

THE UNIVERSITY OF WYOMING

MINUTES OF THE TRUSTEES

January 16-18, 2014

The final minutes can be found on the University of Wyoming Board of Trustees website at <http://www.uwyo.edu/trustees/>

TRUSTEES OF THE UNIVERSITY OF WYOMING AGENDA
January 16-18, 2014

WORK SESSIONS

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Roll Call

Approval of Board of Trustees Meeting Minutes

November 14-15, 2013

Approval of Executive Session Meeting Minutes

November 14-15, 2013

(Minutes were revised with edits as discussed during the Executive Session 1-17-14.)

Approval of “Special” Meeting Minutes

December 6, 2013

Reports

ASUW

Staff Senate

Faculty Senate

Public Testimony

Committee of the Whole

REGULAR BUSINESS

1. Board Committee Reports

A. Academics and Research (Murdock) – Trustee Lauer, Committee Chair

B. Fiscal and Legal Affairs (Lowe) – Trustee Davis, Committee Chair

C. Student Affairs/Athletics/Administration/Information Technology (Axelson) – Trustee Willson, Committee Chair

D. Alumni Board – Trustee Lauer, Board Liaison

E. Foundation Board – Trustees Marsh and Willson, Board Liaisons

Committee of the Whole (cont.)

REGULAR BUSINESS

- F. Haub School Environment and Natural Resources Board Trustee Davis, Board Liaison
- G. Energy Resources Council (ERC) – Trustee Palmerlee, Board Liaison
- H. Trustee Award of Merit Ad Hoc Committee – Trustee True (Time held should the committee be prepared to provide a report)

CONSENT AGENDA

1. Approval of Contracts and Grants – Gern
2. Approval of Personnel – Murdock
3. Approval of Change of Name for the University of Wyoming/Casper College Center and Revisions to University Regulations 1-1, 2-39 Appendix A, 6-409, and 7-620 (Revisions to UW Regulations; See Report Appendix A) – Murdock
4. Construction Contracts – Mai/Collins
 - Approval of Offer for Sale of the UW Outreach Building in Casper, Wyoming
 - Approval Energy Innovation Center Budget Increase
 - Approval of the Contract for Purchase and Installation of Fixed and Telescoping Seating for the Arena Auditorium Renovation, Phase I
 - Approval of the Contract for Purchase and Installation of Video Display and Scoreboard Equipment for the Arena Auditorium Renovation, Phase I
 - ~~Approval of Trail Easement at Jacoby Golf Course (Removed following discussion during Work Session 1-17-14. Topic postponed until March 2014 Board meeting)~~
5. Approval of the Major Modification to a Graduate Program (Doctor of Education and Professional Master's in Education (Education Administration, K-12 Educational Leadership)) – Murdock
6. Approval of Program Name Change for Chicano Studies to Latina/o Studies – Murdock
7. Approval of UW Public Art Policy – Boswell
8. Approval of Draft Amendment to UW Regulation 5-804 re: Hiring of Deans – Boswell
9. ~~Approval of Policy re: Participation of Energy Resource Council in Hiring of SER Staff – Boswell (pulled from the Consent Agenda by Trustee Davis following discussion during work session 1-17-14) [separate action taken]~~
10. Approval of Appointment of External Auditor (*added following FLAC report 1-17-14) -14)*

For separate action:

1. Approval of Policy re: Participation of Energy Resource Council in Hiring of SER Staff – Boswell (*pulled from the Consent Agenda by Trustee Davis following discussion during work session 1-17-14)*

New Business

Old Business

Board Retreat Location

Date of Next Meeting – March 27-28, 2014; Laramie, Wyoming

Adjournment

THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES
January 16-18, 2014
Coe Library, Room 506

As reflected in the public session and executive session meeting minutes, the Board of Trustees of the University of Wyoming met in Laramie, Wyoming, Thursday, January 16, Friday, January 17, and Saturday, January 18, 2014. The meeting began with breakfast on Thursday, January 16, at 8:00 a.m., where the Board entered into discussion of the presidency until 9:45 a.m. The Board met in executive session for the majority of the day. The evening of Thursday, January 16, the Board met for a working dinner with administrators and various guests at the UW Conference Center – Hilton Garden Inn to discuss WGEESIT.

Friday, January 17, the Board met in executive session during a working breakfast followed by committee reports and regular work sessions. The Board held a working lunch with ASUW, administrators, and invited guests, followed by regular business in the afternoon. The business meeting was held on the afternoon of Friday, January 17, 2014.

On Saturday, January 18, the Board met in executive session during a working breakfast, followed by meetings and regular work sessions. The Board held a working lunch and ended regular business in the afternoon.

AGENDA ITEM TITLE: **Discussion of Personnel Issue Relative to the Presidency**, Bostrom

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify:
-

MINUTES OF THE MEETING:

Trustee Dave Bostrom stated he would like to have a discussion regarding the presidency with Faculty Senate Chair Colin Keeney, Staff Senate President Jim Logue, ASUW President Brett Kahler, and Vice President and General Counsel Rick Miller.

Faculty Senate Chair Colin Keeney began by thanking the Board for the opportunity to talk, discuss, argue, and think in terms of where they were and where they might be going next with respect to the position of the University president. He commented that it was the start of the new calendar year and the start of the next semester, and beyond that the word the Faculty Senate was hearing on campus was "opportunities." Faculty Senate Chair Keeney stated that the University was making a new beginning, and it was in very good shape. He noted that sometimes it looked like the situation was unsettled or dire from the outside, but from the inside that was not the case. Senate Chair Keeney stated that the University needed to keep in mind how it did or did not present itself to various constituents around the state and country. He re-emphasized the need to pay more attention to this.

Faculty Senate Chair Keeney stated that the general consensus was that the University had an excellent leadership team in place at present, especially with Maggi Murdock servicing as interim Vice President for Academic Affairs. Interim Vice President Murdock brought knowledge about outreach and background experience on campus with her to the position. There was broad support for the leadership team, from the faculty perspective, with a wait and see attitude.

Faculty Senate Chair Keeney commented that Interim UW President Dick McGinity's academic credentials were thin. Faculty were supportive, but they were interested in getting a sense of his management style, how he would go about doing his job, and seeing the results. Senate Chair Keeney commented that, at the moment, the titles were secondary to getting the job done. He commented that the focus needed to be on creating results for a broad range of people.

Trustee Bostrom thanked Senate Chair Keeney for his willingness to have the conversation regarding this topic and for participating in these discussions moving forward.

Trustee Brad Mead thanked Senate Chair Keeney for his report to the Board. Trustee Mead commented that the Board was pleased to know that this was not an emergency situation and that things were going well at UW, noting that everyone thought Interim UW President McGinity was

doing a good job. Trustee Mead followed up on Senate Chair Keeney's comment that titles were not important, stating that this was the issue at hand. He then discussed the process for naming a president, including consultation with faculty and staff. Trustee Mead then inquired if Senate Chair Keeney had a sense of faculty consensus regarding whether they felt the Board should consult with a committee of the faculty, or if given the current circumstances, it was justifiable that the Board not follow the process.

Faculty Senate Chair Keeney commented that this issue should be given some time, and the group should not be stampeded into moving too quickly. He added that Interim UW President McGinity did fine fulfilling the duties of president, but to name him "president" rather than just "interim" would not play well with the faculty.

Trustee Davis noted there had been four interim presidents at the University of Wyoming. He then inquired if Senate Chair Keeney had a sense of how this current situation was impacting searching and recruiting for administrative positions, deans, etc.

Faculty Senate Chair Keeney stated that the general consensus was that the University could not ignore that it would have some influence on searches. He stated that the University had a number of interim deans, and the general consensus was that it be left up to the faculty in those individual colleges to see if they felt pressed to recruit a permanent dean at the time or continue to work with the interim deans. He added that this was specific to each college; for example, it was likely easier to recruit a dean to the College of Engineering and Applied Sciences than to the College of Education. Trustee Davis commented that he was unsure if he would agree with those insights.

Faculty Senate Chair Keeney stated that moving ahead, no matter the titles given to people, one important thing was the move away from CPM to the shared initiative funding, which would give the deans a great deal of responsibility. There was then some discussion by the Board regarding CPM and the process.

Trustee Lauer inquired about the interim deans in place. Faculty Senate Chair Keeney stated that things seemed to be working well and, in speaking for the faculty, a new semester was getting off to a great start with the students.

Trustee Bostrom thanked Senate Chair Keeney for his service and comments to the Board.

Staff Senate Chair Jim Logue was asked to provide comments. He thanked the Board for the opportunity. Senate Chair Logue noted that the staff appreciated the interest that the Board was taking in this matter. He commented that a portion of the staff was less concerned about titles and contracts and more concerned about whether they were being noticed. If there were efforts made on their behalf in terms of compensation and restoring staffing levels, they would be happy and did not necessarily care who the boss was as long as that person succeeded on their behalf. The other portion of the staff was those in the general working positions in academic divisions, concerned that the time-honored processes had either been averted or left undone. Senate Chair Logue stated that the staff was happy to have the "accidental" president, but there was concern

that the process to get to this point had not happened. He noted that he had not heard concerns about Interim UW President McGinity, and people were excited he was in the position. The Board had not heard the concerns; however, there had been comments that the University might be missing opportunities because they were not going through a formal search. Senate Chair Logue stated that the staff recognized that having leadership in place for the University was important for its image, but the staff was less concerned about image and more about being able to carry on.

Staff Senate Chair Logue stated that going through the process that most other institutions go through gave the University more legitimacy, and having all constituencies go through the process was important.

Trustee Bostrom thanked Senate Chair Logue for his service and willingness to confront this difficult issue. The University was going through an extraordinary time, and the Board had to deal with this moving forward. He thanked Senate Chair Logue for his comments and input.

Trustee Willson commented on the candor and full direction being given by these participants and thanked them both for contributing and for the knowledge they were expressing.

ASUW President Brett Kahler thanked the Board for being given the opportunity to present the students' perspective. He noted that this group was different than others on campus, as the students either did not know what was happening or did not care. The one comment he had heard was the lack of a search process in this case. ASUW President Kahler commented that Interim UW President McGinity had interacted with the Board and the campus for several months, giving folks the opportunity to give it a trial run. There was a restored sense of calm on campus that was positive. ASUW President Kahler stated that overall students were happy and glad to be at the University. On the administrative level, things were moving smoothly and positively.

Faculty Chair Keeney appended a comment regarding the question for a search. There were a lot of comments among the faculty regarding when to start a search.

Dean of the Libraries Maggie Farrell distributed a statement to the Board [see statement following this narrative] and noted that she was a representative for the deans. She noted that the deans were strongly in support of the Board and their decision regarding personnel. Dean Farrell stated there was not a consensus on the title of the president. She stated that the deans had more important things facing them, such as the legislative session and pushing for salary support. The trustees needed to continue to make this the highest level of their work. Dean Farrell added that the deans were busy with managing the day-to-day operations of the institution. She added that they intended to support the students and focus all efforts on them.

Trustee Davis asked Dean Farrell about the title of "interim president" affecting the ability to search for deans, and in response, she stated that there was an impact at the dean level. When deans were searching for a new position, they liked to see stability within an organization. Dean Farrell noted that Interim Vice President Murdock was great in her position and had strong abilities and reputation.

Trustee Larry Gubbels commented that he appreciated the statement that students were the number one focus. Trustee Bostrom thanked Dean Farrell for her comments.

Associate Provost and Interim Dean of the College of Engineering and Applied Sciences Khaled Gasem commented on the recent poor publicity, noting that the University needed more time to recover externally from all that had happened at UW. He said that the good news could overcome the negativity that would go around. Those serving in their current interim roles were doing a fantastic job, and perceptions could overcome what the reality was. Associate Povost Gasem noted that the University needed to show solid planning and have stability.

Trustee Mead thanked Interim Dean Gasem for his comments regarding stability and showed appreciation for his perspective. There was some discussion regarding the comments of perception and whether there was really a crisis in the current situation of naming president.

The Board then opened the floor to the public for comments. Those who spoke included Pete Jorgensen, former University of Wyoming Trustee, Mary Ann Kamp, UW faculty member, and Donal O'Toole, UW faculty member. They provided comments, both positive and negative, about the current decision facing the Board. Those who spoke also commented on following the process and inclusion of the faculty and staff in the decision-making.

Trustee Bostrom again stated that the Board was going through extraordinary circumstances, and there was a policy in place. Vice President and General Counsel Miller stated that the Board had a policy, and they could either follow it or not. There was some discussion by the Board regarding the Trustee Bylaws and the UW Regulations. Trustee Marsh referred to the policy as inserted below:

Article X. PRESIDENT OF THE UNIVERSITY OF WYOMING

Section 10-1. APPOINTMENT

The President of the University of Wyoming shall be appointed by the Trustees, but no such appointment shall be made without nine affirmative votes of the Trustees. His initial term of office shall be for not less than one year, and he shall thereafter continue in such office at the will of the majority of the Trustees, who, from time to time, shall fix his salary. It will be the policy of the Trustees to confer with an advisory committee from the University faculty and staff prior to the selection of a new President.

Section 10-2. DUTIES AND POWERS

The President of the University shall perform the duties expressly enjoined upon him by the laws of this State, by these Bylaws, and such other incidental duties as pertain to his office or as may be assigned from time to time by the Trustees. As the executive head of the University of Wyoming, in behalf of the Trustees he shall be responsible for the custody of the books, records, buildings, and all other property of the University,

and for the administration of the academic and business activities of the University in accordance with the directives, Bylaws and Regulations of the Trustees; and he shall be clothed with all authority requisite to these ends. He shall inform and advise the Trustees with respect to the operations of the University and its relationships, and shall serve as an ex officio member of all permanent Trustees' committees.

Trustee True inquired about the language, “confer” compared to “consult.” There was then discussion regarding whether the faculty were consulted and if there were committees who talked with trustees about this decision being discussed.

Vice President for Research and Economic Development Bill Gern stated that the Executive Council was running well. The group was talking about issues and moving forward. He noted that what was most important was keeping strong faculty, and the pay raise issue was front and center of that. UW had to maintain the ability to be in the markets. With respect to the issue regarding policy as being discussed by the Board, Vice President Gern stated that the policy was clear on the hiring of the president. The University needed to have a president, and the person should be identified for a term. Vice President Gern stated that the University needed to get through the legislative session and move forward with strength. Vice President Gern stated that he believed that the University would get strength and stability by naming a president and for a term.



The deans of the University of Wyoming thank Dr. Robert Sternberg for his service to UW, and wish him, Karin and their family well. We appreciate Dr. Richard McGinity for taking on the mantle of leadership during this time of transition. We are committed to work alongside him, and together we will continue improving and moving the University forward. As deans, it is a privilege to serve the students, faculty, and staff of UW, and the citizens of Wyoming, and we ask all to join us in working together for the good of the state and UW community. We recognize that the University belongs to the people of Wyoming and, with their support, its future is bright. The state has placed its care and future of the university in the UW Board of Trustees and we stand ready to support them in their important responsibilities.

Frank Galey
Dean, College of Agriculture and Natural Resources

Paula Lutz
Dean, College of Arts and Sciences

John Mittelstaedt
Interim Dean, College of Business

Michael Day
Interim Dean, College of Education

Khaled Gasem
Interim Dean and Associate Provost, College of Engineering and Applied Science

Joe Steiner
Dean, College of Health Sciences

Jacquelyn Bridgeman
Interim Dean, College of Law

Maggie Farrell
Dean, University Libraries

Susan Frye
Dean, Outreach School

Mark Northam
Director, School of Energy Resources

Indy Burke
Director, School of Environment and Natural Resources

November 15, 2013

AGENDA ITEM TITLE: **Introductions and Recognitions**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify:
-

MINUTES OF THE MEETING:

The Board broke from their Executive Session at 1:25 p.m. and returned to public session for the introduction and recognition portion of the Board meeting.

Professor in the Department of Mechanical Engineering, Andy Hansen, introduced a professor in the Department of Geology and Geophysics, Carol Frost, and recognized her for her receipt of the National Ski Patrol Purple Merit Star for Saving a Life that she had received the previous year. Dr. Hansen told his personal story about how Dr. Frost attended to him as he had a heart attack during a rock climbing trip. His parting comment was that his goal was to climb again with his friend, Carol. Professor in Mathematics, Myron Allen, then provided some very positive comments about Dr. Frost and noted that he prepared the nomination packet submitted for Carol for receipt of this award.

Interim Provost Alyson Hagy introduced April Heaney, Director/Lecturer in the Department of English, and recognized her for receipt of the National Research Council at the University of South Carolina Award. Dr. Hagy discussed Ms. Heaney's involvement in the Synergy program. Trustee Bostrom commented on the importance of the Synergy program and thanked Ms. Heaney for her efforts.

Interim UW President Dick McGinity introduced Interim Vice President for Academic Affairs Maggi Murdock. He then provided some information about her history at UW, involvement with UW/Casper College, and her efforts in the Outreach Program. Interim UW President McGinity then thanked her for stepping into this role.

Interim President Dick McGinity introduced Vice President for Administration Bill Mai and provided information including Vice President Mai's experience working with the legislature and the office of the Governor. He thanked Vice President Mai for joining the team, noting that UW was stronger with him and Interim Vice President Murdock.

Interim Vice President Maggi Murdock introduced Interim Dean of the College of Law Jacquelyn Bridgeman. She provided information about Dean Bridgeman, noting that she had grown up in Laramie, attended Stanford University, received her JD, and returned to the College of Law faculty in 2002. Interim Vice President Murdock stated that Interim Dean Bridgeman was an impressive addition to the leadership team and to the University.

Interim Vice President for Academic Affairs Maggi Murdock introduced Interim Dean of the College of Education Michael Day. She provided some background information, noting that Interim Dean Day was professor emeritus and had served with the University for 30 years. Interim Dean Day had provided leadership in Faculty Senate and received the Ellbogen teaching award in recent years. Interim Vice President Murdock thanked Interim Dean Day for taking on the role.

Trustee Bostrom thanked Dean Bridgeman and Dean Day for stepping forward in this time of transition.

Deputy Intercollegiate Athletic Director Matt Whisenant introduced Associate Athletic Director and Senior Woman Administrator Julie Manning. He provided some information about her, noting that she came to the University from Colorado. She had many years of experience in this position and also served as a women's golf coach for a number of years in Iowa. Associate Athletic Director Manning stated that she was excited to be in attendance, noting that she loved the philosophy at the University.

Saturday, January 18, 2014

Coach Craig Bohl thanked the Board for their service to this institution. He noted that this was an exciting time to be a head football coach, and he would do everything he could to be an ambassador for the University of Wyoming. He stressed the importance for kids to come to UW, to get a good degree, and to graduate. Coach Bohl stated that the University would be proud of the football team, as he had a good understanding of the people around the state. He thanked the group for the opportunity to serve them.

AGENDA ITEM TITLE: **Tuition and Fees**, Mai/Lowe

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other

Specify:

MINUTES OF THE MEETING:

Vice President for Administration Bill Mai and Associate Vice President for Fiscal Administration Janet Lowe referred the Board to the handout [materials inserted following this narrative] regarding tuition and fees. Vice President Mai provided some general discussion about the history at the University and in Cheyenne with respect to legislative support. He noted that the University was losing great faculty and the funding issues would start to turn toward the compensation piece.

Vice President Mai noted that costs were growing faster than inflated tuition could, and the question presented was how to cover ongoing costs, instructional excellence, utilities costs, etc. Vice President Mai stated that the administration would be proposing a 4% tuition increase as a starting point. He added that when the Board returned in March, they would have some decisions to make.

Trustee Mead stated the need for predictability. He noted that raising tuition could give them a small bump, but they could not fix the whole problem. Trustee Mead suggested that instead of presenting the increases in percentages, rather, they ought to present the information by using dollar amounts.

Trustee Bostrom noted that Trustee Mead's point was well made, and the University needed to plan for the future. He said that the University needed something sustainable and predictable and have something to increase the salaries at this institution with. Trustee Bostrom commented that the administration should not be bashful when they return with a proposal, as this body was prepared to address this issue with reality.

Vice President Mai stated that the University was in a bad situation, and over time the problems would only compound if there were not plans for the future.

Trustee Lauer stated that each time tuition had been discussed, the Board had tried to solve the issue and give predictability, but they had then received pushback from the legislature and the notion that tuition be as free as possible.

Trustees Marsh and Bostrom supported Trustee Mead's recommendation for tuition to be presented in real dollars rather than percentages.

**Average Annual Tuition and Fees at
 Wyoming Community Colleges**

Resident Tuition and Fees

| <i>INSTITUTION</i> | 2002-03 | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Casper College | 1,368 | 1,416 | 1,464 | 1,536 | 1,584 | 1,668 | 1,752 | 1,848 | 1,848 | 2,136 | 2,232 | 2,448 |
| Central Wyoming College | 1,636 | 1,684 | 1,884 | 1,956 | 1,920 | 1,992 | 2,064 | 2,136 | 2,136 | 2,208 | 2,472 | 2,568 |
| Eastern Wyoming College | 1,608 | 1,656 | 1,800 | 1,848 | 1,800 | 1,872 | 1,944 | 2,016 | 2,144 | 2,280 | 2,376 | 2,472 |
| Laramie County Community College | 1,644 | 1,740 | 1,836 | 1,956 | 2,004 | 2,088 | 2,208 | 2,472 | 2,472 | 2,544 | 2,640 | 2,796 |
| Northern Wyoming Community College District | 1,584 | 1,632 | 1,680 | 1,891 | 1,896 | 2,016 | 2,131 | 2,227 | 2,227 | 2,302 | 2,398 | 2,653 |
| Northwest College | 1,712 | 1,760 | 1,808 | 1,880 | 1,928 | 2,000 | 2,107 | 2,132 | 2,246 | 2,312 | 2,436 | 2,614 |
| Western Wyoming Community College | 1,474 | 1,540 | 1,594 | 1,658 | 1,720 | 1,828 | 1,916 | 1,994 | 1,994 | 2,142 | 2,186 | 2,282 |
| AVERAGE of Wyoming Community Colleges | \$1,575 | \$1,633 | \$1,724 | \$1,818 | \$1,836 | \$1,923 | \$2,017 | \$2,118 | \$2,152 | \$2,275 | \$2,391 | \$2,548 |
| University of Wyoming | \$2,997 | \$3,090 | \$3,243 | \$3,426 | \$3,515 | \$3,554 | \$3,621 | \$3,726 | \$3,927 | \$4,125 | \$4,278 | \$4,404 |

Non-Resident Tuition and Fees

| <i>INSTITUTION</i> | 2002-03 | 2003-04 | 2004-05 | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 |
|--|----------------|----------------|----------------|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Casper College | 3,816 | 3,960 | 4,104 | 4,296 | 4,440 | 4,644 | 4,872 | 5,112 | 5,112 | 5,544 | 5,832 | 6,240 |
| Central Wyoming College | 4,084 | 4,228 | 4,524 | 4,716 | 4,776 | 4,968 | 5,184 | 5,400 | 5,400 | 5,616 | 6,072 | 6,360 |
| Eastern Wyoming College | 4,056 | 4,200 | 4,440 | 4,608 | 4,656 | 4,880 | 5,064 | 5,280 | 5,408 | 5,688 | 5,976 | 6,264 |
| Laramie County Community College | 4,092 | 4,188 | 4,476 | 4,716 | 4,860 | 5,064 | 5,328 | 5,736 | 5,736 | 5,952 | 6,240 | 6,528 |
| Northern Wyoming Community College District | 4,032 | 4,176 | 4,320 | 4,651 | 4,752 | 5,014 | 5,251 | 5,491 | 5,491 | 5,710 | 5,998 | 6,445 |
| Northwest College | 4,160 | 4,304 | 4,448 | 4,640 | 4,784 | 4,976 | 5,227 | 5,396 | 5,510 | 5,720 | 6,036 | 6,406 |
| Western Wyoming Community College | 3,920 | 4,082 | 4,234 | 4,418 | 4,576 | 4,804 | 5,036 | 5,258 | 5,258 | 5,550 | 5,786 | 6,074 |
| AVERAGE of Wyoming Community Colleges | \$4,023 | \$4,163 | \$4,364 | \$4,578 | \$4,692 | \$4,907 | \$5,137 | \$5,382 | \$5,416 | \$5,683 | \$5,991 | \$6,331 |
| University of Wyoming | \$8,661 | \$8,940 | \$9,273 | \$9,816 | \$10,055 | \$10,394 | \$11,031 | \$11,646 | \$12,237 | \$12,855 | \$13,488 | \$14,124 |

NOTE: These figures are for undergraduate first-time, full-time students with an academic year of 30 credits.

Source: Wyoming Community College Commission and University of Wyoming Fee Books.

P13.052
 OIA:SDW
 15-Jan-2014

AGENDA ITEM TITLE: **Legislative Session Discussion**, Boswell/Massie

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify:
-

MINUTES OF THE MEETING:

Vice President for Governmental and Community Affairs Chris Boswell and Director for Government Relations Mike Massie discussed the following topics:

- Compensation
- College of Engineering
- Operation and Maintenance
- Community College Partnership, Casper College
- School of Energy Resources, Matching Funds for Likely Private Dollars
- Information Technology Infrastructure
- Wyoming Public Media
- Brucellosis Vaccine Research
- Engineering Building
- Campus Infrastructure
- Classroom Technology
- Arena Auditorium
- Medical Education
- Future Projects

Topics defined in the handout, *2015-2016 UW Budget, Governor's Recommendations*, can be found inserted below.

2015-2016 UW Budget, Governor's Recommendations

1-15-14

(yellow highlighted lines are ongoing funding)

Compensation

Gov. recommends: --2.5% in 2015, and again in 2016.

(--also, \$1.7 million 1-time merit.)

--State funds employee's share of retirement contribution increases.

College of Engineering

Gov. recommends: --\$8 million GF for operations, UW initially uses \$9 million in existing funding

Operation and Maintenance

Gov. recommends: --\$665,900 BSL 3 operation, 1/2 of UW request.

(Repair costs not addressed, estimated to be at least \$1.2 million)

--\$706,000 Operation & Maintenance at Casper, Riverton, Sheridan

(UW had also sought \$500,000 for on campus O & M)

Community College Partnership, Casper College

Gov. recommends: --\$727,000 for additional faculty and staff for BS in Clinical Laboratory Sciences

School of Energy Resources, Matching Funds for likely private \$

Gov. recommends: --\$10.5 for High Bay equipment and associated costs to support
Unconventional Reservoirs program.

--\$5 million for endowed chair in petroleum engineering.

Information Technology Infrastructure

Gov. recommends: --\$2.8 million for improvements to wireless availability, network switches, server backbone.

Wyoming Public Media

Gov. recommends: --\$1 million for transmitter upgrades, first step in a 5-year plan (total cost: \$5 million)

Brucellosis Vaccine Research

Gov. recommends: --\$200,000 (in addition to \$200,000 in Standard Budget)

Engineering Building

Gov. recommends: --Release of \$7.9 million in previously appropriated funds for Level II and Level III
design plans.

Campus Infrastructure

Gov. recommends: --\$6 million for two water wells and significant delivery infrastructure for irrigation water.
--(UW had also sought \$2.75 million for King Street)

Classroom Technology

Gov. recommends: --\$4 million (1/2 of UW request).

Arena Auditorium

Gov. recommends: --\$5 million to complete \$30 million Phases I and II. \$10 million private, \$20 million state.

Medical Education

Gov. recommends: --UW request for ongoing and one-time state funds, use of reserves, use of clinic income.
--(UW had also sought flexibility to use 100 series to contract for positions)
--WWAMI, \$2 million ongoing for increased enrollment to 20 students, approved by legislature.

Denied Capcon: Cirrus Sky infrastructure planning, Corbett Pool addition Level II, LCCC/UW Laramie building Level II.

2014 SF 27 : Judiciary bill would require budget bill approval authorizing Foundation to assess a management fee rate above 1% on investment of state funds.

Future Projects: Science laboratory renovation/construction, continued classroom IT improvements, endowment matching funds.

AGENDA ITEM TITLE: **JAC Follow-up/Budget Footnotes Discussion**, Boswell/Massie

- UW Public Art Policy
- Draft Amendment to UW Regulation 5-804 re: Hiring of Deans
- Policy re: Participation of Energy Resource Council in Hiring of SER Staff
- Developing a List of Historical Buildings (no narrative – discussion at meeting only)
- Architectural Standards for Buildings (no narrative – discussion at meeting only)
 - *Legislation from Judiciary Meetings relating to Foundation will be discussed during work session scheduled for Saturday, January 18.

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Consent Agenda)

MINUTES OF THE MEETING:

UW Public Art Policy

Vice President for Governmental and Community Affairs Chris Boswell discussed the UW Public Art Policy with the board (see final approved document following this narrative).

Vice President for Governmental & Community Affairs Chris Boswell gave the Board an overview of the history of the UW Public Art Policy and of some of its specific details, adding that the Board had reviewed this policy several times before. He also referred the Board to page 9 of the report and noted the exemptions to the policy. He that this was on the consent agenda.

Trustee President Bostrom clarified that the action being taken by the Board was essentially the formalization of UW's existing Public Art Policy.

Draft Amendment to UW Reg 5-804 re: Hiring of Deans

Vice President Boswell reviewed the proposed change to UW Reg 5-804 which would mandate that a non-university employee, with relevant knowledge and experience, be a member of each advisory committee that aided in selecting university deans.

Trustee Marsh asked how the policy applied to deans who are not heads of colleges.

Dean of Libraries Maggie Farrell responded to Trustee Marsh's question and noted that she would work with General Counsel on clarifying this and other UW Regulations.

Discussion followed regarding the process of changing UW Regulations.

Trustee President Bostrom noted that those not employed by the University have been involved in dean searches in the past.

Dean Farrell acknowledged this and discussed the public's other forms of participation in the hiring of deans.

The item was placed on the consent agenda.

Policy re: Participation of Energy Resource Council in Hiring of SER Staff

Vice President Boswell gave an overview of the item and made note of the sections that outlined the participation and review privileges of the Energy Resource Council (ERC) in the hiring of School of Energy (SER) staff. He also gave a brief comment on his interpretation of the Legislature's intent.

There was discussion on the Legislature's involvement in the hiring of University staff, and the uniqueness of the School of Energy Resources.

The item was removed from the consent agenda.

Trustee MacPherson discussed some of the motivations behind the legislative footnote prompting this action and cautioned the Board of the potential repercussions that could result from not following the Legislature's direction.

Trustee Davis expressed his concern for this action.

UW President McGinity spoke regarding the role and authority of advisory boards and their relationship with the Board of Trustees. He also discussed the Legislature's governing role.

d. Developing a List of Historical Buildings (no narrative – discussion at meeting only)

e. Architectural Standards for Buildings (no narrative – discussion at meeting only)

Note: these two topics were discussed together

Vice President Boswell read the language of the legislative footnote pertaining to historic buildings on the UW campus and posed the two considerations to be addressed; if a policy should be implemented that required legislative approval before razing a historic building on the UW campus, and what classification would be used to determine a historic building. He also reported on the legislative footnote that required reporting on architectural features for new buildings on the UW campus. He added that this footnote also recommended the establishment of a policy that preserved minimum standards of appearance and the classic style of architecture of Old Main and the buildings that face Prexy's Pasture.

Massie noted that no action was being requested on these issues. He discussed the motivations of the Legislature for the historic buildings footnote and their concern for the removal of historic structures. He reviewed that the Board had previously responded to the Legislature on this issue. In this response, the Board had proposed determining the historic buildings on campus, and in the case that the University wished to tear one down, that this be done through the capital construction request to the Legislature in order to give the Legislature the opportunity for comment. Massie explained the logistics of a campus building study and the difference between a historic and historical building. He noted that public comment would be included in this process as well. He also addressed the concerns of the Legislature regarding new buildings being constructed on the UW campus and their architectural styles.

Trustee Palmerlee asked about the cost of the study and of the implications for the cost of future buildings.

Massie responded that the Legislature was willing to approve extra costs incurred by including key architectural features of future buildings.

There was discussion of the National Historical Preservation Act and its pertinence to structures on the UW campus. There was also discussion of the legislative footnote's relevance to UW buildings that are not on the main campus.

University of Wyoming Public Art Policy

*(Approved by the University of Wyoming Board of Trustees during the
January 2014 Board meeting.)*

I. Committee Charge. Per the appointment letter of January 24, 2012, and consistent with the action of the Board of Trustees on October 23, 2013, the President's Public Art Committee (the Committee) is hereby charged with: 1) evaluation and providing a recommendation on proposals for the placement of art—permanent or temporary—in public areas of the university, including outdoor public areas and interior public spaces (prominent public areas, lobbies, atria, entrances, and principal assembly areas); and 2) working with Physical Plant and the University of Wyoming (UW) Foundation to develop a plan for the future placement of trees, benches, and picnic tables through the Foundation's "Tree and Bench" program.

The Committee shall serve in an advisory capacity to the UW President. In offering input, the Committee shall strive to provide recommendations by unanimous consent wherever reasonably possible. In the event unanimous consent is not achievable, recommendations will be determined by a majority vote of a minimum quorum of three Committee members.

II. Committee Mission. The President's Public Art Committee seeks to enrich the cultural, intellectual, and scholarly life of the University of Wyoming's students, faculty, staff, and visitors while advancing the university's academic mission through enhancing and complimenting the physical and aesthetic environment of campus, preserving and celebrating its history and heritage, and inspiring contemplation, reflection, and dialogue.

III. Vision Statement. The President's Public Art Committee strives to advance the aesthetic and physical environment of UW by creating an integrated mixed use of public spaces that reflects the University's teaching, research, and service mission and acknowledges its heritage. Art can become the physical expression of UW and that art can further inquiry and widen knowledge. Finding a balance from traditional to contemporary is essential in creating public spaces that challenge and broaden the experience of our students, faculty, staff, donors, and visitors on campus.

IV. Definition of Public Art. The Committee is guided by the following definition of public art: art objects placed in a shared, publicly accessible space.

A. Categories of public art may include functional, expressive, or installation art donated or commissioned, or otherwise acquired that are prominent and located in public space.

B. Art media may include but is not limited to sculptures, painting, murals, photography, drawings, prints, mixed media, electronic media, gardens, including fountains and seating, and may include but is not limited to objects in clay, fiber, textiles, wood, metal, plastic, or other material.

V. Definition of Additional Property and Facilities (Defined Property) under the Review of the Committee. In addition to public art, the Committee shall provide recommendations regarding the placement of donated trees, benches, monuments, tables, and similar donated structures.

VI. Composition of the Committee and Term of Appointments. Members of the Committee are appointed by the UW President for indefinite terms and serve at the pleasure of the President.

VII. Authority of the Committee. The Committee advises the President on matters relating to the selection, location, cost, financing, and installation of art and defined property in the public spaces of the university. The final decisions on the disposition of public art rest with the UW President. The Committee:

- A. maintains an inventory of the works of public art acquired after January 2012 (or records from prior acquisitions, as identified) and maintains copies of acquisitions, deeds of gift, or loan forms;
- B. identifies sites at the university where art or defined property may be safely installed, consistent with the mission and criteria adopted by the Committee;
- C. guides students, faculty, staff, alumni, donors, members of the public, and artists who seek to install works of public art or defined property;
- D. seeks input and communicates with the stakeholders regarding the acquisition and placement of public art or defined property;
- E. engages artists and facilities managers to ensure that the installation is appropriate, safe, and secure for audiences (traffics flows, etc.), feasible (installation and maintenance), that every effort is made to prevent vandalism or theft, and that every effort is made to retain the integrity of work;
- F. may require artists, donors, or sponsors to engage stakeholders to discuss any proposed installation (both its physical nature and its content) with the university and community, or other stakeholders;
- G. makes a recommendation to the UW President to accept or deny a proposed public art or defined property installation;
- H. encourages the inclusion of public art (interior and exterior locations) in major renovations or new construction of university buildings; and
- I. ensures that the proper signage is attributed to works of public art or defined property.

VIII. Types of Proposals Considered. The following definitions apply to proposals that require review by the Committee and its recommendation to the UW President.

A. Duration of Installations:

1. *Permanent installations:* Installations of public art or defined property that are the permanent property of the University and are intended to be installed for an extended period of time or in perpetuity;

2. *Limited-term installations*: Public art or defined property that may or may not be the property of the University and is installed for a specified period of time.

B. Methods of Selection/Acquisition:

The following types of acquisitions are to be made in consultation with the Committee:

1. *Donation*: A work of public art or defined property is donated to the University through the UW Foundation upon recommendation of the Committee and action by the UW President;

2. *Direct selection*: An individual artist is chosen by the UW President upon recommendation of the Committee and a work is either purchased or commissioned. The Committee may also direct a separate, ad hoc, committee, appointed with the approval of the President, to oversee the selection of an individual artist;

3. *Open competition*: The Committee, or a separate, ad hoc, committee, appointed with the approval of the President, may hold a competition or issue requests for proposals for a commissioning regulated by the Committee. Competitions or commissions may include faculty, staff, students, and external artists.

C. Acquisitions.

Acquisitions of public art or defined property may be made by donation or purchase.

1. *Donations.*

a. Donations may be made by the artist or donor(s), including but not limited to an individual, family, alumni group, or class gift committee;

b. Donor(s) may approach any units of the University, but all offers of works of public art or defined property must be acted upon by the Committee, and are subject to approval by the UW President in consultation with the President of the Board of Trustees;

c. The University representative in contact with the donor must discuss any potential gift with the Committee. Preliminary review by the Committee will address the appropriateness of the work of art for the University, including content, size, material, condition, site suitability and installation and maintenance costs. This review may be based on conversations or a written proposal, but the Committee must act on all proposals and forward its recommendations to the UW President;

d. Based on a recommendation from the Committee, the President may designate a representative of the University, to discuss the offer in detail

University of Wyoming Public Art Policy
Page 4

including appropriateness, integrity of design and condition, proposed installation site, installation and maintenance costs, signage or recognition identifying the title of the work, the artist, dates, and the donor, activities acknowledging the gift of the work of art, e.g., celebrations, openings; determine the responsible party, i.e., the office responsible for the installation, insurance, and maintenance of the work of art;

e. Based on the results of discussions in subparagraph C1d., the Committee on Public Art may call for open meetings with specified parties to further discuss the acquisition.

2. Purchases:

a. Any university unit may propose to purchase works of art or defined property for interior and exterior public spaces. The University representative from the unit should discuss any potential purchase with the Committee. Preliminary review will address the appropriateness of the work of art for the University, including content, size, material, condition, site suitability and installation and maintenance costs. This review may be based on conversations or a written proposal, but the Committee must act on all proposals and forward the results to the UW President;

b. Purchases must follow the processes in Section IX. Selection Processes for Purchases of New Works or Extant Works of this policy.

D. Limited-term Installations, including Art or Defined Property on Loan.

In the event the artwork or defined property is intended to be a temporary display, in addition to the above considerations, special attention shall be made to the timeline, financing, and disruption for and during construction and removal of the property. Arrangements for disposal or removal should be concluded in advance of the loan and its implementation whenever possible.

IX. Selection Processes for Purchases of New Works or Extant Works.

A. Determination of Selection Committee:

An ad hoc committee including representatives of the proposers, representative of the UW Art Museum, community liaison, and other individuals deemed essential to the selection process by the Committee, e.g. members of physical plant, departments or units occupying the building or adjacent area, etc. shall comprise the Selection Committee for new or extant works, only upon recommendation of the Committee and approval by the UW President in consultation with the President of the Board of Trustees.

B. Determination of Selection Process.

1. *Direct purchase from living or deceased artist.* A living artist submits to the purchasing group an appropriate number of images of works; a proposal sheet

University of Wyoming Public Art Policy
Page 5

containing information on the artist's name, address, title of work, dimensions, medium, price, current location, and installation instructions; resume, artist statement, and references from similar projects regarding the creation and installation of public art. If the artist is deceased, the purchasing group works with the artist's Estate or representative to present appropriate number of images of the artist's work, a biographical sketch and resume, and information on the current location, cost of the work and installation instructions to the ad hoc committee.

2. *Open competition.* Purchasers provide scope, description, budget, and schedule as well as installation timeline to the Selection Committee. Artists submit to the Selection Committee in response to a Call for Artwork: resume and list of works, images of their works of art, a statement of conceptual approach to the project/artist's statement, and a reference from a similar project regarding the creation and installation of public art.

3. *Limited competition.* Purchasers provide scope, description, budget, and schedule as well as installation timeline. The Selection Committee may invite a limited number of selected artists to compete. Invited artists must submit: resume and list of works, images of their works of art, a statement of conceptual approach to the project or artist's statement, and a reference from a similar project regarding the creation and installation of public art.

C. Selection Procedure.

Within sixty (60) days, the Selection Committee reviews all proposals and selects a minimum of 3 finalists. Finalists are compensated for creating specific proposals which are presented in person in open forums. The Selection Committee selects their proposal and submits it to the Committee, and, upon recommendation of the Committee, the UW President makes the final selection in consultation with the President of the Board of Trustees.

X. Criteria for Selection. All public art or defined property shall be judged against the following criteria:

A. Artistic Merit Considerations.

1. *Enhances the physical and aesthetic environment of the university;*
2. *Instills a sense of quality through the civic spaces of the university;*
3. *Enriches the cultural, intellectual, and scholarly life of UW;*
4. *Inspires contemplation, reflection, and dialogue;*
5. *Preserves and acknowledges history, heritage and culture; and*
6. *Fosters university identity and enhances and balances existing works of art.*

B. Physical Plant Considerations.

1. *Location and artwork or defined property avoids life, safety, or health risks;*
2. *Work contemplates a suitable location for infrastructure;*

University of Wyoming Public Art Policy
Page 6

3. *On-going maintenance requirements; and*
4. *Work of art is consistent with UW's Long Range Development Plan (LRDP), existing area, landscaping, buildings, and view shed.*

C. Constituent Input.

1. *Students and parents;*
2. *Faculty, staff, and administrators;*
3. *Donors and alumni; and*
4. *Community and policymakers.*

D. Financing.

1. *Identified source of funds for acquisition or loans;*
2. *Identified source of funds for installation;*
3. *Identified source of funds for maintenance; and*
4. *Identified source of funds for removal (if temporary).*

E. Considerations Related to Individual Artists.

1. *Regional, national or international accomplishments, ie professional artist who has garnered curatorial recognition, gallery representation, or other recognitions in the field;*
2. *Proven record of public art commissions / installations.*

XI. Exemptions. This policy shall not apply to the established academic programs in the UW Student Union Gallery, UW Art Museum, College or Department galleries, including exterior space of the Visual Arts building, or student exhibitions.

XII. Disclaimer. The University endeavors to maintain the public art per the original agreement but shall reserve the right to remove, reinstall, store, move, or dispose of the object at the discretion of the University and in discussion with the artist and his/her Estate. The University is obligated to retain the artwork in its original form and not alter, change, or otherwise reconfigure the work.

AGENDA ITEM TITLE: Construction Contracts/Updates, Mai/Collins

- Approval of Trail Easement at Jacoby Golf Course
- Approval to Offer for Sale the UW Outreach Building in Casper, Wyoming
- Enzi STEM Facility (no narrative – discussion at meeting only)
- BSL-3 (no narrative – discussion at meeting only)

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other

Specify: Committee of the Whole (Consent Agenda)

Approval of Trail Easement at Jacoby Golf Course

Vice President Bill Mai and Associate Vice President for Administrative Operations Mark Collins reviewed information from the Board of Trustees Report (see information inserted below) regarding the trail easement at Jacoby Golf Course.

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The University of Wyoming (UW) and City of Laramie (City) have met on multiple occasions over the past year regarding the establishment of a rural trail along the perimeter of University property adjacent to and east of the University's Glenn "Red" Jacoby Golf Course. The trail is included as a proposed rural trail by the City's parks, trails, and recreation master plan ad hoc advisory committee as part of a long range Parks and Recreation master plan and would expand the city network of pathways and trails on the east side of Laramie.

The trail will offer a readily-accessible shared use path for walking, running or bicycling to the community. The portion of the proposed trail along the ridge on the east side of the golf course will follow an established gravel trail currently used by community members. The new trail will offer patrons a full loop as opposed to a return trip along the same route. The main access to the trail will be from the golf course east parking lots, with a possible additional access near the intersection of Indian Hills and Crow Drives.

The trail easement will be 25 feet wide and approximately 2¾ miles long. The trail will be classified as a rural trail and have a crushed gravel surface of six to eight feet in width. Six feet on each side of the trail will be clear for mowing operations and the easement width allows for maintenance vehicles to access the trail without being an impediment to users. The easement width also allows for proper slope and grading of the trail.

The easement grants access to the City of Laramie to construct, maintain and repair the trail and associated appurtenances in the easement area so long as the trail remains in use. The easement agreement will also allow for the trail to be modified by the University or City should a change in the route become necessary. An initial estimated cost for the trail project is approximately \$50,000

with formal project costs to follow. The City plans to budget for the project in fiscal year 2015 and construct the trail in the spring of 2015 to have the trail ready for public use by fall of 2015. An appraisal or valuation of the easement will not be completed since this is a joint effort with the City and due to the public benefits the trail will provide to the community.

The Board discussed options for an escape clause. Trustee MacPherson inquired if this recommendation was consistent with the university's long term plans. He also commented that the board should not inhibit future boards with this agreement, noting there should be some time constraints on the agreement.

Associate Vice President Collins thanked the Board for their feedback and noted that based on this discussion, the item will be pulled from the consent agenda and brought back at a later date.

Approval to Offer for Sale the UW Outreach Building in Casper, Wyoming

Vice President Bill Mai and Associate Vice President for Administrative Operations Mark Collins provided information regarding the approval to offer for sale the UW Outreach Building in Casper, Wyoming. The Board was referred to the narrative in the report [inserted below]. After reviewing the information in the report, Associate Vice President Collins noted that the appraisal amount is consistent and the university has an interested buyer.

Trustee True inquired about procedure, the bid process and potential use of excess funds from the sale of the property. Vice President Boswell discussed uses of the proceeds and legislative restrictions on use. It was noted that approval for this item is on the Consent Agenda.

Vice President Bill Mai and Associate Vice President for Administrative Operations Mark Collins provided information regarding the BSL-3 lab, the damages which occurred as a result of a power outage, employees being affected by the shutdown, and estimates for repair of the damages.

Trustee Bostrom commented on the importance of this facility to the University and the state, noting it was not an easy discussion to have. Vice President Mai noted that the Board would likely be hearing from various people about this topic in the coming weeks and months.

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The Casper College and University of Wyoming (UW) Joint Facility project on the Casper College campus is nearing full completion. The Casper College Student Union-UW Casper Center Building was occupied by UW prior to winter break and technology and furniture, furnishings and equipment (FF&E) packages are installed. UW Outreach credit programs have consolidated their operations in the new building from previous locations on the Casper College campus and at the UW Outreach Building facility located at 951 N. Poplar Street in Casper.

The UW Outreach Building facility consists of two adjoining parcels zoned General Business and totaling approximately 3.7 acres. The 2.7 acre larger parcel is improved with landscaping, paved parking and the UW Outreach Building. The one acre parcel is adjacent to the south of the larger

parcel. The University is evaluating the development potential of the vacant lot and may accept individual bids on each parcel should it be determined to be in the best interests of the University.

The UW Outreach Building is a one story, commercial/office building built in 1976. The building was leased from a private company to the United States General Services Administration for use by the Bureau of Land Management (BLM) prior to the University of Wyoming Foundation acquiring the property in 1986. Rental income from the BLM was used to retire the existing mortgage on the property as part of the Foundation's agreement for the acquisition. In 1987, the BLM moved to a new location and the University of Wyoming acquired the property from the UW Foundation to house UW's Casper programs through a lease/purchase agreement. The building contains approximately 18,500 gross sq. ft., and is comprised of several large and medium sized classrooms, conference rooms, and private offices.

The University has completed two appraisals of the facility. The first appraisal was completed in November of 2005 and identified a total appraised value of \$1,948,500. The second appraisal was completed in December of 2010 and calculated an appraised value for both parcels of \$2,209,000.

A legislative footnote for the issuance of revenue bonds to fund UW's portion of the Casper College-UW Joint Facility authorized during the 2011 legislative session states, "no proceeds from any sale of the UW-Casper College Poplar Street facility shall be expended without prior authorization of the legislature."

The properties will be advertised for sale through a sealed bid process. It's anticipated that the sale of the UW Outreach properties in Casper can be completed in late spring 2014.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- January 1987 – Lease/Purchase Agreement with University of Wyoming Foundation, for the General Services Administration Building, Casper.
- January 2009 – Discussion regarding the UW/Casper joint facility and future budget request.
- July 2009 – Discussion of UW budget request for funding of joint facility.
- January 2010 – Discussion of Joint Facility and Bond Financing.
- December 2010 – Update to the Board on the proposed facility.
- March 2011 – Lease Agreement between UW and Casper College.

WHY THIS ITEM IS BEFORE THE BOARD:

It is the policy of the University of Wyoming that when a facility is no longer occupied, or upon request of the University administration, an evaluation of the subject facility or land shall be made to guide decisions regarding the retention or disposal of the facility and the land. The Vice President for Administration shall establish procedures, as appropriate, to determine necessary analyses to be used in the evaluation. Any evaluation regarding retention or disposal of real property shall be presented to the Trustees of the University of Wyoming for consideration.

Board approval is necessary for the University to dispose of real property.

ARGUMENTS IN SUPPORT:

This sale provides an opportunity for the University to divest in the property while there is interest from the public to purchase the property.

ARGUMENTS AGAINST:

None

ACTION REQUIRED AT THIS BOARD MEETING:

The Board's approval for the sale of the UW Outreach Building and property located in Casper, WY, at or above appraisal.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Board of Trustees of the University of Wyoming authorize proceeding with the sale of this property, at or above appraisal.

Enzi STEM Facility

Associate Vice President Collins referred the Board to the distributed packet that provided information on the Enzi STEM Building. He noted the visuals in the packet and the project schedule. He explained that construction had begun on the project and that progress was being made. He added that the scheduled completion date for the project was April 2015 and that the hope was to have classes begin in the building in the fall of 2016.

BSL3

Vice President Mai gave a brief overview of the status of the BSL-3 project. He explained that the lab was broken, that researchers were not able to conduct the research for which they were hired, and that the lab's condition prevented diagnostics from being completed. He stressed the focus on getting these features fixed. He noted conversations with legislators and the work being done to find funding for the repairs.

Trustee Marsh asked for an estimated cost of the necessary repairs.

Vice President Mai responded that a ballpark estimate was \$1.2 to \$1.3 million, but that the company quoting the project gave a margin of +/- 40%, so it was not exact. He continued that this demonstrated a need for the University to find funding that was a bit more open ended with strict fiscal controls. He hoped that this would be resolved in the upcoming legislative session. Vice President Mai also noted the complicated nature of having the right people assessing and fixing the building's problems.

There was discussion on the importance of this project to the University and the state.

Trustee President Bostrom thanked Vice President Mai for keeping the Board updated on this sensitive topic.

AGENDA ITEM TITLE: **Role of the Board and Internal Audit Resources**, Bostrom/McGinity

CHECK THE APPROPRIATE BOX(ES):

- Work Session
- Education Session
- Information Item
- Other

Specify:

MINUTES OF THE MEETING:

Trustee Dick Davis, as chair of the Fiscal and Legal Affairs Committee (FLAC), discussed what FLAC did, how the internal and external audit practices worked, board involvement in the processes, and the Internal Audit office and the staff involved in the processes. Trustee Davis noted there were only two employees who performed the internal audit functions for the University, and the office was desperately understaffed.

Associate Vice President for Fiscal Administration Janet Lowe noted that when Internal Auditor Kathleen Miller arrived, the functions within the internal audit office elevated. Ms. Miller was proactive in trying to help departments use audits. The internal audit office had required audits that must be performed each year, other audits were discussed with the vice presidents and president, and a schedule was created for the year.

Internal Auditor Miller thanked Associate Vice President Lowe for her kind words and discussed her philosophy on internal audits, noting that they were there to protect the University. There was brief discussion regarding the College of Arts and Sciences and findings from the internal audit of the college. Trustee Palmerlee inquired about surprise audits, to which Ms. Miller commented that departments were typically given a two weeks' notice in advance of conducting an audit.

Trustee MacPherson inquired about expenditures during the Buchanan administration intended for humanities and funds used to remodel the home located at 1120 Ivinson Street and if the internal auditors were aware of or involved in those types of transactions. Trustee MacPherson noted that the Board had not been made aware of those transactions and was concerned that expenditures such as those were being made without the Board's knowledge. He added that he recognized there needed to be some flexibility, and it was not the business of the Board to micromanage finances.

Internal Auditor Miller noted that these expenditures were reviewed when a change in management audit was performed, and she noted that she had looked at the process. She commented that this was in an area that was unclear, and she recommended a clearer definition about parameters for the president going forward so the administration would know when to bring those types of issues to the Board.

Associate Vice President Lowe discussed the University budget process, timeline, and general budget structure. She added that the Board of Trustees and president decided what level of involvement was significant.

There was discussion by the Board regarding level of involvement in decisions about movement of dollars, transferring of money, and setting a level of approval for the Board to review.

There was additional discussion regarding funds used for remodel to the property located at 1120 Ivinson Street.

There was a quick break to introduce the new football coach Craig Bohl [see *Introductions and Recognitions* section of the minutes].

Trustee Marsh inquired about receiving reporting every six months regarding expenditures made by the president. Trustee MacPherson requested development of a written policy or process to provide some guidance when reporting to the FLAC.

AGENDA ITEM TITLE: **Foundation and Fundraising**, Blalock

- Legislation from Judiciary Meetings (no narrative – discussion at meeting only)
- Mid-year Development Update (no narrative – discussion at meeting only)
- State Matching Funds

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Consent Agenda)
-

MINUTES OF THE MEETING:

Vice President for Institutional Advancement Ben Blalock provided an update on current fundraising activities and provided a mid-year development update as seen in the document inserted below.

Vice President for Governmental and Community Affairs Chris Boswell then referred the Board to their packets and copies of Senate Files 26 and 27. Vice President Boswell and Vice President and General Counsel Miller discussed the legislation, investment of state endowment funds, and how this could and/or would affect the University and the proposal for the institution.



UW FOUNDATION REPORT

JANUARY 18, 2014

***PRESENTATION TO THE UNIVERSITY OF WYOMING
BOARD OF TRUSTEES***



UNIVERSITY OF WYOMING FOUNDATION



IDENTIFIED FUNDRAISING PRIORITIES

| | |
|--|----------------|
| College of Engineering & Applied Science Capital Project | \$14.5 million |
| Arena-Auditorium Renovation Project | \$3.5 million |
| Energy & Engineering Research Facility | \$4.1 million |
| College of Education Literacy Programs | \$4.0 million |
| Haub School of Environment & Natural Resources | \$7.0 million |
| Marian H. Rochelle Gateway Center | \$3.0 million |
| Performing Arts Center | \$2.0 million |
| Biodiversity Conservation | |
| Planned Giving | \$7.0 million |
| Annual Giving | \$2.5 million |

YTD: \$21.5 million

Total: \$47.6 million



INVESTMENT REPORT

| Portfolio Growth (in millions) | | | | |
|--------------------------------|------------|------------|------------|------------|
| 12/31/2009 | 12/31/2010 | 12/31/2011 | 12/31/2012 | 12/31/2013 |
| \$ 254.9 | \$296.0 | \$303.1 | \$340.7 | \$390.0 |

| Net Total Fund Performance | | | |
|----------------------------|---------|---------|---------|
| 1 Year | 3 Years | 4 Years | 5 Years |
| 14.7 | 9 | 10.2 | 12.60 |



STATE-MATCH REPORT

State Match Opportunities Remaining

| | |
|---|------------------------|
| ENDOWMENT | \$365,018.51 |
| COLLEGE OF ENGINEERING & APPLIED SCIENCE CAPITAL PROJECT | \$14,425,000.00 |
| ARENA AUDITORIUM RENOVATION PROJECT | \$3,304,011.00 |
| ENERGY & ENGINEERING RESEARCH FACILITY | \$3,800,000.00 |
| OTHER FACILITY PROJECTS | \$1,557,598.20 |
| RECLAMATION & RESTORATION | \$820,000.00 |
| TOTAL | \$24,271,627.71 |



STATE-MATCH REPORT

| Total Available From the State | |
|--------------------------------|------------------|
| ENDOWMENT | \$88,650,000.00 |
| FACILITIES | \$96,527,478.00 |
| TOTAL | \$185,177,478.00 |
| LESS TOTAL COMMITMENTS | \$160,905,850.29 |
| REMAINING | \$24,271,627.71 |



MARIAN H. ROCHELLE GATEWAY CENTER UPDATE

- The Marian H. Rochelle Gateway Center will be the signature entrance facility to the university, connecting students, alumni, donors, and friends
- Construction began in April 2013
- \$34.3 million total project cost
- \$23.5 in private dollars raised to date
 - Supported with a \$10 million gift from Marian H. Rochelle and a \$6 million gift from Mick and Susie McMurry through the McMurry Foundation
 - The facility will be funded completely through private support
- Owner move in
 - Scheduled in stages beginning late September
 - Grand Opening in early December

MARIAN H. ROCHELLE GATEWAY CENTER UPDATE





MARIAN H. ROCHELLE GATEWAY CENTER UPDATE



South Perspective from 22nd Street and Grand Avenue



MARIAN H. ROCHELLE GATEWAY CENTER UPDATE



North Perspective from War Memorial Stadium



MARIAN H. ROCHELLE GATEWAY CENTER UPDATE



McMurry Foundation UW Legacy Hall



MARIAN H. ROCHELLE GATEWAY CENTER UPDATE



“Breakin’ Through”

By D. Michael Thomas

To be located on north side at the entrance to the War Memorial Stadium parking lot.

Supported with a gift from April Brimmer Kunz and Marian Rochelle.



MARIAN H. ROCHELLE GATEWAY CENTER UPDATE



"Wyoming Cowboy"

By Chris Navarro

*To be located on the south side in
the Ralph R. and Fay W. Whitney
Family Plaza.*

*Supported with a gift from Bruce
and Kathy Bummer.*

AGENDA ITEM TITLE: **UP4 and Planning for 2014**, McGinity/Murdock

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other

Specify:

MINUTES OF THE MEETING:

Interim UW President Dick McGinity and Interim Vice President for Academic Affairs Maggi Murdock led a discussion with the Board regarding the University Strategic Plan process and timeline and referred to a draft memo. [The narrative can be found below].

Interim UW President McGinity said that the university planning process underway would define the University for the next six years and create a foundation for its progress over the next few decades. He encouraged faculty, staff, and students to participate actively in this process. The resulting programmatic and resource plan would be an evolving document, updated as needed, and a baseline for program, capital, and fiscal decision-making. It would establish metrics by which the collective progress toward achieving the institutional goals would be assessed and how the unit objectives would be defined during the process.

Background and Goals

As we plan, I would ask that each of us constantly keep in mind the broad purpose of any university. Numerous and learned definitions of a university's purpose exist, but practically all of them settle around a single theme that can be simply stated as follows:

Transmitting inherited knowledge, while simultaneously building
on what is known and correcting the errors of the past.¹

In one way or another, each one of us at UW is engaged in this endeavor. It is a noble one—perhaps the most noble in which human beings can engage.

UW engages in this endeavor with the dual responsibilities of being a land grant institution and a flagship research university. The *land grant responsibility* demands that UW provide for the liberal and practical education of the people of Wyoming, with the purpose of enabling them to achieve steadily improving levels of income and well-being, both individually and collectively. The *flagship research responsibility* demands that UW undertake research that creates new knowledge beneficial to the citizens and economy of Wyoming and beyond. Wyoming's Governor and Legislature have elaborated on this latter mission by calling upon UW to become a superior

¹ Bowen, William G., *Lessons Learned: Reflections of a University President* (Princeton University Press, 2011), p.6.

“academic and research institution in areas of excellence appropriate for Wyoming”² and to achieve “full integration of UW operations where seamless programmatic and asset integration is accomplished by lasting productive partnerships with the state and national agencies as well as industry.”³

Academic and Administrative Unit Plans

In planning to achieve the three goals articulated above, each **academic unit** within UW must ask itself—and answer—the following questions (five pages or less, including exhibits):

1. What is the current status of your college or unit? Information to include:
 - Constituencies served and constituent needs addressed;
 - Degree programs offered and degrees actually granted in academic year 2012-2013;
 - Faculty and staff numbers and deployment by department and discipline;
 - Student majors, current academic year;
 - Faculty papers accepted for publication and research grant funding, academic year 2012-2013;
 - Significant services rendered to Wyoming citizens, academic year 2013-2014;
 - Strengths, weaknesses, opportunities, and challenges by department.
2. What are the major programmatic goals of your college or unit over the 2015-2020 plan period? Why? What will be the benefits of successfully achieving these goals to the people of Wyoming, the students, and the faculty? Be as specific and quantitative as possible.
3. Given the major goals of your college or unit over the plan period, what specific actions need to be taken, year-by-year over the plan period, to achieve these goals?
4. What resources (faculty, staff, facilities, funding) must be acquired or redeployed over the plan period for your college or unit to undertake the actions identified in 3 above? What assistance will you need to acquire or redeploy resources?
5. What is your succession plan for the principal administrative positions (dean, associate deans, department heads) in your college or unit over the plan period?

Similarly, each **administrative unit** must ask itself—and answer—the following questions (five pages or less, including exhibits):

1. What is our mission, what needs do we serve, and what assets do we employ?
2. What should be our major programmatic objectives for the next six years? How and what do these objectives contribute to achieving the three goals defined above?
3. What actions must be taken to achieve these objectives? In what order? When?

² Mead, Matthew H., letter to the President of the University of Wyoming, May 25, 2012.

³ Mead, Matthew H., letter to the President of the University of Wyoming, August 23, 2013.

4. What resources are needed to achieve these objectives? When? How shall progress toward their achievement be measured?
5. What are the benefits to UW and the citizens of Wyoming in the three major theme areas?

Timeline

Over the next six months, all academic deans and directors, members of the Executive Council, and the leadership of the Faculty Senate and Staff Senate and ASUW will work together in this effort. We will follow a timeline that will allow for extensive conversations during this period. In April, academic unit draft plans will be assembled in the Office of Academic Affairs, and administrative unit plans will be assembled in the Office of the President. In May and June, feedback will be gathered from university and external constituencies to ensure relevance and to permit integration. In July, the draft university plan will be shared with the Board of Trustees, with the intention of finalizing our plan in September with Board of Trustee approval.

January – February: Monthly planning meetings with Executive Council; Deans and Directors; and Faculty Senate, Staff Senate, and ASUW leadership.

First planning meeting will focus on a discussion of:

1. The three major goals for planning:
 - Prepared students
 - Academic excellence
 - Statewide engagement
2. Institutional and environmental overview (strengths, weaknesses, opportunities, challenges; economic, societal, and technological trends)
3. Timeline and process

Subsequent planning meetings:

1. Continue analysis of environment and trends
2. Discuss unit objectives
3. Discuss how to integrate action plans, resource requirements, timelines

February – March: Each academic or administrative unit develops plans, including action, resources needed, timeline, and assessment. Continue to have institutional discussions about areas of collaboration and where to support priorities of mutual interest.

April: Compile draft plans and post on UW website for internal and external comment. Hold town hall meetings in key locations around the state.

May – June: Revise plans as needed. Engage the Board of Trustees to seek feedback on draft plans.

July: Discussion of institutional and unit draft plans with Board of Trustees.

September: Board of Trustees considers final plan.

Friday, January 17, 2014

Business Meeting

3:30-4:30 p.m.

Coe Library, room 506

Trustee Bostrom called this meeting to order at 3:57 p.m.

Roll Call

Secretary for the Board of Trustees John MacPherson took roll.

Trustees participating: Dave Bostrom, Dick Davis, Betty Fear, Larry Gubbels, Warren Lauer, John MacPherson, Jeff Marsh, Brad Mead, Dave Palmerlee, Dave True, Wava Tully, and Howard Willson. Ex-officio Trustees President Dick McGinity and ASUW President Brett Kahler were in attendance. Ex-officio Trustee Governor Matt Mead was not in attendance; Mary Kay Hill, Education Policy Advisor to the Governor participated on his behalf. Ex-officio Trustees Director for Wyoming Department of Education Richard Crandall Wyoming, and State Superintendent for Public Instruction Cindy Hill were not in attendance.

Approval of Board of Trustees Meeting Minutes

November 14-15, 2013

Approval of Executive Session Meeting Minutes

(Minutes were revised with edits as discussed during the Executive Session 1-17-14.)

November 14-15, 2013

Approval of "Special" Meeting Minutes

December 6, 2013

Reports

ASUW

ASUW President Brett Kahler noted that ASUW was working on technology on campus and a request for enhanced wireless capabilities on campus. In the fall, ASUW worked to enhance and increase campus communication by creating the first ASUW newsletter. ASUW was also discussing tuition and starting conversations regarding an increase in enrollment. He also noted that students were traveling to Shanghai University.

Staff Senate

Staff Senate President Jim Logue stated that it had been fairly quiet since the last report, plugging along with initiatives. He discussed the successful food drive, snack drive for the National Guard troops, Staff Recognition Day, filling senator positions, and compensation committee work. Trustee Bostrom thanked Staff Senate President Logue for his work and commitment to the Staff Senate. Trustee Fear commented that every year the staff coordinated this food drive and suggested that maybe some the Board members donate to the cause the next year.

Faculty Senate

Faculty Senate Chair Colin Keeney stated that due to scheduling conflicts with finals week, etc. the faculty senate did not meet in December. On November 25, he had remarks and Q&A with Dr. McGinity. He noted that Dr. McGinity has been very open and accessible. Dr. McGinity has attended meetings of the full senate and meetings of the exec committee of the senate. He then discussed recent resolution regarding the University of Wyoming and Casper College.

Public Testimony

[Scheduled for Thursday, January 16, 2014, from 11:30 a.m.-12:00 p.m. and Friday, January 17, 2014, from 11:00-11:30 a.m.]

[Scheduled for Friday, January 17, at 10:00 a.m.]

The first public testimony began at 11:30 a.m. on Thursday, January 16, 2014.

Duane Keown thanked the group for allowing him to present to the Board. He provided some information about himself, noting that he had been a professor at the University for 30 years. Mr. Keown then provided information regarding the atmosphere and global warming, providing a handout for the trustees [See document inserted following these minutes, "Is Global Warming Real? (3 Parts)"]. At the end of the presentation, he noted faculty at UW who had involvement in studying this information.

Trustee Bostrom thanked Mr. Keown for his comments and presentation. He commented that he appreciated receiving the information, noting that this was an issue that currently confronted society.

The second public testimony was given on Thursday, January 16, 2014 and began at 11:01 a.m.

Pete Jorgensen commented on the action taken by the Board the day before and provided comments regarding the legislature and the footnotes.

Committee of the Whole- REGULAR BUSINESS

Board of Trustees Committee Reports

Committee reports were given at 10:03 a.m. on Friday, January 17, 2014.

A. Academics and Research Committee, Murdock – Trustee Lauer, Committee Chair

There was no report, as this committee did not meet.

B. Fiscal and Legal Affairs Committee, Mai/Lowe – Trustee Davis, Committee Chair

Trustee Davis noted that the committee met that morning. He commented that the internal audit office was very short-handed and overworked, and they hoped that they would have a new hire for the office. He then discussed briefly what the functions of the internal audit office and FLAC were.

Trustee Davis noted that during FLAC, the group discussed an audit performed on the change in administration in the Office of the President. He noted that it was customary when there was a

change in leadership for internal audit to complete a review. Internal Auditor Kathleen Miller had been in communication with the Office of the President and had given recommendations. That report would appear in the March Board of Trustees folder.

Trustee Davis then discussed the reappointment of the external auditor [see narrative attached to minutes]. He noted that they had discussed an additional extension.

Trustee Davis moved that the approval of the appointment of external auditor be placed on the Consent Agenda; seconded by Trustee Marsh. The item was added to the Consent Agenda.

Trustee Davis noted that the final topic discussed was discussion regarding tuition and fees. Vice President Mai talked in more detail about the approach. It was recommended that the information be in the board packets and be discussed in advance of the March meeting.

C. Student Affairs/Athletics/Administration/Information Technology Committee, Axelson – Willson, Committee Chair

There was no report, as this committee did not meet.

D. Alumni Board – Lauer, Board Liaison

Executive Director for Alumni Relations Keener Fry congratulated Interim UW President McGinity on his new position as the University president. He provided information regarding an upcoming event to be held in advance of the legislative session. Executive Director Fry then provided an update on current activities in the alumni association and referred the Board to the packet distributed.

Trustee Marsh commented on the UWYO magazine and how great it looked. He stated that it was very professional and nicely done. Trustees Fear and Gubbels thanked Executive Director Fry for his enthusiasm. Trustee Willson expressed his strong appreciation for Executive Director Fry's fantastic job.

E. Foundation Board – Marsh/Willson, Board Liaisons

Trustee Marsh noted that the Foundation Investment Committee met in mid-December. They discussed the Foundation and positive growth. Senior Associate Vice President for Development John Stark noted that the Foundation winter board meeting would be in early February in the Palm Desert, California area. A community event would be hosted on February 6 with Interim UW President McGinity and several members of the Board would be in attendance. During the meeting a number of issues would be discussed including legislative matters, state match issues, and fundraising. John Stark commented that they had the best group of development officers on campus. The Foundation would be coordinating development training for the spring for the deans and development officers.

Trustee Bostrom thanked John for his report and noted that he looked forward to the conversation with Vice President Blalock in the coming days.

F. Haub School of Environment and Natural Resources Board – Davis, Board Liaison

Trustee Davis referred the Board to the first issue of the *Western Confluence* magazine that was distributed to the Board. He noted that this would be published twice a year by Ruckelshaus Institute. This publication furthered Ruckelshaus' current and future positions. Trustee Davis noted that the articles were written in a way that people could understand. He then referenced specific articles in the publication and the importance of these topics. Trustee Davis commented that these magazines were available for free and would be distributed wherever they were able. He noted that the information found in the publication could also be found on the web. Trustee Davis commented that there was an evolutionary process going on in the Haub School of Environment and Natural Resources and this was great evidence of the outreach going on there.

Trustee Palmerlee commented that he was on the Board before Indy Burke came, and since her arrival, there had been spectacular success and growth in an area that needed it. Dr. Burke had taken on the operation of raising millions of dollars and producing outstanding publications.

G. Energy Resources Council (ERC) – Palmerlee, Board Liaison

Trustee Palmerlee noted that the council had had a discussion and a report that both went well.

H. Trustee Award of Merit Ad Hoc Committee – True

Trustee True commented that the Trustee Award of Merit Ad Hoc Committee met the night prior to review the historical background regarding the award, steps, and history. Trustee True requested more information regarding other awards that were presented through the University either in Old Main or the colleges. The group would like to have a better understanding of what was already in place and did not intend to reinvent what had been established. Trustee True stated that the group would review current process and push it forward with better implementation. The group was hoping to have another meeting scheduled during the March Board meeting. Trustee Bostrom noted that this topic might have been an item for retreat.

Committee of the Whole – Consent Agenda

CONSENT AGENDA

1. Approval of Contracts and Grants – Gern
2. Approval of Personnel – Murdock
3. Approval of Change of Name for the University of Wyoming/Casper College Center and Revisions to University Regulations 1-1, 2-39 Appendix A, 6-409, and 7-620 (Revisions to UW Regulations; See Report Appendix A) – Murdock
4. Construction Contracts – Mai/Collins
 - Approval of Offer for Sale of the UW Outreach Building in Casper, Wyoming
 - Approval Energy Innovation Center Budget Increase
 - Approval of the Contract for Purchase and Installation of Fixed and Telescoping Seating for the Arena Auditorium Renovation, Phase I (*see document attached at the end of these minutes*)
 - Approval of the Contract for Purchase and Installation of Video Display and Scoreboard Equipment for the Arena Auditorium Renovation, Phase I (*see document attached at the end of these minutes*)

- ~~Approval of Trail Easement at Jacoby Golf Course (Removed following discussion during Work Session 1-17-14. Topic postponed until March 2014 Board meeting)~~
- 5. Approval of the Major Modification to a Graduate Program (Doctor of Education and Professional Master's in Education (Education Administration, K-12 Educational Leadership)) – Murdock
- 6. Approval of Program Name Change for Chicano Studies to Latina/o Studies – Murdock
- 7. Approval of UW Public Art Policy – Boswell
- 8. Approval of Draft Amendment to UW Regulation 5-804 re: Hiring of Deans – Boswell
- 9. ~~Approval of Policy re: Participation of Energy Resource Council in Hiring of SER Staff – Boswell (pulled from the Consent Agenda by Trustee Davis following discussion during work session 1-17-14) [separate action taken]~~
- 10. Approval of Appointment of External Auditor (*added following FLAC report 1-17-14) -14)*

Trustee Mead moved to approve the Consent Agenda; Trustee True seconded the motion. The Consent Agenda was approved unanimously.

For separate action:

11. Approval of Policy re: Participation of Energy Resource Council in Hiring of SER Staff – Boswell (*pulled from the Consent Agenda by Trustee Davis following discussion during work session 1-17-14)*)

There was discussion by the Board. Trustee Davis commented that he did not want to belabor the point, but he explained that he removed the item out of principle rather than because of having a real substantive objection. He stated that this was not how the legislature should communicate with the trustees. He noted that there were plenty of other ways and opportunities for them to do so. Trustee Davis stated that in spite of this being harmless, it started to invade on the trustees' abilities to govern this institution. Trustee MacPherson moved to approve Consent Agenda item #11; Trustee Palmerlee seconded the motion. The vote passed with a majority decision. Trustee Davis voted against.

Following the Executive Session on January 16, 2014, the Board returned to public session (3:59 p.m.) to take action on a matter. Trustee Marsh presented the following motion:

I move that the Board of Trustees appoint Dick McGinity as President of the University of Wyoming with the term ending June 30, 2016, effective immediately.

A second to motion was made by Trustee Davis. There was discussion by the Board. Trustee Lauer congratulated the Board on engaging in a healthy discussion, helping the Board to make the best decision possible. Trustee Lauer commented that sometimes decisions were not unanimous and that that was okay—it was healthy. Trustee Lauer expressed his support for Dr. McGinity and noted that he had received comments from many people who have spoken highly of his great

leadership. He added that there was potential for a great benefit to the University based on the motion presented; however, he had reluctance—not with Dr. McGinity, but reluctance with how the Board had arrived at this place. Trustee Lauer stated that he would vote against the motion as presented, as an objection to how the Board arrived in this situation. He added that it was admirable of the Board, regardless of differences, to have come together with support of the mission.

Trustee Mead stated that he echoed Trustee Lauer's comments. Trustee Marsh commented that he appreciated the comments from his colleagues and added that he was also frustrated with how the Board arrived in this situation. He then thanked Dr. McGinity for stepping forward and noted that he supported him 100%.

Deputy Secretary for the Board Shannon Sanchez took roll call vote:

| Trustees | Vote |
|------------------|-------------|
| Bostrom, Dave | Yes |
| Davis, Dick | Yes |
| Fear, Betty | Yes |
| Gubbels, Larry | Yes |
| Lauer, Warren | No |
| MacPherson, John | Yes |
| Marsh, Jeff | Yes |
| Mead, Brad | No |
| Palmerlee, Dave | Yes |
| True, Dave | Yes |
| Tully, Wava | Yes |
| Willson, Howard | No |

The motion passed with majority decision, 9 to 3.

Dr. McGinity stated that he had been in a similar position as most of the Board and said that he appreciated the candor. He noted that he would do everything he could to meet the needs and expectations of the University. He then thanked the Board for their trust and confidence.

New Business

No new business.

Old Business

Board Retreat Location

The Board of Trustees discussed proposed locations for the July 2014 Retreat. Trustee Bostrom noted there was a conflict for activities scheduled in Rock Springs during the retreat dates. He asked that the Board consider shifting the dates for the retreat or moving the location. Trustee

Palmerlee recommended Johnson County. Trustee Bostrom asked that the Board review their calendars and send their recommendations to Special Assistant Kim Reichert in the coming weeks.

Date of Next Meeting

March 27-28, 2014, in Laramie, Wyoming

Adjournment

The meeting adjourned at 4:23 p.m.

Respectfully submitted,



Shannon Sanchez
Deputy Secretary, Board of Trustees

Revised 01/16/14

The University of Wyoming
Board of Trustees' Report
January 16-18, 2013

AGENDA ITEM TITLE: Approval of the Contract for Purchase and Installation of Fixed and Telescoping Seating for the Arena –Auditorium Renovation , Phase II, Mai/Collins

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Consent Agenda)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The Athletic Facilities Master Plan recommends two phases of renovations to the Arena-Auditorium. Phase 1 includes renovations to the basketball court, seating bowl, and locker room level; and a future Phase 2 may include building additions and renovations to the concourse and spectator services located on the concourse level.

The proposed Arena-Auditorium Renovation, Phase 1 will include expansion and replacement of the basketball court floor to provide re-orientation of the competition court; partial practice courts at the sides of the competition court; reconfiguration and replacement of the seating in the lower bowl to include up to approximately 4,600 upgraded seats; renovation of most of the current locker room level to create enhanced men's and women's locker rooms, sports medicine suite, strength and conditioning center, visiting team and officials' locker rooms, post-game interview room, etc.; installation of upgraded lighting, new videoboards, and sound system in the arena; and life-safety and ADA-compliance improvements.

The total project budget for the Arena-Auditorium Renovation, Phase 1 is \$12,850,000. The project will be funded through \$5M in state funding and combination of private and state match dollars for a total of \$12,850,000. The preliminary project budget for the Arena-Auditorium Renovation Phase 2 is \$17,150,000. The estimated total cost for the entire Arena-Auditorium Renovation project is \$30M.

The Facilities Planning Office has received a bid from Hussey Seating Company to provide and install fixed and telescoping seating to the Board of Trustees at the January Meeting. The amount of the bid is \$1,499,350.00. Haselden Wyoming Contractors of Casper Wyoming, the Construction Manager at Risk (CMAR) for the Arena Auditorium Renovation, Phase 1 project, will be coordinating the delivery and installation of the seating.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- November 2012 – Board of Trustees approved the architect/engineering firm of By Architectural Means of Cheyenne, Wyoming in association with Sink Combs Dethlefs of Denver, CO.
- May 2013 – Board of Trustees approved the Construction Manager at Risk firm, Haselden Wyoming Constructors of Casper, Wyoming.
- November 2013 – Board of Trustees approved the Guaranteed Maximum Price (GMP) prepared by Construction Manager at Risk firm, Haselden Wyoming Constructors of Casper, Wyoming.

WHY THIS ITEM IS BEFORE THE BOARD:

Authorization is required from the Board of Trustees to award a contract for the purchase and installation of fixed and telescoping seating.

ARGUMENTS IN SUPPORT:

There is sufficient funding through state matching funds and private donations to undertake this project.

ARGUMENTS AGAINST:

None.

ACTION REQUIRED AT THIS BOARD MEETING:

Authorization to contract for the purchase and installation of fixed and telescoping seating for the Arena-Auditorium Renovation, Phase 1.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Board of Trustees of the University of Wyoming accept the recommended bid from Hussey Seating Company for the purchase and installation of fixed and telescoping seating, for the Arena-Auditorium Renovation, Phase 1 project.

Revised 01/16/14

The University of Wyoming
Board of Trustees' Report
January 16-18, 2013

AGENDA ITEM TITLE: **Approval of the Contract for Purchase and Installation of Video Display and Scoreboard Equipment for the Arena-Auditorium Renovation, Phase 1, Mai/Collins**

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Consent Agenda)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

The Athletic Facilities Master Plan recommends two phases of renovations to the Arena-Auditorium. Phase 1 includes renovations to the basketball court, seating bowl, and locker room level; and a future Phase 2 may include building additions and renovations to the concourse and spectator services located on the concourse level.

The proposed Arena-Auditorium Renovation, Phase 1 will include expansion and replacement of the basketball court floor to provide re-orientation of the competition court; partial practice courts at the sides of the competition court; reconfiguration and replacement of the seating in the lower bowl to include up to approximately 4,600 upgraded seats; renovation of most of the current locker room level to create enhanced men's and women's locker rooms, sports medicine suite, strength and conditioning center, visiting team and officials' locker rooms, post-game interview room, etc.; installation of upgraded lighting, new videoboards, and sound system in the arena; and life-safety and ADA-compliance improvements.

The total project budget for the Arena-Auditorium Renovation, Phase 1 is \$12,850,000. The project will be funded through \$5M in state funding and combination of private and state match dollars for a total of \$12,850,000. The preliminary project budget for the Arena-Auditorium Renovation Phase 2 is \$17,150,000. The estimated total cost for the entire Arena-Auditorium Renovation project is \$30M.

The Facilities Planning Office has received a bid from ANC Sports to provide and install video display and scoreboard equipment to be considered by the Board of Trustees at the January Meeting. The amount of the bid is \$1,017,552.00. Haselden Wyoming Contractors of Casper Wyoming, the Construction Manager at Risk (CMAR) for the Arena Auditorium Renovation, Phase 1 project, will coordinate the delivery and installation of the equipment.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

- November 2012 – Board of Trustees approved the architect/engineering firm of By Architectural Means of Cheyenne, Wyoming in association with Sink Combs Dethlefs of Denver, CO.
- May 2013 – Board of Trustees approved the Construction Manager at Risk firm, Haselden Wyoming Constructors of Casper, Wyoming.
- November 2013 – Board of Trustees approved the Guaranteed Maximum Price (GMP) prepared by Construction Manager at Risk firm, Haselden Wyoming Constructors of Casper, Wyoming.

WHY THIS ITEM IS BEFORE THE BOARD:

Authorization is required from the Board of Trustees to award a contract for the purchase and installation of video board and scoreboard equipment.

ARGUMENTS IN SUPPORT:

There is sufficient funding through state matching funds and private donations to undertake this project.

ARGUMENTS AGAINST:

None.

ACTION REQUIRED AT THIS BOARD MEETING:

Authorization to contract for the purchase and installation of video display and scoreboard equipment for the Arena-Auditorium Renovation, Phase 1.

PRESIDENT'S RECOMMENDATION:

It is recommended that the Board of Trustees of the University of Wyoming accept the recommended bid from ANC Sports for the purchase and installation of video display and scoreboard equipment for the Arena-Auditorium Renovation, Phase 1 project.

As of 01/17/14
The University of Wyoming
Board of Trustees' Report
January 16-18, 2014

AGENDA ITEM TITLE: Appointment of External Auditor, Mai

CHECK THE APPROPRIATE BOX(ES):

- Work Session
 Education Session
 Information Item
 Other Specify: Committee of the Whole (Consent Agenda)

BACKGROUND AND POLICY CONTEXT OF ISSUE:

McGee, Hearne and Paiz, LLP of Cheyenne, Wyoming recently completed a four-year engagement for independent external audit services. MH&P has submitted a proposal to extend their professional services engagement. The proposal contains two options: a one-year extension for fiscal year 2014 and a four-year extension for fiscal years 2014 – 2017.

PRIOR RELATED BOARD DISCUSSIONS/ACTIONS:

March 2006 - The predecessor of the Fiscal and Legal Affairs Committee (the Audit and Fiscal Integrity Committee) recommended awarding the audit engagement for fiscal years 2006 - 2009 to McGee, Hearne & Paiz, LLC of Cheyenne, Wyoming. The item was placed on the consent agenda and approved by the Board of Trustees.

March 2010 – The Fiscal and Legal Affairs Committee recommended awarding the audit engagement for fiscal years 2010 - 2013 to McGee, Hearne & Paiz, LLC of Cheyenne, Wyoming. The item was on the consent agenda and was approved by the Board of Trustees.

WHY THIS ITEM IS BEFORE THE BOARD:

Section 7-2 of the Trustee Bylaws governs the University of Wyoming Board of Trustees' Audit and Fiscal Integrity Committee. Currently, the Board's Fiscal and Legal Affairs Committee serves as the Audit Committee. Part IV. a. of the Bylaw states that the Committee shall:

“Following appropriate consultation with management, recommend to the Board the selection and retention of the external audit firm. Approve the external auditor's fees.”

ARGUMENTS IN SUPPORT:

MH&P has demonstrated their ability to deliver high-quality professional services at an attractive price. They have a history of commitment to the time schedules necessary to deliver the audited financial statements and reports. They assign experienced personnel to the engagement and they return those professionals to the University each year providing continuity and efficiency to the

audit. The firm's partners spend time in the field (i.e. on campus) and are available for face-to-face conferences and meetings.

With MH&P, the University receives the personal attention of a local firm and the resources of a national firm through their membership in the McGladrey Alliance. They also serve as the State of Wyoming auditors, facilitating the inclusion of University financial information into the State's Comprehensive Annual Financial Report (CAFR).

In addition, the U.S. Office of Management and Budget (OMB) has adopted significant revisions to cost principles, audit, and administrative requirements for Federal awards. The changes will have major impacts on not only the external audit requirements over Federal awards, but also over internal practices and policies. MH&P is familiar with the university's current policies and procedures over Federal awards and can assist with the interpretation and implementation of the new requirements.

ARGUMENTS AGAINST:

The National Association of College and University Business Officers (NACUBO) recommends that institutions require rotation of the lead audit partner every seven years, and suggests that the audit engagement itself be periodically subject to competitive bid. Extension of the MH&P engagement would bypass the competitive bid process.

ACTION REQUIRED AT THIS BOARD MEETING:

Approval of a four-year extension of the McGee, Hearne & Paiz audit engagement to perform fiscal year 2014 - 2017 audits. This action could be placed on the Consent Agenda at the Board's discretion.

PRESIDENT'S RECOMMENDATION:

The President supports the Board of Trustees' approval of this four-year extension.

Is Global Warming Real? (Three parts)

Prepared by Duane Keown, Professor Emeritus, Science Education, UW

1. Scientific opinion on climate change

From Wikipedia, the free encyclopedia

http://en.wikipedia.org/wiki/Scientific_opinion_on_climate_change

This article is about scientific opinion on the current climate change, or global warming. For public perception and controversy, see [Public opinion on climate change](#) and [Global warming controversy](#). For Individual dissenting scientists, see [List of scientists opposing the mainstream scientific assessment of global warming](#).

The **scientific opinion on climate change** is that the Earth's [climate system](#) is unequivocally warming, and it is extremely likely (at least 95% probability) that humans are causing most of it through activities that increase concentrations of [greenhouse gases](#) in the atmosphere, such as [deforestation](#) and burning [fossil fuels](#). In addition, it is likely that some potential further greenhouse gas warming has been offset by increased [aerosols](#).^{[1][2][3][4]} This [scientific consensus](#) is expressed in [synthesis reports](#), by scientific bodies of national or international standing, and by surveys of opinion among climate scientists. Individual scientists, universities, and laboratories contribute to the overall scientific opinion via their [peer-reviewed publications](#), and the areas of collective agreement and relative certainty are summarised in these high level reports and surveys.

National and international [science academies](#) and [scientific societies](#) have assessed current [scientific opinion on climate change](#). These assessments are generally consistent with the conclusions of the [Intergovernmental Panel on Climate Change](#) (IPCC), summarized below:

Warming of the climate system is unequivocal, as evidenced by increases in global average air and ocean [temperatures](#), the widespread melting of [snow](#) and [ice](#), and rising global average [sea level](#).^[5]

Most of the global warming since the mid-20th century is very likely due to [human activities](#).^[6]

"Benefits and costs of climate change for [human] society will vary widely

by location and scale.[7] Some of the effects in **temperate** and **polar regions** will be positive and others elsewhere will be negative.[7] Overall, net effects are more likely to be strongly negative with larger or more rapid warming."[7]

The range of published evidence indicates that the net damage **costs of climate change** are likely to be significant and to increase over time"[8]

"The resilience of many **ecosystems** is likely to be exceeded this century by an unprecedented combination of climate change, associated disturbances (e.g. **flooding, drought, wildfire, insects, ocean acidification**) and other **global change** drivers (e.g. land-use change, **pollution**, fragmentation of natural systems, **over-exploitation of resources**)"[9]

Conclusion:

*No scientific body of national or international standing maintains a formal opinion dissenting from any of these main points; the last was the **American Association of Petroleum Geologists**,[10] which in 2007[11] updated its 1999 statement rejecting the likelihood of human influence on recent climate with its current non-committal position.[12] Some other organizations, primarily those focusing on geology, also hold **non-committal positions**.*

Proceeding of the National Academy of Sciences of the United States of America

<http://www.pnas.org/content/107/27/12107.full>

Expert credibility in climate change

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Contributed by Stephen H. Schneider, April 9, 2010 (sent for review December 22, 2009)

Abstract

Although preliminary estimates from published literature and expert surveys suggest striking agreement among climate scientists on the tenets of anthropogenic climate change (ACC), the American public expresses substantial doubt about both the anthropogenic cause and the level of scientific agreement underpinning ACC. A broad analysis of the climate scientist community itself, the distribution of credibility of dissenting researchers relative to agreeing researchers, and the level of agreement among top climate experts has not been conducted and would inform future ACC discussions. Here, we use an extensive dataset of 1,372 climate researchers and their publication and citation data to show that (i) 97–98% of the climate researchers most actively publishing in the field surveyed here support the tenets of ACC outlined by the Intergovernmental Panel on Climate Change, and (ii) the relative climate expertise and scientific prominence of the researchers unconvinced of ACC are substantially below that of the convinced researchers.

2. Intergovernmental Panel on Climate Change (IPCC) 2007

The IPCC is a scientific body under the auspices of the United Nations (UN). It reviews and assesses the most recent scientific, technical and socio-economic information produced worldwide relevant to the understanding of climate change. It does not conduct any research nor does it monitor climate related data or parameters. Thousands of scientists from all over the world contribute to the work of the IPCC on a voluntary basis. Review is an essential part of the IPCC process, to ensure an objective and complete assessment of current information. IPCC aims to reflect a range of views and expertise. The Secretariat coordinates all the IPCC work and liaises with Governments. It is supported by the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP) and hosted at WMO headquarters in Geneva.

Main article: [Intergovernmental Panel on Climate Change](#)

In February 2007, the IPCC released a summary of the forthcoming [Fourth Assessment Report](#). According to this summary, the Fourth Assessment Report finds that human actions are "very likely" the cause of global warming, meaning a 90% or greater probability. Global warming in this case is indicated by an increase of 0.75 degrees in average global temperatures over the last 100 years.[14]

The New York Times reported that "the leading international network of climate scientists has concluded for the first time that global warming is 'unequivocal' and that human activity is the main driver, very likely' causing most of the rise in temperatures since 1950".[15]

A retired journalist for *The New York Times*, William K. Stevens wrote: "The Intergovernmental Panel on Climate Change said the likelihood was 90 percent to 99 percent that emissions of heat-trapping greenhouse gases like carbon dioxide, spewed from tailpipes and smokestacks, were the dominant cause of the observed warming of the last 50 years. In the panel's parlance, this level of certainty is labeled 'very likely'. Only rarely does scientific odds-making provide a more definite answer than that, at least in this branch of science, and it describes the endpoint, so far, of a progression.".[16]

The [Associated Press](#) summarized the position on sea level rise:

On sea levels, the report projects rises of 7 to 23 inches by the end of the century. An additional 3.9 to 7.8 inches are possible if recent, surprising melting of polar ice sheets continues.[17]

The IPCC reports every seven years. The 2014 fifth report was prepared prior to the December 2013 United Nations Copenhagen Convention on Climate Change. The statements below are for the 2014 report.

http://www.ipcc.ch/news_and_events/docs/ar5/ar5_wg1_headlines.pdf

Below are unedited statements from the 2014 report for policymakers. [This includes the University of Wyoming Board of Trustees](#)

Headline Statements from the Summary for Policymakers

Warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. The atmosphere and

ocean have warmed, the amounts of snow and ice have diminished, sea level has risen, and the concentrations of greenhouse gases have increased.

Each of the last three decades has been successively warmer at the Earth's surface than any preceding decade since 1850. In the Northern Hemisphere, 1983–2012 was likely the warmest 30-year period of the last 1400 years.

Ocean warming dominates the increase in energy stored in the climate system, accounting for more than 90% of the energy accumulated between 1971 and 2010 (high confidence). It is virtually certain that the upper ocean (0–700 m) warmed from 1971 to 2010, and it likely warmed between the 1870s and 1971.

Over the last two decades, the Greenland and Antarctic ice sheets have been losing mass, glaciers have continued to shrink almost worldwide, and Arctic sea ice and Northern Hemisphere spring snow cover have continued to decrease in extent (high confidence).

The rate of sea level rise since the mid-19th century has been larger than the mean rate during the previous two millennia (high confidence). Over the period 1901–2010, global mean sea level rose by 0.19 [0.17 to 0.21] m.

The atmospheric concentrations of carbon dioxide (CO₂), methane, and nitrous oxide have increased to levels unprecedented in at least the last 800,000 years. CO₂ concentrations have increased by 40% since pre-industrial times, primarily from fossil fuel emissions and secondarily from net land use change emissions. The ocean has absorbed about 30% of the emitted anthropogenic carbon dioxide, causing ocean acidification.

Total radiative forcing is positive, and has led to an uptake of energy by the climate system. The largest contribution to total radiative forcing is caused by the increase in the atmospheric concentration of CO₂ since 1750.

Human influence on the climate system is clear. This is evident from the increasing greenhouse gas concentrations in the atmosphere, positive radiative forcing, observed warming, and understanding of the climate system.

Climate models have improved since the Assessment Report 4 (AR4). Models reproduce observed continental-scale surface temperature patterns and trends over many decades, including the more rapid warming since the mid-20th century and the cooling immediately following large volcanic eruptions (very high confidence).

Observational and model studies of temperature change, climate feedbacks and changes in the Earth's energy budget together provide confidence in the magnitude of global warming in response to past and future forcing.

3. At our University

I hope the Board of Trustees will investigate the opinions of UW's own Atmospheric Science Department Professors and our only Nobel Prize recipients. Both recipients serve on the International Panel on Climate

Change. They are Dr. Jason Shogren, Professor of Economics and Finance, and Dr. Gabor Vali, retired Professor in Atmospheric Science. They were among the many scientists of the IPCC who received the Nobel Peace Prize in 2007.

Following are the email address and phone numbers of Dr. Shogren, Dr. Vali (retired) and the professors in UW's Department of Atmospheric Science.

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