

THE UNIVERSITY OF WYOMING

MINUTES OF THE TRUSTEES

**Wednesday, February 17, 2021
Public Session**

**Final minutes can be found on the University of Wyoming Board of Trustees website at
www.uwyo.edu/trustees**

**THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
Wednesday, February 17, 2021
Via Video Conference
No Physical Location Due to COVID – 19
Laramie, Wyoming**

WORK SESSION

Discussion: Appointment of Trustees – Marsh..... 4
Update: COVID-19 – Seidel/Benham-Deal.....4
EOG Royalty Matter – President’s Recommendations4
Update: UW Regulation 2-13 Program Review Update.....
 • Consideration and Action: Academic Affairs Program Review Update.....5
Biennium Budget Committee – McKinley/Jewell
 • Consideration and Action: Request for Spending Authority – Advanced Research
 Computing Center.....5
Facilities Contracting Committee – McKinley/Mai
 • Consideration and Action: Wyoming Hall Demolition and Utility Infrastructure Project-
 Change Order for Increased Scope5
Fiscal and Legal Affairs Committee – Moore/Jewell
 • Consideration and Action: FY2020 Single Audit Reports and Schedule of Expenditures
 of Federal Awards.....6
 • Consideration and Action: Request for Use of Legal Reserve, Office of Inspector
 General’s Audit of UW’s EPSCoR Grant.....6
Consideration and Action: Modifications to UW Regulations – Brown/Evans
 • UW Regulation 1-1 (Organization of the University)6
 • UW Regulation 2-8 (Appointment, Evaluation and Removal of Academic
 Administrators)7

Other Action Taken at Meeting
Approval of Minutes7
Contracts, agreements, procurements over \$1 million or 5 years in length.....7
Personnel Report.....7

Executive Session Information.....8

**THE UNIVERSITY OF WYOMING
MINUTES OF THE BOARD OF TRUSTEES
Wednesday, February 17, 2021
Via Video Conference
No Physical Location Due to COVID – 19
Laramie, Wyoming**

The University of Wyoming Board of Trustees held a conference call on Wednesday morning, February 17, 2021. Trustee Chairman Jeff Marsh called the meeting to order at 9:07 a.m. Deputy Secretary RoseMarie London took roll.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Brad LaCroix, Jeff Marsh, John McKinley, Macey Moore, Dick Scarlett, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True. Trustee Mel Baldwin was not in attendance. Ex-officio Trustees participating: UW President Ed Seidel, ASUW President Riley Talamantes, State Superintendent of Public Instruction Jillian Balow, and Executive Director of Wyoming Community College Commission Sandy Caldwell were also in attendance. Governor Mark Gordon was not in attendance; Senior Policy Advisor Lachelle Brant attended on his behalf.

AGENDA ITEM TITLE: Appointment of Trustees, Marsh

MINUTES OF THE MEETING:

Trustee Jeff Marsh stated discussion of appointment of Trustees would be postponed to March meeting. Trustee Marsh expressed appreciation for Trustee Mel Baldwin's service to the Board. Senior Policy Advisor Lachelle Brant stated Governor Mark Gordon would release Trustee appointments by March 1, 2021.

AGENDA ITEM TITLE: COVID-19 Update, Seidel/Benham-Deal

MINUTES OF THE MEETING:

President Ed Seidel provided the Board an update on the university's ongoing response to COVID-19. President Seidel discussed prevalence statistics nationally and on the university campus. President Seidel reported that UW has run a total of 125,055 tests since the start of UW's Testing Program, and thanked the COVID Hub leaders Danika Salmans, Nycole Courtney, and Phil Wille for their monumental efforts since March 2020. President Seidel went on to discuss vaccine administration, reporting on the continued partnership with Albany County Public Health and Iverson Memorial Hospital to administer vaccines to County residents. President Seidel reported on conversations with the Wyoming Department of Health to include university faculty and staff in vaccination Phase 1c3. President Seidel further stated students living in residence halls are included in Phase 1c4, and reported that Enrollment Management and Admissions are working on plans to offer clinics to prospective students when they arrive for orientation. President Seidel discussed the launch of a vigorous vaccine marketing and education campaign on March 8, 2021, and described UW's Vaccine Team consisted of members across campus, including Faculty Senate, Staff Senate, and ASUW. President Seidel discussed the university's assistance to the State of Wyoming by administering a vaccine call center, and helping direct residents to vaccine resources

President Seidel discussed investigations toward providing more in-person experiences and fewer restrictions related to COVID-19 for the fall 2021 semester. President Seidel stated that this can only happen with widespread vaccine availability and acceptance along with downward trends in infection numbers. President Seidel discussed that 70 percent of members in the UW community will need to be vaccinated in order to achieve necessary levels of immunity for a more robust in person experience, and further stated that ideally UW faculty and staff members will have been vaccinated six weeks ahead of the scheduled August 23rd start of the fall semester. Trustee Macey Moore discussed the importance of an in person student experience, and the student and faculty role in making that happen. In response to inquiry from Trustee Moore, President Seidel stated it is unknown whether a 70% community uptake is possible, but stated that the scientific evidence proves it is necessary. President Seidel reiterated the importance of focusing on mental health and safety of the UW community. Trustee Dick Scarlett discussed the importance of telegraphing the information provided by President Seidel across the state.

AGENDA ITEM TITLE: EOG Royalty Matter – President's Recommendations, Seidel

MINUTES OF THE MEETING:

President Ed Seidel discussed plans to create an institutional fund managed by the UW Foundation further stating the intention of the fund would support excellence in young faculty. Trustee Dave True expressed that given the source of the funding, his desire would be that the focus of the endowment be in support of the energy industry.

AGENDA ITEM TITLE: UW Regulation 2-13 Program Review Update, Alexander
MINUTES OF THE MEETING:

Interim Provost Anne Alexander provided an update on the program review per UW Regulation 2-13 (Academic Program Reorganization, Consolidation, Reduction and Discontinuance). Alexander reported that to comply with the regulation a UW Regulation 2-13 Review Committee had been created and had hosted two listening sessions, and met with representatives of the programs under review. Alexander reported that two website portals were established to solicit constituent feedback. Alexander provided a summary of the “Final Report to Interim Provost Alexander from Round 1 UW 2-13 Program Review Committee” and said she supported the committee recommendations. Alexander provided updates on the next round of reviews stating that no position terminations will take place, and students enrolled in programs under review will not be impacted.

Trustee Dick Scarlett inquired about the potential decrease of enrollment based on the reduction in programs. Assistant Vice President of Undergraduate Education Steve Barret discussed the enrollments related to the programs in the portfolio review, stating there was minimal impact on enrollment related to the programs identified for elimination thus far. Assistant Vice President of Graduate Education James Ahern concurred, and discussed subject minors. President Ed Seidel stated the forthcoming portfolio review will result in change.

Academic Affairs Program Review Update
Approved 2-17-2021 @ 9:39 a.m.

Trustee Michelle Sullivan moved the Board approve the President’s recommendations for programs reviewed under UW Regulation 2-13 (Academic Program Reorganization, Consolidation, Reduction and Discontinuance) as presented. Trustee Laura Schmid-Pizzato seconded the motion. The motion carried. Trustees Mel Baldwin and Brad LaCroix were absent for the vote.

AGENDA ITEM TITLE: Biennium Budget Committee, McKinley/Jewell
MINUTES OF THE MEETING:

Trustee John McKinley discussed the Office of Research and Economic Development’s (ORED) request for Spending Authority for the Advanced Research Computing Center. Trustee McKinley clarified the request is before the Board due to the amount of the request and the need for a timely upgrade of the computing system. Trustee McKinley stated the funds currently exist in the ORED budget.

Request for Spending Authority – Advanced Research Computing Center
Approved 2-17-2021 @ 9:41 a.m.

Trustee John McKinley moved to recommend to the full Board of Trustees for the Board to authorize the office of research and economic development (ORED) to allocate \$665,914 from their FY 21 budget to cover the cost of the petalibrary. Trustee David Fall seconded the motion. The motion carried. Trustees Mel Baldwin and Brad LaCroix were absent for the vote.

AGENDA ITEM TITLE: Facilities Contracting Committee, McKinley/Mai
MINUTES OF THE MEETING:

Trustee John McKinley discussed a potential change order related to UW Campus Housing. Trustee McKinley clarified the funds are already in the budget for this project. Trustee McKinley expressed the change order is to allow for the project to proceed.

Wyoming Hall Demolition and Utility Infrastructure Project-Change Order for Increased Scope Approved 2-17-2021 @ 9:44 a.m.

Trustee John McKinley moved to recommend to the full Board of Trustees for the Board to authorize Administration to execute a change order with Haselden Wyoming Constructors of Laramie, WY for \$493,830 for the additional utilities for the Wyoming Hall Demolition and Utilities project. Trustee Dave True seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner and Brad LaCroix were absent for the vote.

AGENDA ITEM TITLE: Fiscal and Legal Affairs Committee, Moore/Jewell

MINUTES OF THE MEETING:

Marcie Arden of BKD provided information related to the FY2020 Single Audit Report and Schedule of Expenditures of Federal Awards. Deputy Vice President for Finance David Jewell provided information on the Office of Inspector General's Audit of UW's EPSCoR Grant related to the grant renewal. In response to inquiry from Trustee Jeff Marsh, Jewell reported the new financial system has improved internal controls which will help to mitigate future audit issues. Jewell further reported on controls related to the Office of Research and Economic Development's monitoring process of sub recipient awards. Jewell reported that the Fiscal and Legal Affairs Committee will continue discussion of the processes at its March 2021 meeting. President Ed Seidel provided insight on the National Science Foundation (NSF) track record related to the oversight of spending of public funds.

FY2020 Single Audit Reports and Schedule of Expenditures of Federal Award Approved 2-17-2021 @ 9:50 a.m.

Trustee Macey Moore moved the Board recommend the approval of the FY 2020 UW Single Audit report as presented. Trustee Dick Scarlett seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner, Brad LaCroix and David True were absent for the vote.

Request for Use of Legal Reserve, Office of Inspector General's Audit of UW's EPSCoR Grant Approved 2-17-2021 @ 9:56 a.m.

Trustee Macey Moore moved the Board recommend the use of up to \$260,000 from the University Legal Reserve fund to settle the Performance Audit of EPSCoR Incurred Costs audit findings. Trustee Dick Scarlett seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner, Brad LaCroix and David True were absent for the vote.

AGENDA ITEM TITLE: Modifications to UW Regulations, Brown/Evans

MINUTES OF THE MEETING:

Trustee Kermit Brown reported that consideration of UW Regulation 6-10 (University of Wyoming Public Art Policy) would be postponed until the March 2021 meeting. Vice President and General Counsel Tara Evans discussed edits to UW Regulation 1-1 (Organization of the University). Evans discussed edits and the cooperation with Academic Affairs on UW Regulation 2-8 (Organization of the University).

Approval of modifications to UW Regulation 1-1 (Organization of the University)

Approved 2-17-2021 @ 9:59 a.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 1-1 (Organization of the University) as presented to the Board. Trustee Michelle Sullivan seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner, Brad LaCroix and David True were absent for the vote.

Approval of modifications to UW Regulation 2-8 (Appointment, Evaluation and Removal of Academic Administrators)

Approved 2-17-2021 @ 10:00 a.m.

Trustee Kermit Brown moved the Board authorize modifications to UW Regulation 2-8 (Appointment, Evaluation and Removal of Academic Administrators) as presented to the Board. Trustee Michelle Sullivan seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner, Brad LaCroix and David True were absent for the vote.

OTHER ACTION TAKEN AT MEETING:

Approval of Minutes

Approved 2-17-2021 @ 9:07 a.m.

Trustee Dave True moved approval of the January 13-15, 2021, UW Board of Trustees Meeting Minutes. Trustee David Fall seconded the motion. The motion carried. Trustee Mel Baldwin was not present for the vote.

Agreement for Services between the University of Wyoming and New England Research, Inc.

Approved 2-17-2021 @ 10:03 a.m.

Trustee Macey Moore moved the Board authorize administration to sign the Agreement for Services between the University of Wyoming and New England Research, Inc. This approval is contingent upon confirmation that the funding source is budgeted for by the Office of Research and Economic Development, and that this purchase would not be redundant of similar equipment that is already available on campus for use. Trustee Laura Schmid-Pizzato seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner, Brad LaCroix and David True were absent for the vote.

Uniform 2+2 Articulation Agreements between the University of Wyoming Baccalaureate Programs and the Community Colleges

Approved 2-17-2021 @ 10:03 a.m.

Trustee Macey Moore moved the Board authorize administration to sign to the Uniform 2+2 Articulation Agreements between the University of Wyoming Baccalaureate Programs and Casper College, Central Wyoming College, Eastern Wyoming Community College, Laramie County Community College, Northern Wyoming Community College District, Northwest College and Western Wyoming Community College. Trustee Michelle Sullivan seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner, Brad LaCroix and David True were absent for the vote.

Personnel Report

Approved 2-17-2021 @ 10:04 a.m.

Trustee Macey Moore moved the Board approve the personnel report as provided to the Board. Trustee Laura Schmid-Pizzato seconded the motion. The motion carried. Trustees Mel Baldwin, Brad Bonner, Brad LaCroix and David True were absent for the vote.

Date of Next Meeting

March 24-26, 2021

Adjournment

Trustee Jeff Marsh adjourned the meeting at 10:09 a.m.

Executive Session Information

[The UW Board of Trustees met in Executive Session on Wednesday February 17, 2021, via video conference]

Wednesday, December 9, 2020

The University of Wyoming Board of Trustees called the meeting to order at 7:01 a.m. Trustee Michelle Sullivan moved the Board enter into Executive Session for the purpose of:

- 1) Matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party under Wyoming Statute 16-4-405(a)(iii)
- 2) Consideration of the acceptance of gifts, donations and bequests which the donor has requested in writing to be kept confidential under Wyoming Statute 16-4-405(a)(viii).
- 3) Receiving information classified as confidential by law under Wyoming Statute 16-4-405(a)(ix); and
- 4) To consider the appointment, employment, right to practice or dismissal of a public employee and to consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all negotiations (16-4-405(a)(ii) and 16-4-405(a)(x))

The Executive Session was attended by the 12 voting members of the UW Board of Trustees, ex-officio members, and UW administrators and staff as appropriate. Trustee Macy Moore seconded the motion. The motion passed with a unanimous decision. The Board entered into Executive Session at 7:01 a.m.

Trustees participating: Brad Bonner, Kermit Brown, David Fall, Brad LaCroix, Jeff Marsh, John McKinley, Macey Moore, Dick Scarlett, Laura Schmid-Pizzato, Michelle Sullivan, and Dave True. Trustee Mel Baldwin was not present. Ex-officio Trustees UW President Ed Seidel, ASUW President Riley Talamantes, State Superintendent of Public Instruction Jillian Balow, and Director of Wyoming Community College Commission Sandy Caldwell were in attendance. Governor Mark Gordon was not in attendance; Senior Policy Advisor Lachelle Brant attended on his behalf.

Vice President and General Counsel Tara Evans, Deputy General Counsel Paula Whaley, UW Board of Trustees Deputy Secretary RoseMarie London, and IT Specialist Lisa Stafford attended the entirety of the meeting. The following administrators and external individuals attended during their respective agenda items: Interim Vice President for Governmental Affairs Bill Mai, Interim Provost Anne Alexander, Vice Provost Tami Benham-Deal, Department Head/Associate Professor Civil & Architectural Engineering Tony Denzer, Associate Vice Provost for Enrollment Management Kyle Moore, Interim Dean for the College of Engineering and Applied Science Cameron Wright, Vice President for Development, UW Foundation John Stark, and Outside Counsel Rob Jarosh.

Executive Session adjourned at 9:05 a.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. London", with a long horizontal flourish extending to the right.

RoseMarie London
Deputy Secretary, UW Board of Trustees