus non-academic employees (West Plains Campus Personnel No. 299-09).

Springfield Campus Purchases/Contracts

Approval of Procurement Activity Report for the period June 19, 2009 through July 17, 2009 (Purchasing Activity Report No. 335-09).

Facilities and Equipment

Approval of Activity Report for the month of June 2009 (Activity Report No. 199-09).

The fall protection system for the rigging grid area at the JQH Arena (Bids & Quotations No. 1303-09); Unistrut International Corporation, low bid received of \$98,400 for the base bid; total project budget established at \$124,000.

Contract for the FY10 job order contracting services (Bids & Quotations No. 1304-09); Nabholz Construction Corporation with the lowest and best submission. The maximum expenditure per project is not to exceed \$40,000 and the cumulative total of all individual projects awarded under this contract may not exceed \$300,000 in FY10.

Architectural and engineering design services in conjunction with phase III work to be done at the William H. Darr Agricultural Center (Architects & Engineers No. 649-09); The Clark Enersen Partners for \$371,900 plus reimbursable expenses. Additional services of up to \$30,000 as described in this agreement may be authorized and approved as necessary.

Additional services of Cannon Design in conjunction with the revised scope of work on the new University Recreation Center (Architects & Engineers No. 650-09). This revised scope of work will increase their fees by \$357,150 bringing their total fee for this project to \$1,897,500.

Approval of two lease agreements for Missouri State University parking spaces by Jordan Valley Community Health Center (Agreement No. 242-09). Parking space at the northwest corner of Jefferson and Phelps Streets will be rented to Jordan Valley Community Health at a cost of \$160 per month for a three year period effective August 1, 2009. In addition, Jordan Valley Community Health desires to lease 30 spaces in a parking lot on Booneville beginning August 1, 2009, and continuing on a month-to-month basis at a cost of \$5.00 per space.

Human Resources Items

Actions concerning academic employees (Human Resources No. 1296-09).

Actions concerning non-academic employees (Human Resources No. 1297-09).

Ms. Sheid made a motion to approve the Consent Agenda receiving a second from Ms. Bradbury.

Motion passed 8-0.

6. **President's Report** --- President Michael Nietzel first presented a resolution (Finance No. 1004-09) approving the FY11 State Appropriations Request. He summarized the four decision items included in this year's request: 1) the "third year" 4.2% increase in funding that was agreed to a number of years ago - \$3,779,967; 2) an inflationary increase – whatever percentage the Urban CPI index ends up being for calendar year 2009 – a 4% estimated increase is \$3,599,969; 3) maintenance and repair funding for core academic facilities equivalent to 1½% of the replacement value of those facilities - \$6,393,693; and 4) tuition reduction per the Missouri Returning Heroes' Education Act for those veterans qualifying for this reduction – \$96,222.

Moved by Ms. Smith and seconded by Mr. Kimbrough.

Motion passed 8-0.

Dr. Jim Baker, Vice President for Research and Economic Development, then presented the "second installment" of benchmark reports that will be presented to the Board at each of their meetings. His report focused on research activity at Missouri State University and how we stack up against our eleven benchmark institutions. At the July, 2006 Board of Governor's retreat, we discussed achieving and sustaining an external funding level of \$20 million annually. Our external funding averaged about \$21.7 million from FY07-FY09. He described the three types of institutions (by Carnegie classifications) and showed our benchmark institutions under each classification: 1) Research Institutions-High Research Activity (three institutions); 2) Doctoral Research Universities (four institutions); and 3) Master's Colleges and Universities-Large Programs (four institutions plus Missouri State University). He summarized that we are doing very well relative to our type of institution. He ended his report by commenting that to sustain our new goal of averaging \$25 million in external funds annually we need to look at expanding our laboratory space, research equipment, faculty time available for research, and faculty involvement.

7. **Academic Affairs** --- Dr. Belinda McCarthy, Provost, first reported that the housing issue at our Mountain Grove Campus is being addressed – we are making renovations to insure that next year, and in the future, we will be able to house all of the individuals that we hope to bring in as faculty researchers and research associates. She next introduced Mr. Joe Morris, Coordinator of SOAR, and described the improvements to our SOAR Program. She then introduced Dr. Jane Robison, Director of the English Language Institute, and described a new partnership with Daegu University, South Korea, who has sent many students to the English Language Institute in the past. They will continue to send many students to our campus at our discounted International

Partner tuition and will provide all meals and accommodations for five of our students in a two-week program on their campus.

8. **Research and Economic Development** --- Dr. Baker then presented the Sponsored Program Report for FY09 – we ended the year with \$20.9 million in external funds.

He next presented the following resolutions for the Board’s consideration:

Ratification of an agreement with Qingdao University, People’s Republic of China (Agreement No. 243-09) - we will continue to offer programs including, but not limited to, student exchanges, faculty exchanges, joint educational programs and The Center for Cultural Understanding.

Ratification of an agreement with Henan University of Finance and Economics, Henan Province, People’s Republic of China (Agreement No. 244-09) – we have entered into an agreement to collaborate on the development of joint educational programs, establish HUFEE as a MSU International Partner, continue development of the MSU Study in China Program, develop cooperative research opportunities, and on the basis of this agreement, work toward expanding opportunities for students and faculty to participate in academic activities, research projects, and cultural exchange activities.

Moved by Ms. Sheid, receiving the second of Ms. Bradbury.

Motion passed 8-0.

He next presented a resolution (Policies and Procedures No. 135-09) to authorize the President, through the Vice President for Research and Economic Development, to negotiate ownership rights to intellectual property with corporate affiliates collaborating with the Roy Blunt Jordan Valley Innovation Center.

Moved by Ms. Smith and seconded by Mr. Elliott.

Motion passed 8-0.

9. **West Plains Campus** --- Dr. Drew Bennett, Chancellor of the West Plains Campus, first reported that the West Plains Campus was recently selected as one of the *Chronicle of Higher Education’s* great colleges to work for. He next reported that the West Plains Campus has published an academic journal, *Elder Mountain – A Journal of Ozark Studies*.

He then presented a resolution (West Plains Campus Curriculum No. 31-09) approving the South Central Correctional Facility Offender Educational

Program. Moved and seconded, respectively, by Mr. Elliott and Ms. Bradbury.

Motion passed 7-0-1 (Mr. Kimbrough abstaining).

10. Student Affairs:

a. Report from Student Body President --- Ms. Kristen Sanocki, Vice-President of the Student Body, reported that SGA is forming a Missouri State University Complete Count Census Committee to insure that our students return their census forms.

b. Report from Vice President for Student Affairs --- Dr. Earle Doman, Vice President for Student Affairs, first presented the award that we received from the International Association of Administrative Professionals to Dr. Nietzel. This award was for establishing policies and programs to encourage and support the advancement and effectiveness of administrative professionals. He next reported that we have had more than 9,000 campers on campus this summer. The number of bed nights is down this year due to the economy.

11. Staff Senate --- Ms. Konya Knackstedt, Chairperson of the Staff Senate, reported that Ms. Tabitha Haynes and Ms. Cynthia Barnett have been elected as, respectively, Chair-elect and Secretary of Staff Senate.

12. Finance:

a. Development Report --- Mr. Brent Dunn, Vice President for University Advancement, presented the development report for the fiscal year. We had a very good month of June which helped us set a new record in giving for the year - \$15,044,534.

b. Financial Report --- Ms. Nila Hayes, Chief Financial Officer, presented a resolution (Purchasing Activity Report No. 336-09) for the approval of the Procurement Activity Report from July 18, 2009 through July 29, 2009. Moved by Mr. Elliott. Seconded by Ms. Smith.

Motion passed 8-0.

13. Facilities and Equipment --- Mr. Ken McClure, Vice President for Administrative and Information Services, presented a resolution for the removal of structural columns at the Art Annex (Bids & Quotations No. 1305); Dewitt & Associates; low bid of \$123,400; total project budget set at \$195,000. Moved by Mr. Elliott and seconded by Ms. Sheid.

Motion passed 8-0

He then presented the resolution (Agreement No. 245-09) for the approval of an Intergovernmental Agreement for Law Enforcement Services by the City of Springfield for FY10. Moved by Ms. Bradbury and seconded by Ms. Smith.

Motion passed 8-0.

Mr. McClure then presented a resolution (Agreement No. 246-09) approving the Trunked Radio System License Agreement with City Utilities of Springfield. Moved by Ms. Smith and seconded by Ms. Sheid.

Passed 8-0.

- 14. Closed Meeting ---** It was determined that the Board of Governors needed to meet in a closed session to consider items of business provided in the Revised Statutes of Missouri. Mr. Hammons asked if a resolution authorizing a closed meeting of the Board was prepared. Thereupon, the following resolution was presented for consideration:

BE IT RESOLVED by the Board of Governors for Missouri State University that a closed meeting, with closed records and closed vote, be held immediately following this July 31, 2009 meeting of the Board of Governors to consider items of business pursuant to:

- a. R.S.Mo. 610.021(1). “Legal actions, causes of action, or litigation involving a public governmental body...”
- c. R.S.Mo. 610.021(3). “Hiring, firing, disciplining or promoting of particular employees by a public governmental body...”
- d. R.S.Mo. 610.021 (13). “Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment,...”

Ms. Sheid moved the approval of the resolution and Ms. Bradbury seconded the motion.

A roll call vote on the resolution was as follows: those voting in favor – Governors Bradbury, Duggan, Elliott, Hammons, Kimbrough, Sheid, Smith, and Winston; those voting against – none; those absent – Governor Washington.

Mr. Hammons declared the resolution passed unanimously.

- 15. Date of Next Meeting ---** The date of the next regularly scheduled meeting was set for Friday, October 30, 2009 at 10:00 a.m. on the Springfield Campus.

- 16. Adjournment---** Mr. Hammons adjourned the meeting at 11:10 a.m. on the motion of Mr. Kimbrough, the second of Ms. Smith, and the unanimous vote of the Board.

John W. McAlear
Secretary