

January 20, 2006

Lincoln, Nebraska
January 20, 2006

The Board of Regents of the University of Nebraska met on January 20, 2006, at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in publicly convened session, the same being open to the public and having been preceded by advance publicized notice, a copy of which is attached to the minutes of this meeting as Attachment 1.

In compliance with the provisions of Neb. Rev. Stat. Section 84-1411, printed notice of this meeting was sent to each member of the Board and was posted in the first floor lobby of Varner Hall. In addition, copies of such notice were sent to the Lincoln Journal Star, Omaha World Herald, the Daily Nebraskan, the Gateway, the Antelope, the Kearney Hub, and the Lincoln office of the Associated Press on January 13, 2006.

Regents present:
Howard Hawks, Chairman
Randolph M. Ferlic
Chuck Hassebrook
C. David Hergert
Jim McClurg
Drew Miller, Vice Chair
Kent Schroeder
Charles S. Wilson
Omaid Zabih
Steve Massara
Dan Connealy
Brad Bohn

University officials present:
James B. Milliken, President
Jay Noren, Executive Vice President and Provost
Nancy Belck, Chancellor, UNO
Harold Maurer, Chancellor, UNMC
Douglas A. Kristensen, Chancellor, UNK
Harvey S. Perlman, Chancellor, UNL
John Owens, Vice President for Agriculture and Natural Resources
Donal J. Burns, Associate Executive Vice President and Provost and Corporation Secretary
David Lechner, Vice President for Business and Finance
Richard R. Wood, Vice President and General Counsel
Peter G. Kotsiopoulos, Vice President for University Affairs

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, January 20, 2006. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Schroeder and seconded by Wilson to approve the minutes and ratify the actions of the regularly scheduled meeting of November 11, 2005, and December 1, 2005.

Action Student Opinion: Voting Aye: Bohn, Massara, Zabih and Connealy. Voting Aye: Ferlic, Hassebrook, Hawks, Miller, Schroeder, Wilson and Hergert and McClurg. Voting Nay: None. Motion carried.

IV. ELECTION OF OFFICERS

Motion Moved by Hassebrook and seconded by Wilson to nominate Regent McClurg for the position of Chairman of the Board.

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- Motion Moved by Ferlic and seconded by Schroeder to close nominations.
- Action Student Opinion: Voting Aye: Massara, Zabih, Connealy and Bohn. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Hergert and Ferlic. Voting Nay: None. Motion carried.
- Action Regent McClurg was elected as Chairman of the Board by acclamation.
- Motion Moved by Schroeder and seconded by Miller to nominate Regent Wilson for the position of Vice Chairman of the Board.
- Motion Moved by Ferlic and seconded by Schroeder to close nominations.
- Action Nominations were closed by acclamation.
- Action Regent Wilson was elected as Vice Chairman of the Board by acclamation.

V.

KUDOS

Regent Miller presented a KUDOS award to Effie Swinarski, lead toddler teacher in the Child Care Center for the University of Nebraska at Omaha.

Regent Zabih presented a KUDOS award to Kirk Conger, a Mechanical Engineer with Facilities Management and Planning at the University of Nebraska - Lincoln.

Regent Hassebrook presented a KUDOS award to Greg Maguire, Assistant Director of Housing at the University of Nebraska - Lincoln.

Regent Schroeder presented a KUDOS award to Jon McBride, Athletic Director at the University of Nebraska at Kearney.

VI.

STRATEGIC OR POLICY ISSUE

The strategic issue was the 2006 Legislative Session. This was addressed prior to the Board of Regents meeting during the morning session. President JB Milliken and Ron Withem, Director of Government Relations, presented information to the Board.

VII.

HEARINGS

A hearing on the following item was opened by the Chairman:

Approve the amendment of Section 2.11 of the *Bylaws of the Board of Regents* relating to “Other University Activities”.

There was no discussion.

Chairman McClurg closed the hearing.

A hearing on the following item was opened by the Chairman:

Approve amendments to the Business and Financial policies of the Board of Regents of the University of Nebraska.

There was no discussion.

Chairman McClurg closed the hearing.

VIII.

PUBLIC COMMENT

None.

IX.

UNIVERSITY CONSENT AGENDA

Regent Wilson requested that item IX-A-4 be removed for discussion during closed session.

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Motion Moved by Hawks and seconded Miller to approve items IX-A-1; IX-A-2; IX-A-3; IX-B-1; IX-B-2; IX-B-3; IX-B-4; IX-B-5; IX-B-6.

A. ACADEMIC

IX-A-1 President's Personnel Recommendations.

IX-A-2 Discontinue the Bachelor of Science in Urban Studies degree at the University of Nebraska at Omaha.

IX-A-3 Approve the requests from the University of Nebraska-Lincoln to participate in activities outside the University in accordance with University policy.

B. BUSINESS

Central Administration

IX-B-1 Approve reappointment of two members, Jan Thayer and Gail Walling Yanney, M.D., to the Board of Directors of The Nebraska Medical Center effective January 1, 2006, for a term of three years, and appoint Duane Acklie to serve the remainder of the late Harlan Noddle's unexpired term from January 1, 2006 to December 31, 2006.

IX-B-2 Appoint the Vice President for Business and Finance as a trustee of the Rosa O. Peterson Title Holding Trust.

IX-B-3 Approve the acceptance of the audited financial statements of the University of Nebraska and related entities.

University of Nebraska-Lincoln

IX-B-4 Authorize the University of Nebraska-Lincoln Vice Chancellor for Business and Finance to execute subcontracts and related amendments in conjunction with the SDA Risk Management Agency (RMA) research grant.

IX-B-5 Accept a gift from the University of Nebraska Foundation of a parcel of land located at 3278 Holdrege Street.

University of Nebraska Medical Center

IX-B-6 Approve the Contract for the Purchase of Real Estate located at 673 South 41st Street, Omaha, Nebraska.

Action Student Opinion: Voting Aye: Zabih, Connealy, Bohn and Massara. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic and Hassebrook. Voting Nay: None. Motion carried.

X. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC

Motion Moved by Hawks and seconded by Schroeder to approve item IX-A-1.

X-A-1 Approve the amendment of Section 2.11 of the *Bylaws of the Board of Regents* relating to "Other University Activities."

There was discussion.

Action Student Opinion: Voting Aye: Connealy, Bohn, Massara and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook and Hawks. Voting Nay: None. Motion carried.

B. BUSINESS

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Central Administration

- Motion Moved by Wilson and seconded Ferlic to approve item X-B-1.
- X-B-1 Approve amendments to the Business and Financial Management policies of the *Board of Regents' Policies of the University of Nebraska*.
- There was discussion.
- Item was amended to reconsider changes to item 11a on page RP-6 at the next meeting of the Board.
- Action Student Opinion: Aye: Bohn, Massara, Zabih and Connealy. Voting Aye: Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook, Hawks and McClurg. Voting Nay: None. Motion carried.
- Motion Moved by Hawks and seconded by Hergert to approve item X-B-2
- X-B-2 Approve additional spending authorization of \$6,000,000 relating to the investigation and cleanup of University disposals at the Agricultural Research and Development Center (ARDC) near Mead.
- There was discussion.
- Action Student Opinion: Aye: Massara, Zabih, Connealy and Bohn. Voting Aye: Schroeder, Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg and Miller. Voting Nay: None. Motion carried.

University of Nebraska - Lincoln

- Motion Moved by Miller and seconded by Hawks to approve item X-B-3.
- X-B-3 Approve the Resolution to authorize expenditure of up to \$335,000 for capital improvements for University Housing from the Replacement Fund of the UNL Student Fees and Facilities Revenue Bonds.
- There was discussion.
- Action Student Opinion: Aye: Zabih, Connealy, Bohn and Massara. Voting Aye: Wilson, Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller and Schroeder. Voting Nay: None. Motion carried.

University of Nebraska Medical Center

- Motion Moved by Ferlic and seconded by Hassebrook to approve item X-B-4.
- X-B-4 Approve the interlocal agreement with the City of Omaha for the construction and redesign of public street traffic lanes on and adjacent to the UNMC/The Nebraska Medical Center campus.
- There was discussion.
- Item was amended to remove the third paragraph of the explanation. The item was approved as follows:
- TO: The Board of Regents
- Business Affairs
- MEETING DATE: January 20, 2006
- SUBJECT: Construction and Redesign of Public Street Traffic Lanes Serving the UNMC/The Nebraska Medical Center Campus
- RECOMMENDED ACTION: Approve the interlocal agreement with the City of Omaha for the construction and redesign of public street traffic lanes on and adjacent to the UNMC/The Nebraska Medical Center campus.
- PREVIOUS ACTION: None

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EXPLANATION: Additional construction and campus growth has resulted in a significant increase in vehicular traffic accessing roads on and adjacent to the UNMC/The Nebraska Medical Center campus. Traffic studies conducted jointly by the City of Omaha and UNMC indicate that it is necessary to construct turning lanes on Leavenworth Street at 42nd Street and reduce 42 Street between Leavenworth Street and Harney Street from four lanes to two lanes plus a turning lane in order to decrease non-business vehicular traffic on or around the UNMC/The Nebraska Medical Center campus.

This proposed agreement provides for the construction of these public street improvements. Upon signing the agreement an engineering study will be conducted to determine project costs which are currently estimated at \$2.5 million. The estimated project costs, project budget and the allocation of costs, which will be shared by UNMC and The Nebraska Medical Center, will be presented to the Board of Regents for approval at either the March or April, 2006 meeting. After this approval, construction activities will commence.

~~UNMC and The Nebraska Medical Center will derive special benefit from these public street improvements that will provide safer and more efficient access to and from the campus. UNMC will manage the total project.~~

The attached map outlines the project.

The proposed interlocal agreement has been reviewed and approved as to form and content by the Office of the University General Counsel.

Members of the public and the news media may obtain a copy of the proposed agreement with the City of Omaha in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COSTS: None

SOURCE OF FUNDS: N/A

SPONSOR: Donald S. Leuenberger
Vice Chancellor for Business and Finance

APPROVAL: _____
Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE: January 5, 2006

Action Student Opinion: Aye: Connealy, Bohn, Massara and Zabih. Voting Aye: Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder and Wilson. Voting Nay: None. Motion carried.

Motion Moved by Miller and seconded Wilson to approve item X-B-5.

X-B-5 Approve proceeding with building construction and other remaining activities to complete the Center for Health Science Education project at the University of Nebraska Medical Center.

There was discussion.

Action Student Opinion: Aye: Bohn, Connealy, Massara and Zabih. Voting Aye: Hergert, Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder and Wilson. Voting Nay: None. Motion carried.

Motion Moved by Ferlic and seconded by Hassebrook to approve item X-B-6

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X-B-6 Adopt a resolution approving (1) proposed Amendments to the Lease Agreement between Nebraska Health System (now known as The Nebraska Medical Center, but referred to herein as “NHS”), the Board of Regents of the University of Nebraska Medical Center and Clarkson Regional Health Services, Inc., and (2) proposed Amendment to the Joint Operating Agreements among the Board of Regents, Clarkson Regional Health Services, Inc., and NHS.

There was discussion.

Action Student Opinion: Aye: Bohn, Massara, Zabih and Connealy. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson and Hergert. Voting Nay: None. Motion carried.

University of Nebraska at Omaha

Motion Moved by Hawks and seconded Miller to approve item X-B-7.

X-B-7 Approve additional student housing at UNO, authorize issuance of a request for proposals for a private developer(s) and authorize the President, in consultation with the Board Chair, to negotiate and approve a ground lease with the successful respondent to provide up to 400 additional beds.

There was discussion.

Action Student Opinion: Aye: Massara, Zabih and Connealy. Voting Nay: Bohn. Voting Aye: Hassebrook, Hawks, McClurg, Miller, Schroeder, Wilson, Hergert and Ferlic. Voting Nay: None. Motion carried.

C. FOR INFORMATION ONLY
None.

D. REPORTS

X-D-1 Fall 2005 Tenure Density Report.

X-D-2 Design Development report for the University of Nebraska at Kearney Student Housing project.

X-D-3 Design Development report for the Center for Health Science Education (CHSE) project at the University of Nebraska Medical Center.

X-D-4 Report of an emergency communications tower easement with Frontier County, Nebraska, at the Nebraska College of Technical Agriculture at Curtis.

X-D-5 Name change for the University of Nebraska-Lincoln Women’s Studies Program to Women’s and Gender Studies Program..

X-D-6 Bids and Contracts for the period ended December 14, 2005.

X-D-7 Report on Programs with Differential Tuition Rates.

Chairman McClurg accepted the reports.

XI. ADDITIONAL BUSINESS

Closed Session

Motion Moved by Bohn and seconded by Wilson that the Board go into closed session as authorized by Section 84-1410 of the Revised Statutes of Nebraska for the protection of the public interest, and to prevent needless injury to the reputation of persons who have not requested a public hearing, for the purpose of holding a discussion limited to the following subjects:

- (a) A proposed private gift to the University of Nebraska Foundation for the benefit of the University; and
- (b) The award of honorary degrees.

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Action Student Opinion: Voting Aye: Zabih, Connealy, Bohn and Massara. Voting Aye: Hawks, McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic and Hassebrook. Voting Nay: None. Motion carried.

The Board went into closed session at 1:52 p.m. and reconvened the open meeting at 2:27 p.m.

Motion: Moved by Ferlic and seconded by Hawks to approve item IX-A-4.

IX-A-4 Approve the Award of Honorary Degrees.

Action Student Opinion: Voting Aye: Connealy, Bohn, Massara and Zabih. Voting Aye: McClurg, Miller, Schroeder, Wilson, Hergert, Ferlic, Hassebrook and Hawks. Voting Nay: None. Motion carried.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:32 p.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Howard Hawks
Chairman of the Board