

August 9, 2003

Lincoln, Nebraska
August 9, 2003

The Board of Regents of the University of Nebraska met on August 9, 2003, at 9:02 a.m. in the Student Center (lower level, adjacent to the Windmill Dining Center) of Central Community College-Columbus Campus, Columbus, Nebraska, in publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of Neb. Rev. Stat. Section 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Daily Nebraskan, The Gateway, The Antelope, Kearney Hub and Omaha World Herald on July 28, 2003.

Regent Kyle Arganbright presented information to the Board regarding the student funded NU on Wheels program at the University of Nebraska-Lincoln and distributed t-shirts to the Board.

Chair Ferlic introduced John Christensen, Interim Vice Chancellor for Academic Affairs at the University of Nebraska at Omaha. He also welcomed two new faculty senate presidents, Dr. Richard Miller, Professor of Psychology at the University of Nebraska at Kearney and Dr. Paul Paulman, Professor of Family Medicine at the University of Nebraska Medical Center.

Regents present:

Kyle Arganbright

Joe Bilek

Don S. Blank, Vice Chair

Randolph M. Ferlic, Chair

Chuck Hasebrook

Howard L. Hawks

Jim McClurg

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August 9, 2003

I. **CALL TO ORDER**

II. **ROLL CALL**

The Board convened at 9:02 a.m. in the Student Center (lower level, adjacent to the Windmill Dining Center) of Central Community College-Columbus Campus, Columbus, Nebraska, Saturday, August 9, 2003. Attendance is indicated above.

III. **APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS**

Motion Moved by McClurg and seconded by Hassebrook to approve the minutes and ratify the actions of the regularly scheduled meeting of June 7, 2003.

Action Student Opinion: Aye: Bilek, McGeorge, and Arganbright. Absent: Johnston. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, and Blank. Voting Nay: None. Motion carried.

IV. **RESOLUTIONS**

Regent Miller presented the following Resolution from the Board:

Whereas, David A. Crouse, Ph.D., served as interim vice chancellor for academic affairs and dean for graduate studies from 2002 to 2003, having previously served in that capacity in 1996-1998; and

Whereas, Dr. Crouse has provided strong leadership in such areas as bioterrorism preparedness and the development of safety and security plans coordinated with UNMC's partner, the Nebraska Medical Center; and

Whereas, Dr. Crouse, who is himself an accomplished researcher, has played a key role in the tremendous growth and development of UNMC's research program; and

Whereas, Dr. Crouse has been instrumental in the success of UNMC's technology-transfer efforts by helping assess the value of intellectual property and inventions and ensuring that UNMC intellectual property rights are preserved in research contracts; and

Whereas, Dr. Crouse has been a leader in UNMC's efforts to improve diversity, developing several innovative programs to bring prospective minority students, faculty and staff to the campus;

Now, therefore, be it resolved, that the University of Nebraska Board of Regents thanks David Crouse for his exemplary service and dedication to the university, and wishes him well as he continues his service as Associate Vice Chancellor for Aided stand dSan for006 Mo

August 9, 2003

VI. **HEARINGS**

None.

VII. **PUBLIC COMMENT**

None.

VIII. **COMMITTEE REPORTS**

Outreach and Service Committee

The Outreach and Service Committee met on Friday afternoon and the topic of discussion was Rural Initiative Update.

General Affairs

The General Affairs Committee met on Friday afternoon and the topic of discussion was Student Recruitment and Retention.

Planning Committee

The Planning Committee met on Friday afternoon and the topic of discussion was Public Opinion Research on the University of Nebraska.

The Board recessed at 9:57 a.m. and reconvened at 10:05 a.m.

IX. **UNIVERSITY CONSENT AGENDA**

Regent McClurg asked that item IX-B-7 be removed from the Consent Agenda.

Regent Hawks commented on item IX-A-6 and asked Vice President Wood to check on potential conflict of interest on the consulting assignment.

Regent Hassebrook questioned item IX-B-6 regarding the lease of space to the Swanson Center for Human Nutrition and what role the University of Nebraska Medical Center has.

Motion Moved by Miller and seconded by Blank to approve items IX-A-1, IX-A-2, IX-A-3, IX-A-4, IX-A-5, IX-A-6, IX-A-7, IX-B-1, IX-B-2, IX-B-3, IX-B-4, IX-B-5, IX-B-6, and IX-B-8.

A. ACADEMIC

IX-A-1 President's Personnel Recommendations.

University of Nebraska-Lincoln

Adjustments

Marjorie J. Kostelnik, Dean (Special) College of Education and Human Sciences, Professor (Continuous) Family and Consumer Science; change title from Dean of College of Human Resources and Family Sciences due to merger of Teachers College and College of Human Resources and Family Sciences into College of Education and Human Sciences effective August 18, 2003, \$156,836 FY, 1.00 FTE (includes \$14,258 administrative stipend).

August 9, 2003

John Meakin, Professor (Continuous), Mathematics; extend appointment of Milton Mohr Distinguished Professor of Mathematics for an additional 5 year period August 18, 2003 to August 17, 2008, \$121,343 AY, 1.00 FTE (includes \$10,000 professorship stipend).

August 9, 2003

Ineke Marshall, Professor (Continuous) and Coordinator (Special), Criminal Justice; One half-time leave of absence without pay, effective 08/18/03 to 01/04/04, \$78,146 AY (includes \$10,000 administrative stipend), 1.00 FTE.

Alexander D. Stoyen, Professor (Continuous), Computer Science; leave of absence without pay, effective 08/18/03 to 05/14/04, \$86,176 AY, 1.00 FTE.

University of Nebraska at Kearney

IX-A-2 Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions.

University of Nebraska-Lincoln

IX-A-3 Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions.

IX-A-4 Approve the request for outside employment.

University of Nebraska Medical Center

IX-A-5 Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions.

IX-A-6 Approve the requests for outside employment.

University of Nebraska at Omaha

IX-A-7 Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions.

B. BUSINESS

Central Administration

IX-B-1 Approve the name change from Nebraska Health System to Nebraska Medical Center.

University of Nebraska-Lincoln

IX-B-2 Approve the Lease between the UNL College of Engineering and Technology and the Suzanne and Walter Scott Foundation.

IX-B-3 Approve the modification of Subcontract with Abt Associates Inc. to evaluate the Tobacco Free Nebraska Program.

IX-B-4 Approve the Resolution providing for expenditures of up to \$1,846,350 for capital improvements for University Housing facilities from the Replacement Fund of the University of Nebraska-Lincoln (UNL) Student Fees and Facilities Revenue Bonds.

IX-B-5 Approve naming the newly constructed resource building at the Cedar Point Biological Station the "Gainsforth Center".

University of Nebraska Medical Center

IX-B-6 Approve long-term leasing of space in Swanson Hall at the University of Nebraska Medical Center.

August 9, 2003

IX-B-7 Removed from Consent Agenda to University Administrative Agenda.

Additional Item

IX-B-8 Approve the name “Wagonhammer Education Center” for the new education building at the UNL/IANR Gudmundsen Sandhills Laboratory, Whitman, Nebraska.

Discussion was held.

Action Student Opinion: Aye: McGeorge, Arganbright, and Bilek. Absent: Johnston. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Blank, and Ferlic. Voting Nay: None. Motion carried.

X. **UNIVERSITY ADMINISTRATIVE AGENDA**

A. **ACADEMIC**

University of Nebraska at Kearney

Motion Moved by Miller and seconded by Schroeder to approve item X-A-1.

X-A-1 Merging of the current three Departments of Criminal Justice; Geography and Earth

August 9, 2003

Action Student Opinion: Aye: McGeorge, Arganbright, and Bilek. Absent: Johnston. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, and Miller. Voting Nay: None. Motion carried.

Motion Moved by Blank and seconded by McClurg to approve item IX-B-7.

IX-B-7 Approve the University of Nebraska Medical Center as a pilot site for the implementation of a formalized University of Nebraska workplace wellness program administered by *Simply Well*, a program operated by the Nebraska Health System Center for Occupational Health.

A presentation about *Simply Well* was made by Dr. Jim Canedy.

Action Student Opinion: Aye: McGeorge, Arganbright, and Bilek. Absent: Johnston. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

B. BUSINESS

Central Administration

Motion Moved by McClurg and seconded by Wilson to approve item X-B-1.

X-B-1 Approve revision to Executive Memorandum No. 9 regarding Interim Budget Requirements.

Discussion was held.

Motion to Amend Moved by Hawks and seconded by Miller to change the language in paragraphs two and three of Executive Memorandum No. 9 as follows:

2. Expenditure increases: Increases in overall expense budgets that do not exceed

August 9, 2003

- X-B-2 Approve the Program Statement for the UNL Library Depository/Retrieval Center.
- X-B-3 Approve the Resolution for the Library Depository/Retrieval Center Project. The resolution includes: (1) approving and authorizing the execution and delivery of a Site Lease, a Lease-Purchase Agreement, a Continuing Disclosure Agreement, and a Tax Compliance Agreement in connection with the issuance of not to exceed \$3.6 million principal amount of The University of Nebraska Facilities Corporation Lease Rental Revenue Bonds, Series 2003 (University of Nebraska-Lincoln Library Project), (2) authorizing the sale of such Revenue Bonds, Series 2003, at a negotiated sale, a Bond Purchase Agreement, an Inducement Letter and the Preliminary Official Statement and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average interest rate of 5.50%), principal amounts, principal maturities and redemption provisions of such Revenue Bonds, Series 2003, and (3) approving the preparation and use of a final Official Statement.
- A presentation was given by Regent Miller. Discussion was held.
- Action Student Opinion: Absent: Johnston. Aye: McGeorge, Arganbright, and Bilek. Voting Aye: Hassebrook, Hawks, McClurg, Wilson, Blank, and Ferlic. Voting Nay: Miller and Schroeder. Motion carried.
- Motion Moved by Hawks and seconded by Blank to approve items X-B-4 and X-B-5.
- X-B-4 Approve the Program Statement for the Renovation of the UNL Harper/Schramm/Smith Residence Halls.
- X-B-5 Approve the Resolution (1) adopting a Supplemental Resolution authorizing the issuance of not to exceed \$27,600,000 aggregate principal amount of UNL Student Fees and Facilities Revenue Bonds, Series 2003C, for the Renovation of the UNL Harper/Schramm/Smith Residence Halls, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003C at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003C, (4) approving the preparation and use of a final Official Statement, and (5) authorizing the use of Series 2003C bond funds not expended on these Projects for UNL Housing renovations, subject to approval of the Board.
- Action Student Opinion: Aye: McGeorge, Arganbright, and Bilek. Absent: Johnston. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Blank, Ferlic, and Hassebrook. Voting Nay: None. Motion carried.
- Motion Moved by Wilson and seconded by McClurg to approve item X-B-6.
- X-B-6 Approve the Exclusive License Agreement of Certain Media Rights, Including Live Radio Broadcast Rights (the "Agreement" with Pinnacle Sports Productions granting the following rights associated with the University of Nebraska-Lincoln's Department of Intercollegiate Athletics: (1) live radio broadcast rights for UNL Varsity Intercollegiate Football, Men's and Women's Varsity Intercollegiate Basketball, Varsity Intercollegiate Volleyball, Varsity Intercollegiate Baseball and Varsity Intercollegiate Softball along with related pre-game/post-game and coaches' shows; (2) rights to distribute coaches' television shows produced by UNL's HuskerVision studios; and (3) rights to sell advertising in the football program distributed at home UNL football games.
- Discussion was held.

August 9, 2003

Action Student Opinion: Aye: Arganbright, Bilek, and McGeorge. Absent: Johnston. Voting Aye: McClurg, Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, and Hawks. Voting Nay: None. Motion carried.

Motion Moved by Arganbright and seconded by Hawks to approve items X-B-7 and X-B-8.

X-B-7 Approve the Program Statement for the Renovation of the University of Nebraska-Lincoln 1700 Y Street Building for Printing Services.

X-B-8 Approve the purchase of a 4- to 6-color offset printing press at an amount not to exceed \$950,000.

Discussion was held.

Action Student Opinion: Aye: Bilek, McGeorge, and Arganbright. Absent: Johnston. Voting Aye: Miller, Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, and McClurg. Voting Nay: None. Motion carried.

University of Nebraska Medical Center

Motion Moved by Hassebrook and seconded by Schroeder to approve item X-B-9.

X-B-9 Approve the Resolution (1) adopting the Second Supplemental Resolution for the Fourth Series Resolution authorizing the issuance of not to exceed \$5,750,000 aggregate principal amount of Revenue Bonds, Series 2003, for the Construction of a Student Apartment Complex, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003 at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003, (4) approving the preparation and use of a final Official Statement, and (5) authorizing the use of Series 2003 bond funds not expended on this Apartment Complex Construction, subject to approval of the Board.

Action Student Opinion: Absent: Johnston. Aye: McGeorge, Arganbright, and Bilek. Voting Aye: Schroeder, Wilson, Blank, Ferlic, Hassebrook, Hawks, and McClurg. Abstain: Miller. Motion carried.

University of Nebraska at Omaha

Motion Moved by Miller and seconded by McClurg to approve items X-B-10 and X-B-11.

X-B-10 Approve the purchase and transfer of ownership of Scott Village to the Board of Regents of the University of Nebraska and authorize the President to execute all legal instruments necessary to carry out the transfer and conditions of the proposed transaction.

X-B-11 Approve the Resolution (1) adopting the Second Supplemental Resolution to the Sixth Series Resolution authorizing the issuance of not to exceed \$16,000,000 aggregate principal amount of UNO Student Fees and Facilities Revenue Bonds, Series 2003, for the Scott Village Student Housing, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003 at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average

August 9, 2003

rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003, and (4) approving the preparation and use of a final Official Statement.

Discussion was held.

Action Student Opinion: Aye: McGeorge, Arganbright, and Bilek. Absent: Johnston. Voting Aye: Wilson, Blank, Ferlic, Hassebrook, Hawks, McClurg, Miller, and Schroeder. Voting Nay: None. Motion carried.

C. FOR INFORMATION ONLY

X-C-1 This proposed amendment of Sections 1.3.1 and 1.3.3 of the Standing Rules of the Board of Regents of the University of Nebraska and creation of Regents' Policy 1.6.9 of the Board of Regents' Policies of the University of Nebraska creates an Audit Committee. This item is presented at this meeting for information only as required by Section 7.2 of the Standing Rules of the Board of Regents of the University of Nebraska. It will be placed on the October 17, 2003, Board of Regents agenda for discussion and formal action.

X-C-2 This proposed amendment of Section 3.10 of the Bylaws of the Board of Regents of the University of Nebraska relating to ownership, patent and commercialization of inventions and discoveries is presented for information purposes only in accordance with the requirements of Section 1.11 of the Bylaws of the Board of Regents. Approval of this amendment will be requested at the Regents' meeting on October 17, 2003.

D. REPORTS

X-D-1 Report on the approval of the Parking Use Agreement with Simon Property Group for use of the Crossroads Parking Garage for UNO parking.

X-D-2 Report of Expedited Approval of the University of Nebraska at Omaha Graduate Technical Communication Certificate.

X-D-3 Design Development for the University of Nebraska-Lincoln (UNL) Natural Resources & Research Complex.

X-D-4 Bids and Contracts for the period ended July 17, 2003.

X-D-5 Status of Construction Projects exceeding \$2 million as of June 30, 2003.

X-D-6 Semi-annual report of licenses for the period ended June 30, 2003.

Chairman Ferlic accepted the reports.

XI. ADDITIONAL BUSINESS

Chairman Ferlic thanked President Franzen and his colleagues at Central Community College-Columbus campus for their hospitality and warm welcome and for facilitating our Board of Regents meeting this weekend.

August 9, 2003

ADJOURNMENT