

MARSHALL UNIVERSITY
BOARD OF GOVERNORS

Minutes of March 8, 2006

A meeting of the Marshall Board of Governors was held on March 8, 2006, at the Robert C. Byrd Institute in Huntington, WV.

Members, present, in person: Menis Ketchum, Letitia Neese Chafin, Michael J. Farrell, John G. Hess, Virginia King, Brent Marsteller, General H. F. Mooney, A. Michael Perry, William A. Smith, Sherri Noble, Dr. James M. Sottile, Jr., and Chad Caldwell.

Members, present, by telephone: Gary Adkins and Robert Shell.

Members Absent: Verna Gibson and Gary White.

Others present: President Kopp, President Riley, Dennis Gephardt of Moody's Investors Services, Michael Dunn, Dr. Tony Szwilski, University and Community College Staff and members of the media.

I. Call to Order

Chairman Ketchum called the meeting to order.

II. Approval of Minutes

Bob Shell moved, seconded by Virginia King, that the minutes of the meetings held on 1/25/06 and 2/2/06 be approved. The motion unanimously passed.

III. Committee of the Whole

Mike Perry moved, seconded by Sherri Noble, that the following resolution be approved:

Resolved: Whereas, the former Keith Albee Theater in downtown Huntington, WV is now closed and is the property of the Marshall University Foundation; and

Whereas, the Foundation working with the leadership of the Marshall University Artist Series, the second oldest such series in the United States, as well as the former

owners and operators of the Keith Albee, the Hyman Family, as well as WV Senator Bob Plymale and other members of the local delegation to the West Virginia Legislature, have been working on preserving and modernizing the Keith Albee; and

Whereas, neither Marshall University, its Foundation or any other identifiable local group or entity by itself has the necessary monies and other resources to renovate the Keith Albee as well as operate and maintain the facility for years to come; and

Whereas, the Keith Albee is critical to the economic revitalization of Huntington and its downtown area, as well as the cultural well being of Huntington and Marshall University and the countless thousands of people they serve throughout the State and the Tri-State Region; and

Whereas, to preserve the Keith Albee there are many other questions, problems and obstacles to be resolved, far too many to enumerate; and

Whereas, it is always important to remember that nothing is impossible when determined and competent people come together confidently committed to accomplishing a common important goal; and

NOW, THEREFORE, BE IT RESOLVED THAT The Marshall University Board of Governors strongly endorses and supports the renovation and preservation of the Keith Albee Theater and calls upon the above referenced people and organizations to join with the Marshall University Administration, the Marshall Foundation, representatives of our elected officials from the City, County, State and National Governments, the Huntington Regional Chamber of Commerce, HADCO, the Huntington-Ironton Empowerment Zone and other interested groups and concerned citizens to meet together as soon as possible to work to secure the preservation of the Keith Albee, a dream of so many people, and thus assure its enjoyment for many future generations to come.

Mike Farrell spoke in support of the resolution pointing out that the Keith Albee is an icon of our culture in Huntington and at Marshall.

The resolution was unanimously adopted.

The chair presented a list of upcoming university events and emphasized the Inauguration of President Kopp on April 21, 2006.

Menis Ketchum, Chair, appointed Virginia King, Sherri Noble and James Sottile as the nominating committee to nominate officers for July 1, 2006 to June 30, 2007.

Bill Smith moved, seconded by Virginia King, that the following resolution be adopted.

RECOMMENDED RESOLUTION:

Resolved, That the Marshall University Board of Governors adopt the following policies: AA-11, Appropriate Use of 1D Numbers; AA- 12, Academic Dishonesty; AA-13, Class Attendance; AA-14, Course Syllabus; AA-15, Course Withdrawal; AA-16, Freshmen Midterm D & F Grades; AA-17, University Textbooks; AA-18, Equivalencies for College Teaching; AA-19, Joint Teaching Appointment within the Institution; AA-20, Graduate Faculty Membership; AA-21, Faculty Workload; AA-22, Annual Evaluation of Faculty; AA-23, Temporary Faculty Annual Reports and Years Applied Toward Tenure; AA-24, Course Evaluations; AA-25, Personnel Records; AA-26, Faculty Promotion; AA-27, Faculty Promotion Salary Increase; AA-28, Faculty Tenure; AA-29, Principal Investigator Salary Payments; AA-30, Tutoring of Students by Faculty; AA-31, Emeritus Status of Retired Professionals; AA-32, Termination Due to Program Reduction; AA-33, Plan for Meeting Financial Exigency; AA-34, Commencement; AA-35, Faculty Absences; AA-36, Political Activities; AA-37, Policy on Teaching and Administration; AA-38, Selection, Role, and Evaluation of Departmental Chairs; AA-39, The Appointment and Evaluation of Faculty Deans; AA-40, Faculty Compensation from Grants and Contracts Policy; HR-5, Four Part Progressive Counseling; HR-6, Telecommuting; HR-7, Payroll Reassignments re Leave Reassignments; HR-8, Employee Solicitation and Outside Businesses; HR-9, Classified/Non-classified Employment Appointments in December, HR-10, Employee Infractions; HR-11, Alternative Dispute Resolution for Employee Grievances; HR-12, Performance Assessment, Classified and Non-classified Employees; HR-13, Classified Recruiting; IT-1, Information Technology Acceptable Use Policy; IT-2, Information Security Policy; IT-3, Email Policy; IT-4, Program for the Disposition of Surplus Computers; IT-5, E-Course Policy; FA-6, Policy Regarding Salary Supplements for MU Employees from Non-State Sources; GA-8, Policy on Smoking; GA-9, Policy Regarding Weather-Related and/or Emergency Closings and Delays.

The resolution unanimously passed.

IV. Community College Meeting

President Riley gave an informational report on the Community College.

Letitia Chafin moved, seconded by Bill Smith and Virginia King, that the following resolutions be adopted:

Resolved, the Board approves:

- a. The Marshall Community and Technical College Program Review Recommendations.
- b. The Marshall Community and Technical College Admissions Policy, as revised.
- c. The Marshall Community and Technical College Academic Forgiveness Policy, as revised.
- d. The final lease payment to Cabell County Career Technology Center for space formerly occupied by the Railroad Conductor Training Program.

Resolved, that the Board authorizes the Executive Committee of the Board of Governors and President Riley to finalize the selection of an architect to analyze needs and to design a community college facility.

The resolutions unanimously passed.

V. University Meeting

President Kopp gave an informational report.

Thereupon, the committees reported:

1. Finance, Audit & Investment Committee

A detailed presentation concerning the University's bond rating and debt capacity was given by Dennis Gephardt of Moody's Investors Services. A lengthy question and answer period followed the presentation between the board and Mr. Gephardt.

Mike Perry moved, seconded by John Hess, that the following resolution be adopted:

Resolved, that the Marshall University Board of Governors receives the Financial/Budget Report for the quarter ending December 31, 2005.

The resolution unanimously passed.

Mike Perry reported that the Finance Committee is studying the Whistle-Blower Provision of Sarbanes-Oxley in order to formulate a policy consistent with this provision of Sarbanes-Oxley.

2. Academic Committee

Jim Sottile moved, seconded by Bill Smith, that the following resolution be adopted:

Resolved, that the Marshall University Board of Governors approves the Program of Excellence Designation for Program Review.

The resolution was adopted.

3. Medical School

Brent Marsteller, Chair, presented an update on the Fairfield Building Construction and on the Medical School's self-insurance project.

4. Athletic Committee

No report.

VI. Executive Session

Mike Farrell moved, seconded by Virginia King, that the Board go into Executive Session to discuss possible real estate purchases and advanced construction planning on the Wellness Center Project. The motion passed. At the conclusion of the Executive Session the Board resumed its meeting in open session.

VII. Post Executive Session

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

Resolved, Marshall purchase 1839-1841 for \$34,500 and 1836-1840 Buffington Avenue for \$150,000 .

Resolved, the BOG previously authorized the purchase of the Alpha Chi Omega Sorority House. The purchase was delayed because of a lawsuit filed by some of the local sorority alumni concerning its legal ownership. Their lawsuit has been dismissed. The President is directed to conclude the purchase of this sorority house and obtain a general warranty deed from the seller.

The resolutions were unanimously adopted.

Chairman Ketchum announced that the meeting scheduled for May 17, 2006, is cancelled and he would contact members as to the next meeting date.

VIII. Adjournment

With no further business, the meeting was adjourned.

Verna Gibson, Secretary