



Board of Regents Second Quarterly Meeting

Friday, April 26, 2013 ~ 9:00 a.m. (CDT)
Augenstein Alumni Center

AGENDA

- Call to Order (*Mr. Frederick A. Higdon, Chair*)
- Invocation (*Mr. Evan Carter, Student*)
- Oath of Office – Dr. Phillip W. Bale (*Chair Higdon*)
 - ❖ Special Recognition (*President Ransdell*)
- Roll Call (*Dr. Melissa B. Dennison, Secretary*)
- Approval of Minutes (*Chair Higdon*)
 - ❖ First Quarterly Meeting – January 25, 2013
 - ❖ Special Called Meeting – April 1, 2013

1. **ACADEMIC AFFAIRS** (*Dr. Melissa B. Dennison, Chair*)

Action Items:

- 1.1 Approval of an Advanced Worksite Health Promotion Graduate Certificate [pp 1-5]
- 1.2 Approval of Emeritus Appointment [p 6]
- 1.3 Name Change to Institute for Rural Health [p 7]
- 1.4 Name Change to Communication Sciences and Disorders Department [p 8]

Information Items:

- Faculty-Undergraduate Student Engagement (*Dr. Gordon Baylis and Provost Gordon Emslie*)

2. **FINANCE AND BUDGET** (*Mr. J. David Porter, Chair*)

Action Items:

- 2.1 Acceptance of the Accountants' Report on Application of Agreed-Upon Procedures, NCAA Compliance Report for the year ended June 30, 2012 [p 9]
- 2.2 Acceptance of the separate Auditor's Report and Financial Statements, WKYU-TV and WKYU-FM Radio for the year ended June 30, 2012 [p 10]

FINANCE AND BUDGET (cont.)

- 2.3 Acceptance for filing the 2012-13 Third Quarter Statement of Revenues and Expenditures [pp 11-12]
- 2.4 Approval of Personnel Actions [pp 13-47]

Information Items:

- Tuition and budget status (*Ms. Ann Mead*)
 - Quarterly Internal Audit Report (*Mr. Bailey Jordan, Grant Thornton LLP*) [p 48]
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TOUR OF AUGENSTEIN ALUMNI CENTER / LUNCH

3. EXECUTIVE COMMITTEE (*Mr. Frederick A. Higdon, Chair*)

Action Item:

- 3.1 Approval of Designated Rooms / Areas [pp 49-53]
- 3.2 Acceptance of the University's 2014-2020 Capital Plan [pp 54-56]

Information Items:

- Summer 2013 Construction / Deferred Maintenance Schedule (*Mr. John Osborne and Mr. Bryan Russell*) [pp 57-62]
- Appointment of Nominating Committee (*Chair Higdon*)
- Summary of the President's Annual Evaluation (*Chair Higdon*)

EXECUTIVE / CLOSED SESSION

Discussion of pending litigation and deliberation on acquisition or sale of real property

4. OTHER BUSINESS

- Graduate Commencement – **May 10** / Undergraduate Commencement – **May 11**
 - Special Budget Approval Meeting / Committee Meetings – **June 21**
 - Retreat – **July 25**
 - Third Quarterly Meeting – **July 26**
 - CPE Governor's Trusteeship Conference – **September 12-13**
 - Committee Meetings – **September 27**
 - Fourth Quarterly Meeting – **October 25**
 - Homecoming – **October 26**
 - Committee Meetings – **December 13**
 - Commencement – **December 14**
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5. ADJOURNMENT

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

April 26, 2013

• **CALL TO ORDER**

Required statutory notice having been given, the second quarterly meeting of the Board of Regents of Western Kentucky University was held in the *Jimmy Feix Ballroom* of the Augenstein Alumni Center on the Western Kentucky University campus. The meeting was called to order by Chair Frederick A. Higdon at approximately 9:00 a.m., (CDT).

• **INVOCATION**

The invocation was provided by Mr. Evan Carter, student from Lebanon, Kentucky.

• **OATH OF OFFICE**

The Constitutional Oath of Office was administered by Chair Higdon to Dr. Phillip W. Bale of Glasgow. President Gary A. Ransdell presented Dr. Bale with the official Regent's pin which was designed specifically for members of the Board.

• **ROLL CALL**

The following Regents were present:

Mr. Frederick A. Higdon, Chair
Mr. J. David Porter, Vice Chair
Dr. Melissa B. Dennison, Secretary
Dr. Phillip W. Bale
Mr. Cory Dodds, Student Regent

Ms. Cynthia Harris
Mr. Jim Johnson
Mr. James Kennedy, Staff Regent
Dr. Patricia H. Minter, Faculty Regent

Regents not in attendance:

Mr. John W. Ridley
Mr. Laurence J. Zielke

Others in attendance included the following:

Dr. Gary A. Ransdell, President
Mr. Howard Bailey, Vice President for Student Affairs
Dr. Gordon C. Baylis, Vice President for Research
Dr. Randy Capps, Parliamentarian
Ms. Kathryn R. Costello, Vice President for Development & Alumni Relations
Dr. A. Gordon Emslie, Provost and Vice President for Academic Affairs
Ms. Julia McDonald, Senior Administrative Assistant
Ms. K. Ann Mead, Senior Vice President for Finance and Administration
Dr. Richard C. Miller, Vice Provost and Chief Diversity Officer
Mr. John Osborne, Vice President for Campus Services and Facilities
Dr. Robert Owen, Vice President for Information Technology
Mr. Todd Stewart, Director of Athletics
Ms. Robbin M. Taylor, Vice President for Public Affairs
Ms. Deborah T. 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 to members of the Board.

- **MINUTES**

The minutes of the first quarterly meeting held on January 25, 2013, and the minutes of the special called meeting held on April 1, 2013, were presented for adoption. Chair Higdon stated that Regent Ridley (not in attendance) contacted him prior to the meeting and requested that the minutes from the January 25 meeting be tabled until the next quarterly meeting so he may have the opportunity to speak about a couple of observations. Regent Minter requested that the minutes from the April 1 meeting be tabled until the next quarterly meeting for revisions. The minutes from both meetings will be presented again at the next quarterly meeting scheduled for July 26, 2013.

- **CONSENT AGENDA**

Chair Higdon requested a motion for acceptance of the Consent Agenda for approval of

all action items. Regent Minter requested item 2.4 – Personnel Actions under the Finance and Budget Committee be removed from the Consent Agenda for discussion.

MOTION FOR APPROVAL OF CONSENT AGENDA / ACTION ITEMS:

A motion for approval of all action items on the agenda—with the exception of item 2.4 under the Finance and Budget Committee—was made by Regent Johnson and seconded by Regent Minter.

ACTION TAKEN: Approved unanimously Not Approved Other _____

1. ACADEMIC AFFAIRS – ACTION ITEMS (*Dr. Melissa B. Dennison*)

- 1.1 Approval of an Advanced Worksite Health Promotion Graduate Certificate
- 1.2 Approval of Emeritus Appointment
- 1.3 Name Change to Institute for Rural Health
- 1.4 Name Change to Communication Sciences and Disorders Departments

ACTION TAKEN: Approved unanimously/consent agenda approval Not Approved Other _____

ACADEMIC AFFAIRS – INFORMATION ITEMS

- It was announced that the first class of 30 students in the Physical Therapy program will begin in June now that the program has achieved Candidate for Accreditation status.
 - Faculty-Undergraduate Student Engagement (FUSE) presentations were provided by students Mr. Jordan Campbell, Mr. Adam Edge, and Ms. Kaitlyn Snyder.
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2. FINANCE AND BUDGET – ACTION ITEMS (*Mr. J. David Porter*)

- 2.1 Acceptance of the Accountants' Report on Application of Agreed-Upon Procedures, NCAA Compliance Report for the year ended June 30, 2012
- 2.2 Acceptance of the separate Auditor's Report and Financial Statements, WKYU-TV and WKYU-FM Radio for the year ended June 30, 2012
- 2.3 Acceptance for filing the 2012-13 Third Quarter Statement of Revenues and Expenditures

ACTION TAKEN: Approved unanimously/consent agenda approval Not Approved Other _____

2.4 Approval of Personnel Actions

DISCUSSION:

Regent Minter: On page 26 of the agenda book there is a large block of market equity adjustments for the School of Nursing, which I am great with because I always want our faculty to be paid at market rate since we are being competitive. Several of those are over \$5,000 and our policy is that an explanation is provided for any salary adjustments over \$5,000 and those were not included. For the record, can you provide an explanation for that?

Ms. Ann Mead: It was an oversight on that. The system treated the market equity adjustments as a pool and we will make that correction in the system going forward. However, so you have an explanation on those, I will call on Provost Emslie to give a little bit of background on those adjustments.

Provost Emslie: About a year and a half ago we ran a study relative to our new benchmark institutions and we identified a particular category of faculty whose salaries were below the median. The most outstanding example was indeed our nursing faculty. We allocated dollars from the annual staffing plan to make these adjustments and at that time, we knew that some of those would be above \$5,000 but we thought the explanation of them being adjustments would suffice. We will be carrying out a similar exercise again this year on a larger scope to pinpoint other faculty salaries that are below the median of our benchmark institutions.

Regent Minter: Great. Thank you.

MOTION:

Motion to approve the faculty and staff personnel actions was made by Regent Minter and seconded by Regent Kennedy.

ACTION TAKEN: Approved unanimously Not Approved Other _____

FINANCE AND BUDGET – INFORMATION ITEMS

- A tuition and budget status / update was provided by Ms. Mead and President Ransdell.
- The Quarterly Internal Audit Report was provided by Mr. Bailey Jordan with Grant Thornton LLP.

Chair Higdon adjourned the meeting at approximately 11:15 a.m. (CDT) for lunch and a tour of the Augenstein Alumni Center.

Chair Higdon called the meeting back to order at approximately 12:30 p.m. (CDT).

3. EXECUTIVE COMMITTEE – ACTION ITEMS (Mr. Frederick A. Higdon, Chair)

- 3.1 Approval of Designated Rooms / Areas
- 3.2 Acceptance of the University’s 2014-2020 Capital Plan

ACTION TAKEN: Approved unanimously/consent agenda approval Not Approved
 Other _____

EXECUTIVE COMMITTEE – INFORMATION ITEMS

- The Summer 2013 Construction / Deferred Maintenance Schedule was provided by Mr. John Osborne and Mr. Bryan Russell.
- Chair Higdon announced that he will appoint a Nominating Committee for recommendation of Board Officers for 2013-14.
- Chair Higdon announced that the Board has completed its annual evaluation of the President and he has met with President Ransdell to review the compiled results and comments.

CLOSED / EXECUTIVE SESSION

Motion to go into a closed / executive session as provided in KRS 61.810(1) for purposes of discussing pending litigation and deliberation on acquisition or sale of real property was made by Regent Kennedy, seconded by Regent Dodds, and unanimously approved. The Board went into closed / executive session at approximately 1:10 p.m. (CDT).

At approximately 1:40 p.m. (CDT), Chair Higdon returned the Board to open session:

“The Board has now returned to open session. The discussions and deliberations during the closed session were restricted to those stated in the motion, and no formal action was taken by the Board in closed session.”

Upon return to open session, Chair Higdon called for any additional action items for approval.

Regent Dennison moved that the Board take action on additional Executive Action Item 3.3 – Approval of the Honors College Site Selection and Authorization for Acquisition of Real Property:

REQUEST:

The President requests the Board affirm Normal Street as the preferred site of the future Honors College building, and also authorize the purchase 1580 Normal Street.

FACTS:

Ross Tarrant Architects evaluated five (5) potential sites for the new Honors College. Their evaluations considered relevant adjacencies, pedestrian circulation, vehicular circulation, site design and development opportunities, future development and/ or expansion and site sustainability. Sites were compared considering options for a building of 2, 3, or 4 stories in height. The final report contained a list of pros and cons for each site and a recommended site based upon their research.

Ross Tarrant Architects presented their site selection report to the WKU Master Planning Committee. After a careful review by the Campus Master Plan Committee, they came to the same conclusion for the preferred site for the new Honors College. The consultants and Campus Master Plan Committee selected the preferred site based upon its proximity to related campus programs, visual prominence, potential for future expansion and access to utilities.

The preferred site is an area bordered by Normal Street, Mimosa Alley, Baptist Student Union property and the WKU Visiting Scholars Houses. On October 26, 2012, the Board of Regents approved the purchase of Sigma Phi Epsilon property located at 1586 Normal Street. 1580 Normal Street is currently owned by the Chi Theta Housing Corporation. WKU, following approval by the Board, will enter into an agreement with Chi Theta to purchase the property for \$240,000.

The funding source for the property acquisition will be Agency Bond funds dedicated to the construction of the Honors College building project.

RECOMMENDATION:

President Ransdell recommends the Board affirm property located on Normal Street as the preferred site for the new Honors College Building and authorization to purchase 1580 Normal Street.

MOTION:

Regent Dennison motioned to approve the Honors College site selection and authorize the purchase of 1580 Normal Street for the sum of \$240,000, seconded by Regent Bale.

**ACTION TAKEN: Approved with majority of votes Not Approved Other
Regent Dodds and Regent Minter voted nay.**

Regent Porter moved that the Board take action on additional Executive Action Item 3.4 – Approval of a Resolution authorizing the exercise of eminent domain under KRS 164.410(1) for property at 1590 Normal Drive:

REQUEST:

The President requests approval of a Resolution which will authorize the University to procure property located at 1590 Normal Drive pursuant to KRS 164.410(1).

FACTS:

University officials have complied with the provisions of KRS 416.550 and attempted to negotiate purchase of property located at 1590 Normal Avenue. The property is a key parcel of land in the preferred site of the new Honors building, as approved by the Board.

The Kentucky General Assembly has authorized the construction of the Honors Building, and it is expected that construction will be initiated as early as fall of 2013. Acquisition of the property by the University is critical and necessary to the University's public purpose and use of the surrounding property. The University has complied with the provisions of KRS 416.550 and attempted to negotiate purchase of the property. A Resolution authorizing the University to exercise eminent domain pursuant to KRS 164.410(1) is included with the agenda material.

RECOMMENDATION:

The President requests approval of a Resolution which will authorize the University to procure property located at 1590 Normal Drive pursuant to KRS 164.410(1).

RESOLUTION

WHEREAS, the Kentucky General Assembly has authorized the construction of a building to house the University's Honors College, construction of which is scheduled to begin in the fall of 2013; and,

WHEREAS, 1590 Normal Drive lies within the site identified by the University for location of the academic building and is bonded on two sides by property currently owned by the University; and,

WHEREAS, acquisition of 1590 Normal Drive by the University is critical and necessary as the site of the academic building, the University's public purpose and use of the surrounding property; and,

WHEREAS, the University has attempted to negotiate in good faith the acquisition of the property and has been unable to acquire the property in accordance with the provisions of state law; and,

WHEREAS, if an agreement with the owner of the real estate as to its value, or to its

purchase, cannot be achieved, the University may proceed under KRS 164.410(1) in its own name to condemn the real estate in the manner provided in the Eminent Domain Act of Kentucky; and,

NOW THEREFORE, it is hereby resolved as follows:

1. Being authorized to do so under Kentucky law, the Board of the University authorizes the University to proceed with condemnation of 1590 Normal Drive.
2. The acquisition of the property shall be paid for out of Agency Bonds Funds designated for the construction.
3. The President is authorized to take actions necessary on behalf of the University to proceed in accordance with this resolution.

This the 26th day of April, 2013.

Freddie Higdon, Chair
Board of Regents

Attested:

Melissa Dennison, Secretary
Board of Regents

MOTION:

Regent Porter motioned that the Board approve a Resolution authorizing the University to proceed with condemnation of 1590 Normal Drive pursuant to KRS 164.410(1), seconded by Regent Bale.

**ACTION TAKEN: Approved with majority of votes Not Approved Other
Regent Dodds and Regent Minter voted nay.**

4. OTHER BUSINESS (Mr. Frederick A. Higdon, Chair)

Upcoming dates:

- Graduate Commencement – **May 10** / Undergraduate Commencement – **May 11**
- Special Budget Approval Meeting / Committee Meetings – **June 21**
- Retreat – **July 25**
- Third Quarterly Meeting – **July 26**
- CPE Governor’s Trusteeship Conference – **September 12-13**
- Committee Meetings – **September 27**


- Fourth Quarterly Meeting – **October 25**
- Homecoming – **October 26**
- Committee Meetings – **December 13**
- Commencement – **December 14**

5. ADJOURNMENT (Mr. Frederick A. Higdon, Chair)

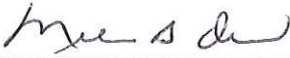
With no further business, Chair Higdon adjourned the meeting at approximately 1:45 p.m. (CDT).

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 August 26, 2013, in the Jimmy Feix Ballroom in the Augenstein Alumni Center on the Western Kentucky University 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).



Mr. J. David Porter, Chair
WKU Board of Regents
Approved on July 26, 2013



Dr. Melissa B. Dennison, Secretary
WKU Board of Regents
Approved on 7/26/13