

WEST VIRGINIA UNIVERSITY
BOARD OF GOVERNORS

September 29-30, 2005

The thirty-fifth meeting of the West Virginia University Board of Governors was held on September 29-30, 2005, in the WVU Mountainlair in Morgantown, W.V. Board members in attendance were Hank Barnette, Joe Campbell, D.J. Casto, Betty Chilton, Tom Clark, Tom Dover, Steve Farmer, Steve Goodwin, Michael Lastinger, Doug Leech, Mark Manchin, Paul Martinelli, Ted Mattern, Parry Petroplus, Rod Thorn and Robert Wells. Russ Isaacs was absent and excused.

WVU officers, and regional campus officers and representatives present were:

From WVU:

President David C. Hardesty, Jr.;

Provost and Vice President for Academic Affairs and Research, Gerald Lang;

Vice President for Student Affairs, Ken Gray;

Vice President for Institutional Advancement, Christine Martin;

Vice President for Health Sciences, Bob D'Alessandri;

Vice President for Administration, Finance & Human Resources, Gary Rogers;

Vice President for Research and Economic Development, John Weete;

Chief of Staff, Margaret Phillips;

General Counsel, Tom Dorer;

Executive Officer for Social Justice, Jennifer McIntosh;

Sr. Associate Provost, Russ Dean;

Associate Provost for Academic Programs, Cheryl Torsney;

Special Assistant to the President for Legislative Affairs, David Miller;

Special Assistant to the President/Provost, & Assistant BOG Secretary, Ginny Petersen;

Dean of Students, David Stewart;

Exec. Director for Students Affairs, Mary Collins;

Director of Internal Auditing, William Quigley;

Associate Vice President for Facilities, Joe Fisher;

Assistant Vice President for Human Resources, Liz Reynolds (Interim)

Assistant Vice President for Planning, Narvel Weese;

Associate Director of Extension, David Snively;

Assistant to the President/Chief of Staff, Jennifer Fisher;

President, WVU Alumni Association, Stephen Douglas;

Chairman, WVU Alumni Association BOD, James Gardill;

Exec Director for Development, WVU Alumni Association, Ellen Goodwin;

President of the Faculty Senate, Larry Hornak;

Assistant to the Vice President for AF&HR, Sherri Belmear;

Executive Assistant to the President, Sara Master;

Director of University News Service, Becky Lofstead;

Director of Graduate Programs, Bob Stitzel;

Director of SABO, Les Carpenter;

President, WVU Staff Council, Terry Nebel;

From WVU at Parkersburg:

Marie Foster Gnage, Campus President and Regional Vice President, WVU;

September 29-30, 2005

From West Virginia University Institute of Technology:

Charles Bayless, Campus President and Regional Vice President, WVU;
Lanny Janeksela, Vice President for Academic Affairs;

From the Community & Technical College of West Virginia University Institute of Technology:

Beverly Jo Harris, Campus President;

From Potomac State College of West Virginia University

Kerry Odell, Campus Provost
Two members of the classified staff;

Several members of the Press were also present.

CALL TO ORDER - September 29, 2005

The meeting was called to order by Board Chairman, Doug Leech at 2:00 p.m. on September 29, 2005.

EXECUTIVE SESSION

Mr. Goodwin moved that the West Virginia University Board of Governors go into executive session pursuant to West Virginia Code §6-9A-4(2)(A) to discuss personnel and management issues. The motion was seconded and passed, and the Board thereupon met in executive session. Following the discussion, Dr. Petroplus moved that the Board rise from executive session. The motion was seconded and passed.*

ACTIONS EMANATING FROM EXECUTIVE SESSION

After arising from Executive Session, the Board took the following actions:

1. Mr. Dover moved that the Board increase the salary of the President by \$25,000, half to be paid from state funds, and half from the WVU Foundation. The motion was seconded, and approved.
2. Dr. Lastinger moved that the Board grant President Hardesty permission to serve, with pay, on a corporate Board of Directors, details to be released when the appointment is finalized. The motion was seconded, and approved. [On October 18, 2005 it was announced that President Hardesty had been appointed to the Board of Directors of CONSOL Energy.]
3. Mr. Goodwin moved that the President's contract be extended until September 20, 2010, that minor changes be made to his current contract to reflect decreasing severance terms as the end of the contract nears, and that an effort be made to accelerate the vesting of his retirement benefits. The motion was seconded and approved.
4. Mr. Martinelli moved that Steve Goodwin be elected vice-chairman of the Board of Governors to fill the vacancy in that office. The motion was seconded and approved.

****Unless otherwise stated, all motions were passed unanimously.**

September 29-30, 2005

5. Mr. Goodwin moved that the new committee structure and the recommended committee chairmen be approved as presented. The motion was seconded and approved. (The committee structure and chairmen can be found on the WVU BOG website.)

Mr. Martinelli noted that he would be making a presentation about Classified Staff on Friday morning, and that he hoped the presentation would give the Board a better appreciation for what Classified Staff do for the University.

The Chairman declared the meeting recessed until 8:30 a.m., September 30, 2005.

CONTINUATION OF MEETING – September 30, 2005

The meeting was reconvened by Board Chairman, Doug Leech at 8:30 a.m. on September 30, 2005.

APPROVAL OF MINUTES

Mr. Mattern moved that the minutes of the meetings of June 17, July 1, and August 23, 2005 be approved as written. The motion was seconded and passed.

CHAIRMAN'S REPORT

Mr. Leech reported on the actions taken at the Thursday BOG meeting for the benefit of those who had not been in attendance (see above). He congratulated Steve Goodwin on being selected as vice-chairman of the board. He extended the Board's congratulations to President Hardesty and thanked the board for their hard work.

PRESIDENT'S REPORT

President Hardesty thanked the Board for their confidence in him. He noted in his remarks all the various constituency groups who care about and take ownership in the University and identified a number of their interests which were represented in the Board's agenda items at this meeting.

President Hardesty noted that the new committee structure approved by the Board earlier in the meeting had been designed based on a great deal of feedback from board members, as well as information gathered during his research on the topic. He described the function of the board's new system for those in the audience.

President Hardesty also noted that his Goals and Objectives for the coming year were presented for the Board's approval. **Robert Wells moved that the Goals & Objectives be approved. The motion was seconded and approved.**

INFORMATION ITEMS

Paul Martinelli, Classified Employee representative on the Board, gave his annual report on behalf of his constituency group. After noting his long history of staff advocacy, Mr. Martinelli reported on the activities he has undertaken to stay connected to and involved with staff issues. He noted the disparity between the number of staff represented and the voting power of the staff representatives on the state wide staff advisory board. President Hardesty also commented on how this under representation at the state level has a negative impact on WVU staff.

Mr. Martinelli's report ended with a video featuring interviews with a number of classified staff from West Virginia University and the regional campuses.

BOARD ITEMS

1. Approval of the Strategic Plan:

Provost Lang shared a draft of the completed Strategic Plan with the board. After a brief discussion, Rod Thorn moved that the plan be adopted. The motion was seconded and approved.

2. Approval of the Alumni Association Building Site and Design:

The Alumni Association President and Alumni Association Board Chairman presented information on the site selected for a new WVU Alumni Association building, and shared preliminary drawings of the building to be constructed. They noted that the building was being designed to address surface water run-off issues. After a short discussion, Joe Campbell moved that the building site and preliminary design be approved. The motion was seconded, and approved.

3. Approval of Faculty & Staff Pay Raises

Provost Lang described the pay increase plan for West Virginia University and the regional campuses, and the sources of the revenues to be used. After considerable discussion, Robert Wells moved that the pay raise plan for 2005-2006 be approved. The motion was seconded and approved.

Vice President for Administration, Finance and Human Resources, Gary Rogers presented the FY '05 financial statements, and noted that for the second year in a row, the Auditors would be issuing a clean opinion, with no management letter. He also noted that in the current year enrollment exceeded expectations, and revenue projections are on target.

President Hardesty noted that Dr. Rogers is leaving West Virginia University, wished him well in Tennessee, and congratulated him on the two clean opinions that WVU has received under his watch.

Mr. Barnette, on behalf of the Audit Committee, and Chairman Leech, both congratulated Dr. Rogers and the WVU team for their excellent work.

CONSENT AGENDA

Mark Manchin moved approval of the items on the Consent Agenda. The motion was seconded, and the following items were approved:

1. Approval of Members to the C&TC at WVUIT Board of Advisors

Resolved: That the West Virginia University Board of Governors approve Gloria Flowers, Karen Price, and Anita Caldwell-Holt as new members to the C&TC at WVU Tech Institutional Board of Advisors.

2. Appointment of an Alternate to a County Extension Service Committee

Resolved: That the West Virginia University Board of Governors approves Nancy Chadwick as an alternate for a position on the County Extension Service Committee in Wayne County, WV.

3. Approval of an Extension of a Leave of Absence

Resolved: That the West Virginia University Board of Governors approves the extension of a leave of absence for Professor Mark Walbridge.

4. Reports of Institutional Fee Waivers for Graduates & Undergraduates

Resolved: That the West Virginia University Board of Governors enter the report of the Institutional Undergraduate Fee Waivers for FY 2004-2005, at West Virginia University, West Virginia University at Parkersburg, West Virginia University Institute of Technology, and Potomac State College of West Virginia University into its minutes, and authorize the forwarding of the required report to the legislative auditor.

Resolved: That the West Virginia University Board of Governors enter the report of the Institutional Graduate and Professional Fee Waivers for Fall, 2004 and Spring, 2005 at West Virginia University into its minutes, and authorize the forwarding of the required report to the legislative auditor.

5. Approval of a BSBA Degree in Management Information Systems

Resolved: That the West Virginia University Board of Governors approve a Bachelor of Science in Business Administration Degree with a major in Management Information Systems.

6. Approval of Ph.D. in Communication Studies

Resolved: That the West Virginia University Board of Governors approve a Ph.D. in Communication Studies.

7. Approval of a Change of Name for the Forensics Degree

Resolved: That the West Virginia University Board of Governors approve the change of the degree name from Bachelor of Science in Forensic Investigation (BSFI) to Bachelor of Science (BS) with a major in Forensic Investigation.

8. Approval of Housing Project Budgets

Resolved: That the West Virginia University Board of Governors approve the Capital Bond Construction Projects listed above. This approval should be based upon funding availability from State Bonds, WVU Fee based bonds, Central Funds and Auxiliary funds.

9. Approval of a Budget Increase for the Wrestling Training Facility

Resolved: That the West Virginia University Board of Governors approve the revised budget for construction of a new Wrestling Training Facility at West Virginia University. This approval is based upon funding availability from private fund raising.

10. Approval to Purchase Property at 65 Beechurst Avenue, Morgantown.

Resolved: That the West Virginia Board of Governors approves proceeding with the purchase of 65 Beechurst Avenue, for \$177,000, for parking and campus expansion and that the Vice-President for Administration, Finance and Human Resources be authorized to execute all documents necessary for the transaction.

11. Approval to Purchase Property at 57 Beechurst Avenue, Morgantown.

Resolved: That the West Virginia Board of Governors approve proceeding with the purchase of 57 Beechurst Avenue, for \$150,925 for parking and campus expansion and that the Vice-President for Administration, Finance and Human Resources be authorized to execute all documents in connection with this transaction.

12. Approval to Dispose of Property in the Core Arboretum

Resolved: That the West Virginia Board of Governors approve disposition of .1022 acres of the Core Arboretum by governmental transfer to the Morgantown Utility Board and that the Vice- President for Administration, Finance and Human Resources be authorized to execute all documents necessary for this transaction.

13. Appointment of Auditors for NCAA Agreed Upon Procedure

Resolved: That the West Virginia Board of Governors approves the appointment of Clifton Gunderson LLP as auditors for the NCAA Agree-Upon Procedures required for the Athletic Department.

14. Renewal of Deloitte & Touche as Auditors for the University

Resolved: That the West Virginia Board of Governors approves the renewal of a contract with Deloitte & Touche LLP as auditors for the University's annual financial statements.

15. Change in Signature Authority – Blanchette Rockefeller Neurosciences Institute Project

Resolved: That the West Virginia University Board of Governors on behalf of West Virginia University (Grantee) re-approves the following resolution, changing the names of the individuals who are authorized by the Grantee to sign Disbursement Requests for Economic Development grant funds on behalf of the Grantee. (See attached Resolution 1)

16. Change in Signature Authority – Jackson's Mill Project

Resolved: That the West Virginia University Board of Governors on behalf of West Virginia University (Grantee) re-approves the following resolution, changing the names of the individuals who are authorized by the Grantee to sign Disbursement Requests for Economic Development grant funds on behalf of the Grantee. (See attached Resolution 2)

17. Approval to Relinquish Leased Land at the Morgantown Airport

Resolved: That the West Virginia University Board of Governors agrees to relinquish a .75 acre plot of land leased at the Morgantown Municipal Airport, as requested by the City of Morgantown.

18. Approval of Changes in the BOG’s Document “Powers & Duties”

Resolved: That the West Virginia University Board of Governors approve the revised BOG document “Powers & Duties” to reflect changes in recent legislation.

OTHER BUSINESS

Mr. Leech read two resolutions honoring outgoing Board Members, Vaughn Kiger and Joe Lopez. Steve Goodwin moved their adoption. The motion was seconded and approved. (See attached)

President Hardesty thanked the University’s entire management team for their excellent leadership.

Provost Lang gave a report on the search plans to replace Vice President Rogers, and noted that Mr. Leech and Mr. Petroplus had agreed to serve on the screening committee.

Dr. Lang also noted that the entire University community has been involved in various relief efforts to aid those displaced by Hurricane Katrina. He gave a number of examples.

NEXT MEETING

Mr. Leech noted that the next meeting will be held on November 3-4, 2005 in Morgantown. Ginny Petersen asked members to note the change of date for the April, 2006 meeting – now scheduled for April 21st.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:05 a.m.

Elizabeth E. Chilton
Secretary

RESOLUTION 1

WHEREAS, the Grantee is the recipient of a grant (the "Grant") to pay for all or a portion of the costs of constructing, equipping, improving or maintaining an economic development project, capital improvement project or infrastructure, namely Blanchette Rockefeller Neurosciences Institute (the "Project"), which was one of the projects certified by the Economic Development Grant Committee (the "Grant Committee") pursuant to W. Va. Code §29-22-18a, to be funded by the proceeds of Excess Lottery Revenue Bonds issued by the West Virginia Economic Development Authority (the "WVEDA "); and

WHEREAS, the terms of the Grant are set forth in (i) a Memorandum of Understanding and Grant Agreement dated November 5, 2003, entered into by the Grant Committee, the Grantee and the WVEDA (including all schedules and attachments, the "MOU"), and (ii) a Disbursement Agreement dated January 29, 2004, between the WVEDA and the Grantee (including all schedules and attachments, the "Disbursement Agreement"); and

WHEREAS, the Disbursement Agreement provides that the Grant shall be disbursed pursuant to an originally-signed and properly authorized Disbursement Request (a "Disbursement Request"), substantially in the form attached to the Disbursement Agreement as Exhibit 1; and

WHEREAS, the Disbursement Agreement further provides that the Grantee must provide a resolution establishing that the person signing the Disbursement Request is an "Authorized Person" properly authorized by the Grantee to sign Disbursement Requests on behalf of the Grantee;

NOW, THEREFORE, BE IT RESOLVED, that the following persons, holding the offices or positions set forth opposite their names, are hereby designated by the Grantee as "Authorized Persons" who are duly authorized by the Grantee to sign Disbursement Requests on behalf of the Grantee pursuant to the Disbursement Agreement:

Name	Office or Position
Narvel G. Weese	Interim Vice President for Administration Finance and Human Resources
Lisa A. Lively	Director, Financial Affairs & Research Accounting

RESOLUTION 2

WHEREAS, the Grantee is the recipient of a grant (the "Grant") to pay for all or a portion of the costs of constructing, equipping, improving or maintaining an economic development project, capital improvement project or infrastructure, namely the West Virginia University Fire Academy (the "Project"), which was one of the projects certified by the Economic Development Grant Committee (the "Grant Committee") pursuant to W. Va. Code §29-22-18a, to be funded by the proceeds of Excess Lottery Revenue Bonds issued by the West Virginia Economic Development Authority (the "WVEDA "); and

WHEREAS, the terms of the Grant are set forth in (i) a Memorandum of Understanding and Grant Agreement dated November 5, 2003, entered into by the Grant Committee, the Grantee and the WVEDA (including all schedules and attachments, the "MOU"), and (ii) a Disbursement Agreement dated January 29, 2004, between the WVEDA and the Grantee (including all schedules and attachments, the "Disbursement Agreement"); and

WHEREAS, the Disbursement Agreement provides that the Grant shall be disbursed pursuant to an originally-signed and properly authorized Disbursement Request (a "Disbursement Request"), substantially in the form attached to the Disbursement Agreement as Exhibit 1; and

WHEREAS, the Disbursement Agreement further provides that the Grantee must provide a resolution establishing that the person signing the Disbursement Request is an "Authorized Person" properly authorized by the Grantee to sign Disbursement Requests on behalf of the Grantee;

NOW, THEREFORE, BE IT RESOLVED, that the following persons, holding the offices or positions set forth opposite their names, are hereby designated by the Grantee as "Authorized Persons" who are duly authorized by the Grantee to sign Disbursement Requests on behalf of the Grantee pursuant to the Disbursement Agreement:

Name	Office or Position
Narvel G. Weese	Interim Vice President for Administration, Finance and Human Resources
Lisa A. Lively	Director, Financial Affairs & Research Accounting

West Virginia University Board of Governors
RESOLUTION HONORING
Vaughn L. Kiger

WHEREAS: Vaughn L. Kiger, a distinguished businessman in Morgantown, was duly appointed to the West Virginia University Board of Governors by the Governor of West Virginia in the year 2000; and

WHEREAS: Vaughn L. Kiger was elected and served as the first Chairman of the West Virginia University Board of Governors in 2001-2002, and its precursor, The WVU Board of Advisors in 2000-2001; and

WHEREAS: Vaughn L. Kiger was a faithful and contributing member of both the Board of Advisors and the West Virginia University Board of Governors from 2001 - 2005, never missing a meeting, and serving not only as Chairman of the Board, but also as a Committee Chairman and Executive Committee member; and

WHEREAS: Vaughn L. Kiger ably represented the interests and concerns of the students and citizens of the State of West Virginia while serving on the West Virginia University Board of Governors, and

WHEREAS: Vaughn L. Kiger, before, during and after his service on the West Virginia University Board of Governors, does everything in his power to further the interests of West Virginia University.

NOW THEREFORE, BE IT RESOLVED: That the West Virginia University Board of Governors wishes to express its thanks and appreciation to Vaughn L. Kiger for his leadership of the Board during its initial years of governance, and wishes him well in his future endeavors.

**Adopted by the West Virginia
University Board of Governors
September 30, 2005**

David C. Hardesty, Jr.
University President

Douglas J. Leech
Chairman, Board of Governors

West Virginia University Board of Governors
RESOLUTION HONORING
T. Joseph Lopez

WHEREAS: T. Joseph Lopez, after a distinguished career in service to the United States of America as an Admiral in the U.S. Navy, was duly appointed to the West Virginia University Board of Governors by the Governor of West Virginia in the year 2000; and

WHEREAS: By virtue of this appointment T. Joseph Lopez also served on the West Virginia University Board of Advisors for the year 2000 – 2001; and

WHEREAS: T. Joseph Lopez was a faithful and contributing member of both the Board of Advisors and the West Virginia University Board of Governors from 2001 - 2005, and

WHEREAS: T. Joseph Lopez willingly accepted extra duties by serving as a Committee Chairman, Board Officer and as a member of the Board's Executive Committee; and

WHEREAS: T. Joseph Lopez ably represented the interests and concerns of the students and alumni of West Virginia University while serving on the West Virginia University Board of Governors;

NOW THEREFORE, BE IT RESOLVED: That the West Virginia University Board of Governors wishes to express its thanks and appreciation to T. Joseph Lopez for his service on the Board during its initial years of governance, and wishes him well in his future endeavors.

**Adopted by the West Virginia
University Board of Governors
September 30, 2005**

David C. Hardesty, Jr.
University President

Douglas J. Leech
Chairman, Board of Governors