

Lincoln, Nebraska
March 6, 2009

The Board of Regents of the University of Nebraska met on March 6, 2009, at 1:00 p.m. in the Board Room at Varner Hall, 3835 Holdrege, Lincoln, Nebraska, in a 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 February 23, 2009.

Regents present:
Timothy F. Clare
Randolph M. Ferlic
Chuck Hassebrook
Howard Hawks
Jim McClurg
Bob Phares, Vice Chairman
Kent Schroeder, Chairman
Bob Whitehouse
Brad Bohn
Neal Bonacci
Tim Hruza
Emily Zimmer

University officials present:
James B. Milliken, President
Linda R. Pratt, Executive Vice President and Provost
Donal J. Burns, Corporation Secretary
John Christensen, 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
David Lechner, Vice President for Business and Finance
Joel Pedersen, 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 on March 6, 2009. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Hawks and seconded by McClurg to approve the minutes and ratify the actions of the regularly scheduled meeting of January 23, 2009.

Action Student Opinion: Voting Aye: Bonacci, Hruza, Zimmer, and Bohn. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.

Regent Schroeder announced the location of the Open Meetings Act in the Board room.

IV.

KUDOS

Regent McClurg presented a KUDOS award to Sydney Clausen, anatomy education coordinator in the Genetics, Cell Biology and Anatomy Department at the University of Nebraska Medical Center.

Regent Clare presented a KUDOS award to Brenda Gibson, office associate for the Agronomy and Horticulture Department at the Institute of Agriculture and Natural Resources at the University of Nebraska-Lincoln.

Regent Hassebrook presented a KUDOS award to Carmello Orosco, archives associate for the Digital Initiatives and Special Collections Department of the Libraries at the University of Nebraska-Lincoln.

Regent Hruza presented a KUDOS award to Stacy Darveau, administrative associate to the Dean of the College of Business and Technology at the University of Nebraska at Kearney.

Regent Hawks presented a KUDOS award to Jamie Ruggiero, staff assistant with the Division of Continuing Studies at the University of Nebraska at Omaha.

President Milliken recognized outgoing Faculty Senate President Suzanne Sollars from the University of Nebraska at Omaha.

President Milliken recognized Ed Wimes, Assistant Vice President and Director of Human Resources, for being honored as Nebraska's 2009 Dr. King Humanitarian.

President Milliken introduced Thomas Farrell, Associate Vice President for International Affairs for the University of Nebraska.

V.

PUBLIC COMMENT

Mr. Chip Maxwell, representing the Nebraska Coalition for Ethical Research, spoke on the topic of stem cell research. [For handout, see documents file]

Mr. Greg Schleppebach, representing the Nebraska Catholic Conference, spoke on the topic of stem cell research. [For handout, see documents file]

Mr. Sanford Goodman, representing the Nebraska Coalition for Lifesaving Cures, spoke on the topic of stem cell research.

Mr. Ken Knaus spoke on the topic of stem cell research.

VI.

RESOLUTIONS

Regent Whitehouse presented the following resolution:

Whereas, Emily Zimmer has served with distinction as a member of the University of Nebraska Board of Regents and President of the Association of Students of the University of Nebraska-Lincoln since March 2008; and

Whereas, Regent Zimmer always represented students to the University Administration in a professional and relentless manner; and

Whereas, Regent Zimmer has exhibited drive, vision and purpose during her term of service, working tirelessly to strengthen ASUN's services to the students and to the whole of the University of Nebraska-Lincoln; and

Whereas, Regent Zimmer prepared herself thoroughly for and participated energetically in the activities of the Board of Regents during her term; and

Whereas, Regent Zimmer contributed to the Board an articulate, strong, and effective voice for the students of UNL; and

Whereas Regent Zimmer fostered partnerships within the University to combine efforts to benefit students; and

Whereas, Regent Zimmer has focused on improving the services offered by NU on Wheels; and

Whereas, Regent Zimmer advocated for and helped bring to fruition a successful student late night program effort; and

Whereas, Regent Zimmer enhanced the technology in student government by bringing online voting into reality for the first time, doubling the number of involved participants; and

Whereas, Regent Zimmer improved UNL student access to financial literacy by working to provide a peer financial education program;

Now, therefore, be it resolved, that the University of Nebraska Board of Regents expresses sincere appreciation for Regent Emily Zimmer's dedicated service and effective leadership as a member of the board, and wishes her well in all her future endeavors.

Regent Phares presented the following resolution:

Whereas, Timothy Hruza has served with distinction as a member of the University of Nebraska Board of Regents and President of the Associated Students of the University of Nebraska at Kearney since March 2008; and

Whereas, Regent Hruza has honestly and effectively communicated with UNK's administrative team to represent the students of UNK in all issues affecting their campus and their education, including issues of parking, safety and security, and education-related costs; and

Whereas, Regent Hruza has established a professional relationship with the Office of the Nebraska Secretary of State through active membership on the College Student Advisory Committee and through collaboration with other University campuses to promote civic engagement and democratic participation via the "get out the vote" campaign; and

Whereas, Regent Hruza has promoted improvements to the Nebraskan Student Union by advancing legislation to acquire closed circuit televisions for student information dissemination and student organization advertising; and

Whereas, Regent Hruza and his Cabinet assumed responsibility for the administration of UNK's campus-wide community service day, known as the "Big Event"; and

Whereas, under Regent Hruza's direction, the Collegiate Readership Program has grown and prospered, solidifying for the UNK campus immediate access to world news and information; and

Whereas, Regent Hruza has deepened the respect of his position by means of his leadership, impressive work ethic and high standard of conduct,

Now, therefore, be it resolved, that the University of Nebraska Board of Regents expresses sincere appreciation for the exceptional service that Regent Timothy Hruza has provided during his tenure in office and wishes him well in all his future endeavors.

The resolutions were adopted by acclamation.

VII. HEARINGS

None

Regent Phares reported that the Business Affairs Committee met on February 19, 2009, and recommends approval of the following project: UNL item IX-B-6, change order for the Physical Sciences building project.

VIII. CONSENT AGENDA

Motion Moved by McClurg and seconded by Hawks to approve items VIII-A-1 and VIII-B-1

A. ACADEMIC AFFAIRS

VIII-A-1 The President's Personnel Recommendation

B. BUSINESS AFFAIRS

University of Nebraska

VIII-B-1 Approve the acceptance of the audited financial statements of the University of Nebraska

Action Student Opinion: Voting Aye: Hruza, Zimmer, Bohn, and Bonacci. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, and Ferlic. Motion carried.

IX. UNIVERSITY ADMINISTRATIVE AGENDA

B. BUSINESS AFFAIRS

Motion Moved by McClurg and seconded by Whitehouse to approve items IX-B-1 and IX-B-2

University of Nebraska at Omaha

IX-B-1 Approve the Resolution authorizing the expenditure of \$257,000 from the Sixth Series Replacement Fund to make Parking Facility improvements

IX-B-2 Approve the Resolution authorizing the expenditure of \$526,000 from the Sixth Series Replacement Fund to make Student Center improvements

Action Student Opinion: Voting Aye: Zimmer, Bohn, Bonacci, and Hruza. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, and Hassebrook. Motion carried.

Motion Moved by McClurg and seconded by Hawks to approve item IX-B-3

University of Nebraska-Lincoln

IX-B-3 Approve an agreement between Pepsi-Cola Company, LincPepCo Partnership, and the University of Nebraska-Lincoln, granting the exclusive license to pouring and vending rights on the University of Nebraska-Lincoln campus for a period of ten years

There was discussion

Action Student Opinion: Voting Aye: Bohn, Bonacci, Hruza, and Zimmer. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, and Hawks. Motion carried.

Motion Moved by McClurg and seconded by Hawks to approve item IX-B-4

IX-B-4 Approve an increase of \$1,350,000 in the project budget for the Husker Vision Control Room Upgrade and Memorial Stadium Video Display Expansion

There was discussion

Action Student Opinion: Voting Aye: Bonacci, Hruza, Zimmer, and Bohn. Voting Aye: Phares, Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, and McClurg. Motion carried.

Motion Moved by Hassebrook and seconded by McClurg to approve item IX-B-5

IX-B-5 Approve the selection of Bahr, Vermeer & Haecker Architects, Inc., to provide design services for the Nebraska Athletic Student Life Complex Renovation

There was discussion

Action Student Opinion: Voting Aye: Hruza, Zimmer, Bohn, and Bonacci. Voting Aye: Schroeder, Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Motion carried.

Motion Moved by Phares and seconded by McClurg to approve item IX-B-6

IX-B-6 Authorize the President to negotiate and approve, in consultation with the Board Chair, a Change Order for the Physical Sciences Building Project

There was discussion

Action Student Opinion: Voting Aye: Zimmer, Bohn, Bonacci, and Hruza. Voting Aye: Whitehouse, Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Motion carried.

C. FOR INFORMATION ONLY

IX-C-1 Board of Regents agenda items related to the University of Nebraska Strategic Framework

IX-C-2 Calendar of establishing and reporting accountability measures

IX-C-3 Current version of the University of Nebraska Strategic Framework

IX-C-4 Current version of the University of Nebraska Strategic Dashboard Indicators

IX-C-5 The proposed amendment of Section 1.3 of the Standing Rules of the Board of Regents relating to the Executive Committee of the Board are presented for information only in accordance with the requirements of Section 7.2 of the Standing Rules and Section 1.11 of the Bylaws of the Board of Regents. Approval of these amendments will be requested at the Regents' meeting on April 24, 2009

D. REPORTS

IX-D-1 Quarterly personnel report for the period October through December 2008

IX-D-2 Spring 2009 Enrollment Report

IX-D-3 Academic Calendar for 2010-2020

IX-D-4 Status of Capital Projects exceeding \$5 million as of December 31, 2008

IX-D-5 Quarterly Status Report of Six-Year Capital Plan and Capital Construction Report

IX-D-6 Quarterly Gifts, Grants, Contracts and Bequests

IX-D-7 Semi-Annual Report of Licenses

IX-D-8 Bids and Contracts

- IX-D-9 Gift of USDA National Agroforestry Center Forest Service Headhouse on East Campus, amending the lease to reduce the existing USDA land lease acres, and naming of the Headhouse the “Natural Resources Research Annex” at the University of Nebraska-Lincoln
- IX-D-10 Name change from the “East Campus Clock Tower” to the “Heuermann Clock” at the University of Nebraska-Lincoln
- IX-D-11 Status Report on Fire Safety and Protection
- IX-D-12 Five-year lease agreement between the University of Nebraska-Lincoln and the American Nebraska Limited Partnership
- IX-D-13 Three-year lease agreement between the University of Nebraska-Lincoln and Nebraska Tennis Center, Inc.
- IX-D-14 Five-year lease agreement between the University of Nebraska-Lincoln and Marvin L. and Judean A. Schmidt

Chairman Schroeder accepted the reports

X. ADDITIONAL BUSINESS

Closed Session

Motion Moved by Bohn and seconded by Ferlic 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) personnel matters involving members of the university staff;
- (b) strategy session related to litigation; and
- (c) collective bargaining strategy session.

Action Student Opinion: Voting Aye: Bohn, Bonacci, Hruza, and Zimmer. Voting Aye: Clare, Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Motion carried.

Regent Schroeder declared that the closed session would be strictly limited to a discussion of:

- (a) personnel matters involving members of the university staff;
- (b) strategy session related to litigation; and
- (c) collective bargaining strategy session.

The Board went into closed session at 2:21 p.m. and reconvened the open meeting at 3:08 p.m.

Motion Moved by McClurg and seconded by Ferlic to approve item IX-B-7

IX-B-7 Approve a budget increase for the clean-up at the Agricultural Research and Development Center (ARDC) near Mead and authorize the President, in consultation with the Board Chair, to approve a settlement of a related cost item

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Action

Student Opinion: Voting Aye: Bonacci, Hruza, Zimmer, and Bohn. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Clare. Motion carried.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Schroeder at 3:10 p.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Kent Schroeder
Chairman of the Board