

**AGENDA**  
**-Revised-**  
**WESTERN KENTUCKY UNIVERSITY**  
**BOARD OF REGENTS**  
**October 31, 2008**  
**8:30 a.m., CDT**

*Pearce-Ford Tower, 27<sup>th</sup> Floor*

1. Call to order
2. Invocation [Dr. Richard Miller, Chief Diversity Officer and Associate Vice President, Academic Affairs]
3. Oath of Office - Dr. Patricia H. Minter  
Mr. J. David Porter
  - 3.1 Special Recognition/Presentation
4. Roll call
5. Disposition of minutes of the special meeting of June 27, 2008, the third quarterly meeting of July 18, 2008, and correction to the minutes of the April 24, 2008 meeting
6. Committee Reports:
  - 6.1 *Academic Affairs Committee, Ms. Forrest Roberts, Chair*
    - 6.1.1 Approval: Department of Marketing name change to Department of Marketing and Sales [pp. 4-5]
    - 6.1.2 *Approval: Faculty Emeritus Status [p. 6]*
    - 6.1.4 Update: Enrollment
  - 6.2 *Executive Committee, Ms. Lois W. Gray, Chair*
    - 6.2.1 Authorization to affirm amendments to a Master Development Agreement with the City of Bowling Green, Warren County, and Alliance Corporation [pp. 7-47]
    - 6.2.2 Approval of and authorization to purchase 2.01 acres of property located on Rocky Hill Road, in Warren County, Kentucky, to be utilized as a biological preserve under a grant from the Kentucky Land Heritage Conservation Fund Board [p. 48]

- 6.2.3 Proposed amendments to Bylaws of the Board of Regents (First reading) [pp. 49-50]
- 6.2.4 Policy on Presidential and Board Assessment [pp. 51-52]
- 6.2.5 Update: Preliminary Report on FY 2009 Federal Appropriations (Taylor) [p. 53]
- 6.2.6 Update: Construction Projects Status Report (Osborne) [pp. 54-56]
- 6.3 *Finance and Budget Committee, Mr. Jim G. Meyer, Chair***
  - 6.3.1 Approval: Series A Bond Resolution [pp. 57-64]
  - 6.3.2 Update: 2009 Employee Benefits Plan [pp. 65-66]
- 6.4 *Student Affairs, Ms. Yvette Haskins, Chair***
  - 6.4.1 Update: Fall Residence Halls Occupancy (Bailey)
  - 6.4.2 Update: 2008-09 Meal Plans (Osborne)
  - 6.4.3 Update: SGA Activities (Boles)
- 7. Recommendation for approval of personnel recommendations since July 18, 2008 [pp. 67-87]
- 8. Approval of a quarterly meeting schedule for 2009 and 2009 schedule for Board committee meetings [p. 88]
- 9. *Approval: Construction of the Chandler Memorial Chapel, a privately funded project*
- 10. President's Report:
  - 10.1.1 Annual Report for FY 2008 [Presentation]
- 11. Other Business
- 12. Adjournment

**MINUTES**  
**OF THE BOARD OF REGENTS**  
**WESTERN KENTUCKY UNIVERSITY**

**October 31, 2008**

**AGENDA ITEM 1 - Call to Order**

Required statutory notice having been given, the fourth quarterly meeting of the Board of Regents of Western Kentucky University was held on the 27<sup>th</sup> floor of Pearce-Ford Tower on the WKU campus. The meeting was called to order by Chair Lois Gray at 8:30 a.m., CDT.

**AGENDA ITEM 2 - Invocation**

Dr. Richard Miller, Associate Vice President for Academic Affairs and Chief Diversity Officer.

**AGENDA ITEM 3 - Oath of Office**

The Constitutional Oath of Office was administered to Mr. J. David Porter of Lexington, Kentucky, who was appointed by the Governor to a six-year term replacing LaDonna Rogers and to Dr. Patricia Minter, who was reelected by the faculty to a three-year term. Dr. Minter had served a one-year unexpired term of Dr. Robert Dietle. The Oath of Office was administered by Ms. Liz Esters, Secretary to the Board of Regents and Notary Public.

**AGENDA ITEM 3.1 - Special Presentations**

Mr. Porter was presented with an official Regent's pin which was designed specifically for members of the Board. Mr. Porter was joined at the meeting by his wife, Beth, and uncle, retired Vice President for Academic Affairs, Dr. Raymond Cravens.

**AGENDA ITEM 4 - Roll Call**

The following members were present:

Mr. Johnathon F. Boles  
Ms. Lois Gray  
Ms. Yvette Haskins  
Ms. Judi Hughes  
Mr. Jim Johnson  
Mr. Jim Meyer  
Dr. Patricia Minter  
Mr. J. David Porter  
Ms. Forrest Roberts  
Ms. Tamela Smith  
Mr. Larry Zielke

Others in attendance included: President Gary Ransdell; Ms. Liz Esters, Secretary to the

Board of Regents and Staff Assistant to the President; Dr. Barbara Burch, Provost and Vice President for Academic Affairs; Mr. Tom Hiles, Vice President for Institutional Advancement; Dr. Richard Kirchmeyer, Assistant Vice President for Information Technology; Mr. John Osborne, Vice President for Campus Services; Ms. Ann Mead, Vice President for Finance and Administration; Dr. Wood Selig, Athletics Director; Ms. Robbin Taylor, Vice President for Public Affairs; and Ms. Deborah Wilkins, Chief of Staff/General Counsel.

**In keeping with the policy of the Board, the agenda for the meeting and information and materials pertinent to items thereon had been mailed in advance of the meeting by the President to members of the Board.**

**AGENDA ITEM 5 - Disposition of minutes of the special meeting of June 27, 2008, the third quarterly meeting of July 18, 2008, and corrected minutes of April 24, 2008**

The minutes were mailed to members of the Board prior to the meeting and were presented for adoption. Motion to approve was made by Mr. Meyer and seconded by Ms. Hughes.

Ms. Roberts commented that "It was my understanding that we were going to quit dating things *'in the year of our Lord'* on resolutions, and I wanted to ask about that. I think that if we're trying to be a University with international reach to have such Christian focus in the way we date certain documents, I don't think that is appropriate." Chair Gray responded that, although this had been discussed in an earlier meeting, it was not something that the Board as a whole had voted on and endorsed.

Commenting about the meeting place for the day, President Ransdell noted, "One observation about this place where we now sit—many of you may recall, Larry Zielke, you were Student Body President when this building was just about completed, or certainly under construction. This was a project that President Kelly Thompson and Dr. Cravens worked hard on through, I guess, much of the 60s to be in a position to create a residence hall that would have over 800 beds and certainly be such a prominent architectural element at the south-end of our campus, and this was the extreme south-end of our campus at that point. This building, after 38 years, is now undergoing extensive renovation."

Brian Kuster, Director of Residence Life, has overseen the extensive renovations of WKU Residence Halls. Renovating Pearce-Ford Tower is approximately a \$16 million project and presents the biggest challenge. The 27<sup>th</sup> floor, the lobby, and floors 20-26 have undergone

renovation, and the balance of the floors will be completed next summer.

Regent Boles thanked the Student Life Foundation, on the behalf of students, for their work in renovating the residence halls, stating, "Without that Board, we wouldn't have a lot of the renovations that students are enjoying today, so I'd like to go on record by thanking the Student Life Foundation."

#### **AGENDA ITEM 6 - Committee Reports**

##### **6.1 Academic Affairs, Ms. Forrest Roberts, Chair**

##### **6.1.1 Approval of the Department of Marketing name change to Department of Marketing and Sales effective November 1, 2008.**

**FACTS:** The Department of Marketing created a Sales concentration in the mid-1990s. At that time, the department made the decision to make Sales the flagship program of the department. About the same time, a group of schools with sales programs joined together to form the University Sales Center Alliance (USCA). This group of schools was dedicated to increasing the visibility and effectiveness of sales education. Among the early members of this group were Illinois State, Ball State, Northern Illinois University, University of Toledo, Baylor University, University of Houston, and the University of Akron. At that time, Western Kentucky University did not have the resources, particularly faculty, to create a sales center and join this group.

As the Department of Marketing continued to grow, additional faculty were added who had an interest and expertise in the area of Sales. Sales continued to be a primary focus of the Marketing faculty and the Department of Marketing. In 2005, the faculty began discussion of forming a sales center and joining the USCA. By this time, the USCA had grown to 12 members. In 2006, a proposal was developed for the Center for Professional Selling at Western Kentucky University. This Center was approved and became an official Center on July 1, 2007.

At about the same time, the Department of Marketing developed a proposal for a minor in Sales. With the approval of the Sales minor, which became an official program at Western Kentucky University in Fall 2007, WKU became one of only nine schools in the nation with both a concentration in sales and either a sales major or minor. By summer 2008, there were approximately 90 Marketing majors with a concentration in Sales and approximately 50 additional Sales minors from all colleges across campus.

The goal of the Department of Marketing is to become the "destination school" for those wanting to pursue the study of sales in Kentucky, Tennessee, West Virginia, Missouri, southern Indiana and southern Illinois. No formal sales programs exist in these areas at this time. In an effort to increase the exposure of our Sales program, the Department of Marketing is asking to change the name of the department to the Department of Marketing and Sales. By doing this, the existence of the Sales program within our Department will be more readily apparent. The existence of the Sales program would be more evident in all departmental correspondence, in the College catalog, on the web site, and in all student recruitment brochures. It would also be included on our letterhead and business cards, once again increasing the exposure for the Sales program.

By changing the name of the Department of Marketing to the Department of Marketing and Sales, it will facilitate making WKU the destination school for students seeking a career in Sales.

In addition to making prospective students aware of the existence of our Sales program, by changing the name of the department to the Department of Marketing and Sales, it also informs businesses of the existence of our Sales program. This could be beneficial in encouraging companies to recruit WKU students for sales positions, and it could also

provide exposure to companies who may, ultimately, become supporters of our Sales program and the Center for Professional Selling.

**RECOMMENDATION:** President Ransdell recommends approval for changing the name of the Department of Marketing to the Department of Marketing and Sales.

*Approved: Academic Affairs Committee, October 10, 2008*

Recommended by the Academic Affairs Committee, the recommendation carried unanimously.

#### **6.1.2 Approval: Faculty Emeritus Status**

**REQUEST: Approval of faculty emeritus status for recommended individual.**

**FACTS:** Listed below is a faculty member who has been recommended by the tenured faculty, department head, and college dean to be awarded emeritus status. He has served the University for at least ten years and has had a distinguished record of achievement and service at the University.

*Gordon Ford College of Business*

**Department of Economics**

**Dr. Richard Cantrell, Associate Professor of Economics, Emeritus**

**RECOMMENDATION: President Ransdell recommends approval of faculty emeritus status for the individual as listed.**

Recommended for approval by the Academic Affairs Committee, the recommendation was unanimously approved.

**6.1.4 Update on Enrollment** - The Board heard a review of the various components of the 2008 fall enrollment which was reported as 19,761, an increase of 496 over the fall of 2007.

A detailed report is included in the Board packet.

#### **6.2 Executive Committee, Ms. Lois W. Gray, Chair**

**6.2.1 REQUEST: The President requests the Board of Regents authorize amendments to a Master Development Agreement with the City of Bowling Green, Warren County, and Alliance Corporation.**

**FACTS:** The Board considered and approved the University entering into this agreement on July 13, 2007. Subsequent to that date, the agreement terms pertaining to WKU were amended.

The Board in July of 2007 approved WKU's commitment to an annual lease of 200 parking spaces in a proposed downtown parking structure for 15 years at \$250,000 per year, and at \$1 per year for an additional 15 years thereafter.

This specific provision of the lease has been amended to now read as follows:

At such time as WKU is provided with and accepts beneficial occupancy of the Parking Garage, WKU shall enter into a 30-year agreement to lease 200 parking spaces in the Parking Garage at a rate of two hundred and fifty thousand dollars (\$250,000) per year for twenty (20) years and to lease 300 parking spaces in the Parking Garage at a rate of two hundred and fifty thousand dollars (\$250,000) per year for the remaining ten (10) years of

the agreement. If the City Bonds are paid in full prior to the end of the 30-year agreement, the financial obligation of WKU shall be reduced to one dollar (\$1) per year. The WKU parking spaces will be available from 6 a.m. to 6 p.m. daily.

All other parties to the agreement have approved and ratified the document.

**RECOMMENDATION:** That the Board of Regents authorize the President to affirm the amendments to the Master Development Agreement with the City of Bowling Green, Warren County, and Alliance Corporation as outlined in this agenda item.

*Approved: Executive Committee, October 10, 2008*

Motion to authorize the President to affirm amendments to a Master Development Agreement with the City of Bowling Green, Warren County, and Alliance Corporation which contains the commitment outlined in this agenda item was made by Ms. Gray and seconded by Mr. Meyer. [See Exhibit A.]

In comments that followed, Faculty Regent Minter stated "You may have received one of the fliers from protestors outside who represent the faculty, staff, and students on this campus. I certainly know my colleagues from the Staff and Student Regents would like to speak to this, so I'll confine my remarks to the faculty.

"I have seen a firestorm of opposition to this. I'm going to build on a point that the President made at our Committee meetings which is when we discussed the fact there doesn't seem to be a lot in this for us, and there seems to be a great deal in this for the City. As Dr. Ransdell said then 'It's not a great deal. It's not a great deal that impacts the fixed costs of the University at a time that we cannot afford to mortgage ourselves for \$250,000 a year adding to the fixed costs of doing business at the University.

"The firestorm started when an e-mail about something completely different went out and this is excerpted in the flyer talking about sustainability issues in reducing utility costs, for which there is broad-based support among the faculty. What's the connection? The connection is the implication in the e-mail, sarcastic or not, is okay everybody, turn the lights off and reduce the utility costs or nobody is going to get any raises, and it hurt because people are very worried. We have, I'll say it again, open faculty positions. We're not able to replace people who are leaving; people are looking for jobs because of the flatness of many of the things that matter to our work life. Support staff that we need and students' needs are not available; again, my colleagues can speak to that. We worry that there will be little to no raises; we are troubled by the fact that it may be done on the backs of the students if it does happen. I question the need for something that really looks like corporate welfare, and I'm a downtown resident-I stand to benefit from

this—I think I’m the only downtown resident at the table. I support the TIF wholeheartedly, but if they can’t do this without us, then that’s just too bad, then they just can’t do it. We should not tie up the University’s resources for 30 years at fixed costs for something that the employees on this campus don’t want; something that is not strategically located, and as many have pointed out, for \$7.5 million, we can bond it; do our own garage; put it where we want it. I have issues with parking, but for this much money we can bond it, do our own. I urge you to vote this down, colleagues.”

Staff Regent Smith commented, “On behalf of the staff, because I have had more contact/response from this matter than any other thing that has come before me since I’ve been on this Board, and 100 percent of the staff are opposed to this. In large part, they feel like, again, we do want to keep down the fixed costs and that’s important; and when we say that every dime that we save on fixed costs can then be put to salaries, and then we take a motion to increase fixed costs—it looks really bad. It looks like we’re supporting something that is going to actually decrease the salaries.

“I looked at the salaries in this packet that we vote on later that contains the salary compression for faculty—there is none for staff. It’s an issue that we’ve really got to look at, and there’s no way that I can vote for something that’s going to increase our debt on a yearly basis if that’s taking out money that can be used for the staff. Again, it’s a morale issue at this point. The staff are very concerned about this—that is why the protestors were out there because they really are passionate about this. I’ve gotten e-mails from people who are telling me about how they’re working a second job to make ends meet, and they’re not single parents. They need a raise; they need to have more money. They are working and they are dedicated; we want to support what is best for the University—we also have to look at that—but again, 100 percent of the staff are totally against this. I, too, would urge you to please take that into consideration what it’s going to do to the morale of this University if we pass something that they feel is detrimental to their very income.”

Student Regent Boles commented, "We will never be in support of higher tuition. That is something that we are really trying to push in Student Government Association is the belief that, if we have stable funding we will have stable tuition, and students are concerned. I didn't think this was as much of an issue until I received about 100 e-mails yesterday. Several students are concerned that this action will bring forth a view that we aren't putting our priorities into some of the things that we need to. I read over the flyer, and I'd like to know more information before I vote. Right now the students have spoken to me, and they're very concerned. Students even got this e-mail on the energy crisis, and someone jokingly asked me "are students going to get an e-mail saying if we don't reduce our usage that tuition will go up as a result of that—is that part of the sustainability plan?"

President Ransdell explained, "The Sustainability Committee hasn't met yet, but no, there is no correlation between the sustainability effort and tuition that one could measure. Now in the accumulation of all things in the total financial plan, increased utility costs could affect the cost of an education here because they're rising so dramatically, but that would be no different than any other financial obligation of the institution. No, there is not a direct correlation between energy costs and tuition, but, sure, energy costs accumulated with a number of things could affect the cost of an education here just like any corporate enterprise that has to pay the utility bill."

The President added, "This is not a vote on the lease. You approved that lease on July 13, 2007; the City took that Board action and began to construct a tax incremental financing district. This is a vote on an amendment to the lease which the City, in putting together the financial structure for the TIF, asked us if we'd consider a longer lease for 100 more spaces. You were briefed on that on November 2, 2007, and it took awhile before that agreement was finalized and brought to the Board Committee meetings on October 10. I'm convinced that this is an action that is much more for the future than it is for the present. It's an action that the City has asked us to support, and we're an important part of this community. The payment would begin, I am projecting, in the 2010-2011 fiscal year at the earliest because the lease doesn't begin until July 1 of the year following the completion of the construction of the parking structure. Ann Mead has set the money aside in the budget, which will accumulate growth between now and then. This will not affect salaries until the 2011-12 fiscal year, and only then, it might be a stretch to say that it would affect salary increases at that point, but yes, it would be a fixed cost

for that period of time. By the time that this lease unfolds, downtown Bowling Green and this campus will be married. That is the only direction we can grow as a campus. The Department of Parking and Transportation has sought, for some time, a north campus satellite parking area. I can show you the exact data that it would cost twice as much to build an equal size parking structure. We're paying, including debt service, \$16 million for the structure right over here with about 600 net spaces--yes more spaces--but by the time you add the debt service in, buy the land, and pay your annual maintenance costs, pay your insurance, a new parking structure of the same size would cost far more than \$7.5 million over 30 years. The City has already moved forward with the TIF, and the State just yesterday approved an expanded TIF that's going to benefit us with a partnership that is significant, and this parking garage is open one block from the square downtown. I'm satisfied that by the time this lease begins to unfold, we'll be seeking a lot more partnering in that area to serve our students."

Ms. Roberts commented, "When you talk about how much it would cost to build a parking structure, you can't compare it--if the University built a parking structure, it would have complete control of it, it could put it where it wanted to be. When you're comparing the two, it's not really apples to apples--it's apples to oranges.

"There's a quote that says that the downtown spots will also promote Western's relationship with the City and encourage economic growth and jobs--that might be fine, but it's great for the City of Bowling Green to do that, but I don't think it's the responsibility of WKU to do that, especially if it means any kind of tuition increase. That's not the role of this University."

President Ransdell stated, "Our mission is to drive the economy of this region, particularly the region closest to us."

Ms. Roberts responded, "I have a lot of arguments on how you could do that if you're talking about the region--I'm talking about the City of Bowling Green. I do not think that students who come from all over need to drive the City of Bowling Green. There are lots of ways that it can be spread out, and believe me, there are other parts of the region that are in desperate need of WKU dollars that they are not getting. I think it is too concentrated."

"Everybody has read the headlines this morning, the State budget situation is bleak; we have yet to get the final bill on what it's going to cost the University to transition to Division I in football, and I don't think we're going to have the growth in enrollment that you're projecting. I

just don't think it's going to happen. I think this is something that we're going to be saddled with, and we're not going to get the total benefit from it.

"From a legal standpoint, if this was my client and they came in, and they'd signed a lease, and the lease maybe wasn't a great deal, but you go forward with and then it comes back and is going to be doubled in price but you're not going to get double the benefits, I'd tell them to say no, I'm not going along with it. It's not a good deal for you. The original agreement has been voted on, but we can tell them, no-you've got to come up with the extra dollars from somewhere else not from WKU."

Dr. Minter stated, "I realize that we've talked a lot about bread and butter salary issues and tuition issues, but I would like to correct perception that is only about that. It is not only about that. For people who--when we talk about salaries, we are also talking about not being able to staff our department; not having enough faculty to offer the courses that are needed, but can't be offered in the History Department because we don't have the personnel. This is a lifeblood of the University issue and it is time for us to make some difficult decisions about the changed financial situation, and the difference in what we want and what we need. I don't want this, but I don't think we need it either."

Chair Gray called for the question on the motion for approval. Motion carried with Regents Boles, Minter, Roberts, and Smith voting nay.

**6.2.2 REQUEST: Approval of and authorization to purchase 2.01 acres of property located on Rocky Hill Road, in Warren County, Kentucky, to be utilized as a biological preserve under a grant from the Kentucky Land Heritage Conservation Fund Board.**

**FACTS:** The property proposed to be acquired is located approximately ten miles southwest of Mammoth Cave's closest known point. Located on the property is Cave Springs Caverns (historically known as Crump's Cave). The University proposes to establish an Educational Reserve at Cave Springs to protect the habitat of two federally listed endangered species (Gray bats and Indiana bats) and numerous other subterranean and surface species. The cave also has extremely rare "mud glyphs," which are Native American drawings believed to be approximately 2,000 years old. Finally, there is anecdotal evidence that the cave served as a key location on the "Underground Railroad" in the 1800's.

The project, including all purchase costs and property acquisition costs, is being funded through a grant from the Kentucky Land Heritage Conservation Fund Board. Funds dedicated to the project total \$123,265.51.

The grant requires the University to purchase and hold title to the property. No University funds will be used for the acquisition or maintenance of the property.

**RECOMMENDATION:** The President requests authorization and approval to purchase 2.01 acres of property located on Rocky Hill Road, in Warren County, Kentucky, to be utilized as an educational reserve under a grant from the Kentucky Land Heritage Conservation Fund Board.

*Approved: Executive Committee, October 10, 2008.*

Motion to authorize and approve the purchase 2.01 acres of property located on Rocky Hill Road, in Warren County, Kentucky, to be utilized as an educational reserve under a grant from the Kentucky Land Heritage Conservation Fund Board was made by Ms. Gray, seconded by Mr. Boles, and carried unanimously.

### **6.2.3 REQUEST: Approval of amendments to the Bylaws of the Board of Regents**

**FACTS:** To accommodate recent changes in the senior administrative duties and titles which accompanied the spring 2008 executive reorganization, adjustments to the Bylaws for three of the Board's standing committees are recommended.

**RECOMMENDATION:** The following adjustments are recommended:

- Move "Human Resources" from the Executive Committee to the Budget and Finance Committee.
- Move "proposals for construction of academic, administrative, or service facilities" from the Finance and Budget Committee to the Executive Committee.
- Delete the language "including facilities, renovation, or new construction related to or associated with the same" from the Student Affairs Committee.

Approval of first reading by the Executive Committee, October 10, 2008.

### **ARTICLE IV**

1. Committees of the Board of Regents. The standing committees of the Board of Regents shall be the Executive Committee, the Academic Affairs Committee, the Finance and Budget Committee, and the Student Affairs Committee. The Board may from time to time establish such other committees as shall be necessary to carry out its duties and responsibilities.
2. **Executive Committee:** The Executive Committee shall consist of the chairperson, vice chairperson, and the chairperson of the three standing committees of the Board of Regents. The Executive Committee will provide guidance to the President on matters that arise in the interim between regular meetings, and shall have authority to review, evaluate, and provide guidance on issues relating to alumni relations, auditing, athletics, development, governmental and public affairs, legal, ~~human resources~~, proposals for construction of academic, administrative or service facilities, and issues related to fund raising and other similar advancement matters.  
  
The Executive Committee shall also serve as the President's Review and Compensation Committee, and shall present recommendations concerning same to the full Board for vote. The Executive Committee may also perform any and all other functions that may be from time to time assigned by a majority vote of the Board of Regents. The chairperson of the Board of Regents shall serve as the chair of the Executive Committee. The President of the University shall appoint a member of the staff to serve as administrative agent to the committee.
3. **Academic Affairs Committee:** The Academic Affairs Committee shall be responsible for evaluating all recommendations coming to the Board of Regents affecting the academic and intellectual affairs of the University. The Academic Affairs Committee shall consist of a minimum of three and a maximum of five members of the Board. The President of the

University shall appoint a member of the staff to serve as administrative agent to the committee.

4. **Finance and Budget Committee:** This Committee will review, evaluate, and provide guidance on financial issues, including the biennial budget requests submitted to governmental agencies, the annual operating budget of the University for each fiscal year, adjustments to the annual operating budget from time to time as required by operations of the University, allocation of unencumbered fund balances, ~~proposals for construction of academic, administrative or service facilities~~ and all other financial and budget matters, including facilities and facilities management and human resources. If necessary, the annual operating budget of the University may be adjusted between the regular meetings of this Committee, and, in that event, this Committee will provide post-review and evaluation of those adjustments. The Finance and Budget Committee shall consist of a minimum of three and a maximum of five members of the Board. The President of the University shall appoint a member of the staff to serve as administrative agent to the committee.
5. **Student Affairs Committee:** This Committee will review, evaluate, and provide guidance on all matters related to student life issues. ~~including facilities, renovation, or new construction related to or associated with same.~~ The Student Affairs Committee will consist of a minimum of three and a maximum of five members of the Board. The President of the University shall appoint a member of the staff to serve as administrative agent to the Committee.

Mr. Boles felt the Student Regent should be able to work with the Vice President for Campus Services and noted that in deleting the language "including facilities, renovation, and new construction" from the Student Affairs Committee that opportunity would not be available. Parliamentarian Larry Winn advised the Chair that an amendment could be proposed to the recommended motion.

**Mr. Boles moved striking bullet point 3 in the recommended amendments to the Bylaws of the Board: (Bullet Point 3 is to delete the language "including facilities, renovation, or new construction related to or associated with the same" from the Student Affairs Committee).** The motion was seconded by Mr. Porter.

President Ransdell noted that would place two vice presidents in the position of staffing a single Board committee. It's a little bit of an awkward thing from a procedural and administrative prospective. The Executive Committee has typically served as the Committee that addresses matters that do not administratively fit into the three-committee structure of academic, finance, and student matters.

Chair Gray called for the assistance of the Parliamentarian who advised, "You would need to proceed to a vote on that amendment if discussion has ended.

Ms. Roberts asked if the second bullet—the red—should also be changed and if another motion to amend the second point would be in order.

The Parliamentarian advised that if bullet #3 entails these other matters, then the simplest

way to handle this would be with a friendly amendment. That could be proposed, and then you could ask if there are any objections to that friendly amendment; then that would be incorporated into the original proposal.

Dr. Ransdell stated, "The second bullet would then read "Strike *proposals for construction of academic, administrative, or service facilities*" from the Finance and Budget Committee.

Mr. Zielke made that friendly amendment to his amendment, seconded by Mr. Boles.

Parliamentarian advised that the vote would now be on the proposal with the amendment.

The amended amendment is "**Approval of the following adjustments to the Bylaws of the Board of Regents: 1) Move "Human Resources" from the Executive Committee to the Finance and Budget Committee; and 2) Strike proposals for construction of academic, administrative, or service facilities" from the Finance and Budget Committee and to delete bullet 3 in the recommendation.**"

Motion to approve first reading of the recommended amendments to the Bylaws of the Board of Regents came from the Executive Committee, seconded by Mr. Zielke, and carried unanimously.

#### **6.2.4 Policy on Presidential and Board Assessment**

In accordance with the Bylaws, the Board of Regents shall evaluate the President annually. The evaluation shall be according to written objectives developed by the President, in conjunction with the Board, at the beginning of each fiscal year. In evaluating whether these objectives have been met, the Board will take into consideration the following:

1. Whether the Vision, Mission, and Statement of Purpose of WKU are being fulfilled.
2. Whether the University is advancing academically.
3. How effectively the University is being managed.
4. The relationships of the President with the Board of Regents and with the University and other communities.
5. How well the University is being managed fiscally and how institutional development is progressing.
6. How well strategic planning is being followed and whether the set goals are being achieved.
7. Other criteria as determined by the Board.

Each Regent will make an individual assessment of the President, using guidelines provided by the Board. The President's Review and Compensation Committee shall then compile these assessments into one document. The Board shall meet in executive session to review and discuss the document compiled by the Review and Compensation Committee. The Review and Compensation Committee shall then meet with the President and discuss with him the written evaluation prepared by the Committee and discussed by the Board during the executive session. The written evaluation shall then be made a part of the President's personnel file.

The President's assessment shall not be conducted at that same meeting at which his or her compensation is approved.

#### Periodic Comprehensive Assessment

Within the discretion of the Board, it may conduct a comprehensive evaluation of the President every five years. This review should involve all stakeholders in the University, including faculty, staff, alumni, donors and members of the communities where WKU has a campus. Outside consultants should be employed to assist in the comprehensive assessments.

#### Board Self Assessment

Every three years the Board of Regents may undergo a self assessment to evaluate its own effectiveness and performance. This assessment shall include, but not be limited to:

1. The extent to which the Board understands its responsibilities and fulfills them.
2. How well the Board is organized.
3. The Board's relations with the President, the University community, and the public.
4. The Board's role in institutional advancement.
5. Other areas of observation or opportunity as determined by the Board.

The Board may, within its discretion, hire an outside entity to assist with this self evaluation, or it may devise its own method of self assessment.

Motion for approval by Ms. Gray, Chair of the Executive Committee, seconded by Mr. Meyer, and carried unanimously.

#### **6.2.5 Update: Preliminary Report on FY 2009 Federal Appropriations**

Ms. Robbin Taylor, Vice President for Public Affairs, reviewed the following:

Listed below are the FY 2009 federal appropriations secured for WKU by Senator Mitch McConnell in the budget bills approved by the U.S. Senate to date. The Department of Defense project has been approved and signed into law, so this project is final. All others must withstand floor votes in the House as well as conference committee negotiations once Congress returns following the November elections to complete the budget process, so they remain tentative. It is possible that final budget actions may not occur until after the first of next year.

Department of Defense (APPROVED AND SIGNED BY PRESIDENT BUSH)  
\$6,000,000 Partnership with Electronic Warfare Associates - technology defense system -new project

Commerce, Justice, Science (PENDING)  
\$ 700,000 Mesonet - weather monitoring network - 3rd year funding

Agriculture (PENDING)  
\$1,390,000 Construction ARS facility - 4th year funding  
\$2,840,000 ARS Waste Management Research Funds - ongoing project  
\$ 89,000 Water monitoring along the Green River - ongoing project

Transportation, HUD (PENDING)  
\$1,000,000 Community Bikeway Project - new project

Labor, HHS, Education (PENDING)  
\$2,500,000 Equipment for Ogden College of Science and Engineering

Total Final: \$6,000,000  
Total Pending: \$8,519,000

### **6.2.6 Update: Construction Projects Status Report**

Mr. John Osborne, Vice President for Campus and Facilities, reviewed the construction report found on pages 54-56 of the agenda packet. As part of this report, Mr. Osborne stated that "the West stadium is coming along, but is still very much a construction site. There remains work to be done, including completion of the practice field and some exterior work." Dr. Minter asked, "How much over budget is the project?" Mr. Osborne answered, "It is not; it is within budget." Dr. Ransdell stated, "\$29.5 million and it has been a fight. There have been a lot of change orders, a lot of prioritization and tough decisions, but we are within the authorization for the project. It has been a very complex, multidimensional budget. Science building, by contrast, has had six change orders, is on time and is under budget and is rocking along. This project has almost been a weekly fight to keep in under budget. It is to Ann, Wood, and John's credit that it is within budget. We've had multiple project managers, but I assume John is the Project Manager now. We are staying within the authorized number."

### **6.3 Finance and Budget Committee, Mr. Jim G. Meyer, Chair**

#### **6.3.1 GENERAL RECEIPTS BONDS, 2008 SERIES A**

**REQUEST:** Approval of a resolution authorizing the issuance and sale of General Receipts Bonds, 2008 Series A, in the principal amount of approximately \$49,000,000; and authorization for the WKU Board of Regents' Treasurer, K. Ann Mead, to accept the lowest bid, award the bonds, and report back to the Board the results of said action.

**FACTS:** Based on legislative authorization and previous approvals by the Board of Regents, the Administration is recommending the issuance and sale of bonds totaling approximately \$49,000,000 to be allocated for the following projects: Renovation of Van Meter Hall, Renovation of Science Campus Phase III, Expansion of Preston Center Phase II, Property Acquisition & Parking Lot Construction, Renovation of Ivan Wilson Center Phase I, and Replace Gordon Ford College of Business Phase I. The sale will yield approximately \$46.9 million to be deposited in the project construction fund.

The bond resolution has been prepared by Peck, Shaffer & Williams, LLP who is serving as bond counsel for the University on this issuance. The bond resolution permits WKU to initiate the steps under the general receipts indenture to sell the bonds, subject to WKU accepting the lowest and best bid for the Series A bonds, and establishing the final principal amounts and maturities for the Series A bonds. Morgan Keegan & Co, Inc. serves as financial advisor. A tentative schedule of events is attached. The Results of the final sale of bonds will be reported at the first Board of Regents meeting following the sale.

**RECOMMENDATION:** Approval of a resolution authorizing the issuance and sale of General Receipts Bonds, 2008 Series A, in the principal amount of approximately \$49,000,000; and authorization for the WKU Board of Regents' Treasurer, K. Ann Mead,

to accept the lowest bid, award the bonds, and report back to the Board the results of said action.

### **SERIES RESOLUTION**

**PROVIDING FOR THE AUTHORIZATION, ISSUANCE AND SALE OF APPROXIMATELY \$49,000,000 GENERAL RECEIPTS OBLIGATIONS (RENOVATE VAN METER HALL, RENOVATE SCIENCE CAMPUS PHASE III, EXPAND PRESTON CENTER - PHASE II CONSTRUCTION, RENOVATE IVAN WILSON CENTER PHASE I, REPLACE BUILDING FORD COLLEGE BUSINESS - GRISE HALL PHASE I AND ACQUIRE PROPERTY AND CONSTRUCT PARKING LOTS) OF WESTERN KENTUCKY UNIVERSITY, PURSUANT TO THE TRUST AGREEMENT DATED AS OF DECEMBER 1, 2006.**

**WHEREAS**, Western Kentucky University (herein called the "University"), a public body corporate and an educational institution and agency of the Commonwealth of Kentucky, by resolution adopted by the Board of Regents of the University on November 2, 2006 (herein called the "General Bond Resolution"), and by a Trust Agreement, dated as of December 1, 2006, as supplemented (herein called the "Trust Agreement"), comprised in part of the General Bond Resolution, has provided for the issuance from time to time of Obligations (as defined in the Trust Agreement) of the University secured by a pledge of the University's "General Receipts" (as defined in the Trust Agreement), each such issue to be authorized by a Series Resolution, as required by the Trust Agreement; and

**WHEREAS**, the Board has determined that it is necessary to finance the additional costs of the acquisition, construction, installation, and equipping of certain capital projects identified as Renovate Van Meter Hall, Renovate Science Campus Phase III, Expand Preston Center - Phase II Construction, Renovate Ivan Wilson Center Phase I, Replace Building Ford College Business - Grise Hall Phase I and Acquire Property and Construct Parking Lots (collectively, the "Project"); and

**WHEREAS**, by authority of Sections 162.340 to 162.380 of the Kentucky Revised Statutes, Chapter 56 of the Kentucky Revised Statutes and Sections 58.010 to 58.140 of the Kentucky Revised Statutes (collectively, the "Act"), the University is authorized to construct educational building facilities, to issue its obligations to pay all or part of the costs of such facilities, and to secure said obligations by a pledge of and lien on all or such part of the revenues and receipts of the University; and

**WHEREAS**, the Board of Regents desires to provide for issuance and sale of Western Kentucky University General Receipts Bonds and for other matters in connection therewith, by the adoption of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF WESTERN KENTUCKY UNIVERSITY, AS FOLLOWS:**

**SECTION 1.** Definitions and Interpretations. All words and terms defined in Section 1 of the General Bond Resolution and all interpretations therein provided shall have the same meanings, respectively, and be subject to the same interpretations as therein provided where used in this Resolution, unless the context or use clearly indicates another or different meaning or intent, except that this Resolution is sometimes herein called and may be known as the "2008 Series A Bond Resolution," the Obligations authorized by this Resolution are referred to herein and in the Supplemental Trust Agreement hereby authorized, as the "2008 Series A Bonds," and the terms "hereof," "hereby," "hereto," "herein," and "hereunder," and similar terms, mean this Resolution.

**SECTION 2.** Authority. This Resolution is adopted pursuant to the General Bond Resolution, the Trust Agreement, and the Act.

**SECTION 3. Authorization, Designation, and Purpose of 2008 Series A Bonds.** It is hereby declared to be necessary to, and the Board shall, issue, sell, and deliver, as provided and authorized herein, approximately \$49,000,000 principal amount of General Receipts Obligations which shall be issued as General Receipts Bonds ("Bonds"). Such Obligations shall be designated "Western Kentucky University General Receipts Bonds" and shall bear such further series designation as the Fiscal Officer (as defined in the Trust Agreement) deems appropriate. Such Obligations shall be issued for the purpose of (i) financing the costs of the Project and (ii) paying costs of issuance in connection with such Obligations. The proceeds from the sale of such Obligations shall be deposited and allocated as provided in Section 6 hereof.

**SECTION 4. Terms and Provisions Applicable to the 2008 Series A Bonds.**

(a) **Form, Numbering, and Designation.** The 2008 Series A Bonds shall be issued in the form of fully registered Obligations as approved by the Fiscal Officer, shall be numbered from one upwards, and shall bear such series designation as the Fiscal Officer deems appropriate.

(b) **Denomination and Dates.** The 2008 Series A Bonds shall be in such denominations as requested by the Original Purchaser (hereafter defined), and shall be dated on the date determined by the Fiscal Officer and may be issued in installments (each installment being a part of the 2008 Series A Bonds herein authorized) with maturity dates approved by the Fiscal Officer, having a final maturity that is no later than 20 years from the date the 2008 Series A Bonds are issued.

(c) **Interest.** The 2008 Series A Bonds shall bear interest from their respective dates payable on dates approved by the Fiscal Officer, beginning on a date approved by the Fiscal Officer, at the rate or rates per annum determined pursuant to Section 5 hereof.

(d) **Maturities.** The 2008 Series A Bonds shall mature on such dates, in the years and in the principal amounts set forth in the maturity schedule approved by the Fiscal Officer pursuant to Section 5 hereof.

(e) **Redemption Terms and Prices.** The 2008 Series A Bonds shall be subject to optional and mandatory redemption on such dates and terms as approved by the Fiscal Officer, with the advice of the Financial Advisor (hereinafter identified) and set forth in the Supplemental Trust Agreement. If less than all of the outstanding 2008 Series A Bonds are called for redemption at one time, they shall be called in the order of the maturities as directed by the Fiscal Officer. If less than all of the outstanding 2008 Series A Bonds of one maturity are to be called, the selection of such 2008 Series A Bonds or portions of 2008 Series A Bonds of such maturity to be called shall be made by lot in the manner provided in the Trust Agreement. Notice of call for redemption of 2008 Series A Bonds shall be given in the manner provided in the Trust Agreement.

(f) **Other Provisions.** The 2008 Series A Bonds may, at the option of the Fiscal Officer, be secured by municipal bond insurance or similar instrument issued by a financial or insurance institution acceptable to the Fiscal Officer.

(g) **Place of Payment and Paying Agents.** The principal, interest and any redemption premium on registered 2008 Series A Bonds shall be payable by check or draft, as provided in the Trust Agreement.

(h) **Execution.** The 2008 Series A Bonds shall be executed in the manner provided in the General Bond Resolution.

**SECTION 5. Award and Sale of 2008 Series A Bonds.** The 2008 Series A Bonds shall be offered publicly for sale upon the basis of competitive bids at such time as the Fiscal Officer, upon advice of the Financial Advisor to the University, shall designate. The Fiscal Officer is hereby authorized and directed to cause an appropriate form or

forms of a Notice of Sale of Bonds to be published in the Daily News, a legal newspaper published in the County of Warren, Kentucky, which will afford local notice of the sale, The Courier Journal, a legal newspaper published in the City of Louisville, Kentucky, which will afford statewide notice of the sale, and, to the extent required by law, in The Bond Buyer, a financial journal published in the City of New York, New York, which is a publication having general circulation among bond buyers; and said newspapers and financial journal are hereby declared to be qualified to publish such notice for the Board within the meaning and provisions of Chapter 424 of the Kentucky Revised Statutes. Such notice shall be published in said newspapers and financial journal at least once not less than seven nor more than twenty-one days prior to the scheduled date of sale of the 2008 Series A Bonds.

The forms of Notice of Bond Sale, Official Terms and Conditions of Sale of Bonds, Bid Form and Official Statement, shall be in such form as approved by Bond Counsel for the University, by the Financial Advisor, by the General Counsel of the University and by the Fiscal Officer.

Bidders shall be advised that the fee of the Financial Advisor for services rendered with respect to the sale of the 2008 Series A Bonds is contingent upon the issuance and delivery of the 2008 Series A Bonds, and that the Financial Advisor may submit a bid for the purchase of the 2008 Series A Bonds at the time of the advertised public sale of the 2008 Series A Bonds, either individually or as the member of a syndicate organized to submit a bid for the purchase of the 2008 Series A Bonds.

Upon the date and at the respective hour set forth for the submission and consideration of purchase bids, as provided in the instruments hereinabove approved, bids shall be reviewed as provided in such instruments. If there shall be one or more bids which conform in all respects to the prescribed terms and conditions, such bids shall be compared, and the Fiscal Officer, upon the advice of the Financial Advisor, is authorized to accept the best of such bids, as measured in terms of the lowest interest cost to the Board, as calculated in the manner prescribed in the Official Terms and Conditions of Sale of Bonds. Calculations shall be performed as are necessary to determine the exact amount of 2008 Series A Bonds that are required to be issued in order to (i) pay the budgeted costs of the Project and (ii) pay the costs of issuing the 2008 Series A Bonds and the final principal amount, interest rates and maturities of the 2008 Series A Bonds shall thereupon be established, as prescribed in the Official Terms and Conditions of Sale of Bonds.

**SECTION 6.** Allocation of Proceeds of 2008 Series A Bonds. All of the proceeds from the sale of the 2008 Series A Bonds and other lawfully available funds of the University shall be received and receipted for by the Fiscal Officer and shall be deposited and allocated as set forth in the Supplemental Trust Agreement approved hereby.

**SECTION 7.** Additional Covenants with Respect to Internal Revenue Code of 1986, as Amended. This Board hereby finds and determines that all of the proceeds from the sale of the 2008 Series A Bonds will be needed for the purposes set forth in Section 6 hereof. This Board hereby covenants for and on behalf of the University, that it will restrict the use of the proceeds of the 2008 Series A Bonds in such manner and to such extent, if any, and take such other actions as may be necessary, in view of reasonable expectations at the time of issuance of the 2008 Series A Bonds, so that the 2008 Series A Bonds will not constitute obligations the interest on which is subject to federal income taxation or "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations prescribed under such Sections. The Fiscal Officer or any other officer of the University having responsibility with respect to issuance of the 2008 Series A Bonds is hereby authorized and directed to give an appropriate certificate for inclusion in the transcript of proceedings with respect to the 2008 Series A Bonds, setting forth the facts, estimates and reasonable expectations pertinent under said Sections 103(b)(2) and 148 of the Code and an election, if

appropriate, with respect to Section 148(f)(4)(B)(IV)(V) of the Code. The Fiscal Officer is hereby authorized and directed to create a Rebate Account (which shall be held by either the University or the Trustee, at the discretion of the Fiscal Officer) if the Fiscal Officer determines such account is necessary so that the University complies with the rules concerning "rebate" as set forth in the Code, as they apply to the 2008 Series A Bonds.

**SECTION 8. Supplemental Trust Agreement.** The Chairman of the Board is authorized and directed to execute, acknowledge, and deliver to the Trustee, in the name of and on behalf of the University, a Supplemental Trust Agreement pursuant to the Trust Agreement and in connection with the issuance of the 2008 Series A Bonds, in substantially the form submitted to this Board with such changes therein not substantially adverse to the University as may be permitted by the Act and the Trust Agreement and approved by the officer executing the same on behalf of the University. The approval of such changes, and that such changes are not substantially adverse to the University, shall be conclusively evidenced by the execution of such Supplemental Trust Agreement by such officer.

**SECTION 9. Official Statement.** The Chairman is hereby authorized and directed to execute and deliver an Official Statement with respect to the 2008 Series A Bonds for the purpose of making available to potential investors the information therein contained, which describes the interest rates and other terms to be borne by and the price to be paid for the 2008 Series A Bonds, and such other information with respect to the University and the 2008 Series A Bonds, necessary in the judgment of the Chairman with the advice of the Fiscal Officer and the Financial Advisors. The Chairman and the Fiscal Officer are each hereby authorized to deem the Preliminary Official Statement and final Official Statement "near final" and "final" for purposes of Securities Exchange Commission Rule 15c2-12, as amended and interpreted from time to time, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule").

**SECTION 10. Compliance With Rule 15c2-12.** The Board of Regents hereby agrees, to comply with the provisions of the Rule. In order to comply with the Rule, a Continuing Disclosure Agreement in the usual and customary form is hereby authorized and approved, with such modifications and additions as may be approved by the officer of the University executing the same. The Chairman and the Fiscal Officer are each hereby authorized to execute and deliver such Continuing Disclosure Agreement.

**SECTION 11. Open Meetings.** This Board hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements.

**SECTION 12. Further Authorization.** That the proper and appropriate officers of the Board and of the University, to the extent authorized by law, are hereby authorized to execute and deliver the closing certificates, if any, with such modifications thereto as may be required by the purchasers of the 2008 Series A Bonds and approved by special bond counsel to the University as well as such other documents, certificates and statements as may be so required and so approved in connection with sale and delivery of the 2008 Series A Bonds.

**SECTION 13. Provisions in conflict are Repealed.** All resolutions or parts thereof in conflict with the provisions of this Resolution are hereby rescinded to the extent of such conflict.

**SECTION 14. Effective Date.** This resolution shall take effect from and after its passage.

**SECTION 15.** Copy to be Filed with Trustee. A certified copy of this Resolution shall be filed with the Trustee

Adopted October 31, 2008.

/s/ Lois W. Gray  
Chair, Board of Regents  
Western Kentucky University

Attest:

/s/ Elizabeth W. Esters  
Secretary, Board of Regents

#### **CERTIFICATION**

The undersigned, Secretary of the Board of Regents of Western Kentucky University, Bowling Green, Kentucky, hereby certifies that the foregoing is a true copy of a Resolution adopted by the Board of Regents of said University at a meeting held on October 31, 2008, as recorded in the official Minutes Book of said Board of Regents, which is in my custody and under my control, that said meeting was held in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820, and 61.825, that a quorum was present at said meeting, and that the aforesaid Resolution is of record in the office of the Board, has not been modified, amended, or rescinded, and is in full force and effect at this date.

WITNESS my signature this December 18, 2008.

Secretary, Board of Regents  
Western Kentucky University

Mr. Meyer moved, with the approval of the Finance and Budget Committee, the approval of the resolution authorizing the issuance and sale of General Receipts Bonds, 2008 Series A, in the principal amount of approximately \$49,000,000; and authorize WKU Board of Regents' Treasurer, K. Ann Mead, to accept the lowest bid, award the bonds, and report back to the Board the results of said action. The motion was seconded by Ms. Haskins.

In discussion that followed, referring to page 61, Mr. Zielke pointed out a potential inerrant conflict—"You've got the financial advisor who's going to compute the net interest cost

to the University who also is going to submit a bid. The problem in these difficult financial times, as I see it, is the financial advisor may be the low bidder at a very high interest rate. Two points I'd like to make—I think Ann needs to have the ability, and this resolution doesn't contain it, to reject all bids if they are not in the University's best interests. Ann knows what she's doing, but she needs to have that authority; and secondly, if the financial advisor is the one who is the low bidder, he may not recommend to Ann to reject all bids because he's going to have a windfall. Those are my concerns."

Mr. Zielke moved to amend the motion to include "*the Treasurer have authority to reject all bids, in her sole discretion, that it is in the best interest of the University.*" Motion was seconded by Ms. Haskins, and carried.

The motion as a whole for *approval of the resolution authorizing the issuance and sale of General Receipts Bonds, 2008 Series A, in the principal amount of approximately \$49,000,000; and authorize WKU Board of Regents Treasurer, K. Ann Mead, to accept the lowest bid, award the bonds, or to reject all bids at her discretion if it is in the best interest of the University, and to report back to the Board the results of said action.* Mr. Zielke moved approval, and Mr. Boles seconded. Motion carried unanimously.

#### **6.3.2 Update: 2009 Employee Benefits Plan**

Pages 65-66 of the agenda packet outline the 2009 Employee Benefits Plan which reflect no premium increases for 2009 for the fifth year in a row.

#### **6.4 Student Affairs Committee, Ms. Yvette Haskins, Chair**

The Student Affairs Committee did not meet earlier but heard updates from Howard Bailey, Vice President for Student Affairs, on the fall residence halls occupancy; a report from John Osborne, Vice President for Campus and Facilities, on 2008-09 Meal Plans, and a report from Student Regent Johnathon Boles on the activities of the Student Government Association.

**AGENDA ITEM 7 - Recommendation for approval of personnel recommendations since July 18, 2008.**

**RECOMMENDATION:** President Gary A. Ransdell recommends approval of the personnel actions that have transpired since the July 18, 2008, Board meeting. The recommendations are contained in the next 19 pages.

Dr. Minter requested additional information from Dr. Wood Selig regarding the proposed

increases in the amount of \$10,000 for the football assistant coaching staff, on page 84 of the agenda. Specifically, Dr. Minter asked whether the funds for the increases came from the elimination of the men's soccer program. Dr. Selig answered, "No, probably not." Dr. Selig stated that the funds came from revenue generated by Football, and that while there were some savings from the elimination of the men's soccer program, it is hard to say that it came directly from men's soccer." Dr. Minter asked, "So it could be coming from that (soccer), or the revenue for football?" Dr. Selig stated, "Yes, it came from the overall net revenue in Athletics. It is not coming from the University at large."

Motion for approval of the personnel actions since July 18, 2008, was made by Mr. Zielke, seconded by Ms. Hughes, and carried unanimously.

**AGENDA ITEM 8 - Recommendation for approval of a quarterly meeting schedule for 2009 and 2009 schedule for Board committee meetings.**

**RECOMMENDATION:**

President Gary A. Ransdell recommends consideration of the following:

- 1) adoption of the quarterly meeting schedule for 2009:
  - *First Quarterly Meeting*      *January 30, 2009*
  - *Second Quarterly Meeting*      *April 24, 2009*
  - *Third Quarterly Meeting*      *July 31, 2009*
  - *Fourth Quarterly Meeting*      *October 30, 2009*
  
- 2) adoption of the Board Committee meeting schedule for 2009:
  - *April 3, 2009*
  - *July 10, 2009*
  - *October 9, 2009*

Motion for approval by Mr. Boles, seconded by Ms. Haskins, and carried unanimously.

**AGENDA ITEM 9 - Approval of Construction of the Chandler Memorial Chapel, a privately funded project**

**RECOMMENDATION:**

- 1) That the Board approve a privately funded capital construction project to construct a Chapel and Columbarium on the campus of WKU;
- 2) That the Board approve the naming of the Chapel the Chandler Memorial Chapel in recognition of the lead gift for the Chapel of \$800,000 to be paid in full prior to construction; and
- 3) That the Board approve the Columbarium Policy for the Chandler Memorial Chapel which is attached to the minutes as EXHIBIT B.

**BACKGROUND:** The purpose of the Chapel would be to provide students, faculty, staff, and alumni of all faiths a place of peace, reflection, and meditation. The Chapel could be used for special moments in the lives of those in the WKU family, in times of crisis, for campus group functions, and for individual expressions of faith. In addition, it may be utilized by various campus organizations for special ceremonies and will be an ideal site for weddings. The Chapel would be made available to all students, faculty, staff, alumni, and friends regardless of religious affiliation.

The project is being driven by a group of WKU alumni who want to enhance the campus environment in this manner and have spearheaded an effort to raise the necessary funds for this project. Through their efforts, the WKU Foundation will provide all the necessary funds up to a maximum of \$1.7 million. The actual project budget is \$1.6 million. This project will result in an improvement to state-owned property with the ownership to accrue to the University upon completion of the project. Additionally, a private fund endowment will cover all related operational costs for care and maintenance of the facility.

A key part of the Chandler Memorial Chapel will be a Columbarium. The Columbarium will allow WKU alumni and friends to secure a permanent place on the WKU campus. Three hundred burial niches are projected to be built on adjacent grounds. These niches will be sold and reserved for the owner(s). An owner's ashes will be permanently sealed in each personally identified niche. Each owner's name and limited personal information will be displayed to mark the niche.

This project was not included in the 2008-2014 Capital Plan, the council's 2008-2010 capital recommendation to the Governor and General Assembly, or the Governor's 2008-2010 capital recommendation to the 2008 General Assembly. Authorization is needed to allow the initiation of this project in November.

Mr. Zielke moved: 1) That the Board approve a privately funded capital construction project to construct a Chapel and Columbarium on the campus of WKU; 2) That the Board approve the naming of the Chapel the Chandler Memorial Chapel in recognition of the lead gift for the Chapel of \$800,000 to be paid in full prior to construction; and 3) That the Board approve the Columbarium Policy for the Chandler Memorial Chapel. Motion was seconded by Mr. Johnson and carried unanimously.

Dr. Minter asked if the Chapel would be non-sectarian as well as non-denominational, noting that many of the faculty, staff, and students are non-Christian. Dr. Ransdell affirmed that the Chapel will be non-sectarian as well as non-denominational.

Dr. Minter also applauded the fund-raising efforts that have gone into this project and all of the other private fund-raising projects, but publicly urged that these fund-raising projects can not come to the exclusion of fund raising privately for the academic mission, particularly endowed professorships, endowed scholarships, and the things that are so crucial to making WKU nationally competitive and being the University that we say we want to be. Fund raising, at some point, has to go to the academic mission as well.

Mr. Boles suggested that, the President of the Student Alumni Association be included in the Columbarium Rules and Regulations, there is a Committee that is set up to have oversight by the Columbarium Administrator, someone in Alumni Affairs, and it was so noted.

With nothing further business, motion to adjourn was made by Ms. Hughes, seconded by

Ms. Haskins, and carried.

**These minutes were presented at the January 30, 2009 Board of Regents meeting for approval and tabled until the April 24, 2009 meeting, pending the approval of following amendments to the minutes:**

**ACTION ITEM                      AMENDMENT TO OCTOBER 31, 2008 MINUTES**

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Motion to approve amendment to the minutes of the October 31, 2008, Board of Regents Meeting.

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At the January 2009 Board meeting, the Board approved the minutes of the October 31, 2008, Board meeting (with correction) through page 25. Regent Patricia Minter requested that the minutes of the October 31, 2008, Board of Regents meeting be amended to include the following information, beginning with page 26 of those minutes:

- 6.2.6 Update: Construction Projects Status Report

To be inserted into the minutes:

As a part of this report, Mr. Osborne stated that the West stadium is “coming along, but is still very much a construction site.” There remains work to be done, including completion of the practice field and some exterior work.

Dr. Minter asked, “How much over budget is the project?” Mr. Osborne answered, “It is not; it is within budget.”

Dr. Ransdell stated, “\$29.5 million and it has been a fight. There have been a lot of change orders, a lot of prioritization and tough decisions, but we are within the authorization for the project. It has been a very complex, multidimensional budget. Science building, by contrast, has had 6 change orders, is on time and is under budget and is rocking along. This project has almost been a weekly fight to keep in under budget. It is to Ann Wood and John’s credit that it is within budget. We’ve had multiple project managers, but I assume John is the project manager now. We are staying within the authorized number. “

- 7. Approval of Personnel Recommendations since July 18, 2008:

To be inserted into the minutes:

Dr. Minter requested additional information from Dr. Wood Selig regarding the proposed increases in the amount of \$10,000 for the football assistant coaching staff, on page 84 of the agenda. Specifically, Dr. Minter asked whether the funds for the increases came from the elimination of the men’s soccer program.

Dr. Selig answered, “No, probably not.” Dr. Selig stated that the funds came from revenue generated by Football, and that while there were some savings from the elimination of the men’s soccer program, “it is hard to say that it came directly from men’s soccer.”

Dr. Minter asked, “So it could be coming from that (soccer), or the revenue for football?”

Dr. Selig stated, “Yes, it came from the overall net revenue in Athletics. It is not coming from the University at large.”

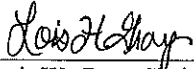
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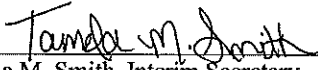
**Motion: To approve amending the October 31, 2008, minutes to include the information noted herein.**

**The amended minutes of the October 31, 2008 meeting were unanimously approved on April 24, 2009 and inclusion of such was recorded in the minutes of the April 24, 2009.**

**CERTIFICATION OF SECRETARY**

I hereby certify that the minutes herein above set forth an accurate record of votes and actions taken by the Board of Regents of Western Kentucky University in the second quarterly meeting held April 24, 2009, in the Cornelius A. Martin Regents Room in the Mass Media and Technology Hall on the Western campus, and further certify that the meeting was held in compliance with KRS 61.810, 61.815, 61.820, and 61.825 (enacted as Sections 2, 3, 4 and 5 of House Bill 100, 1974 Regular Session, General Assembly).

  
\_\_\_\_\_  
Lois W. Gray, Chair  
Minutes approved by Board of Regents on  
April 24, 2009

  
\_\_\_\_\_  
Tamela M. Smith, Interim Secretary  
Minutes approved by Board of Regents on  
April 24, 2009