

The Board of Regents of the University of Nebraska met on October 15, 2010 at 9:00 a.m. in the ballroom of the Milo Bail Student Center, University of Nebraska at Omaha, 6001 Dodge Street, Omaha, 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 October 4, 2010.

Regents present:

Randolph M. Ferlic
Chuck Hassebrook
Howard Hawks
Jim McClurg
Bob Phares, Chairman
Kent Schroeder
Bob Whitehouse, Vice Chairman
Michael Crabb
Andrew Klutman
Justin Solomon
Nathan Summerfield

Not present:

Timothy F. Clare*

University officials present:

James B. Milliken, President
Linda 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
David Lechner, Vice President for Business and Finance
Joel Pedersen, Vice President and General Counsel
Peter G. Kotsiopoulos, Vice President for University Affairs
Ronnie D. Green, Vice President for Agriculture and Natural Resources

I. CALL TO ORDER

II. ROLL CALL

The Board convened at 9:00 a.m. in the ballroom of the Milo Bail Student Center, University of Nebraska at Omaha, 6001 Dodge Street, Omaha, Nebraska on October 15, 2010. Attendance is indicated above.

III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS

Motion Moved by Ferlic and seconded by Whitehouse to approve the minutes and ratify the actions of the regularly scheduled meeting of September 10, 2010.

Action Student Opinion: Voting Aye: Klutman, Solomon, Summerfield, and Crabb. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Not present: Clare. Motion carried.

Regent Phares announced the availability of copies of the Open Meetings Act from the Corporation Secretary.

*Attending State High School Tennis Championships where his son was playing.

IV. KUDOS

Regent Whitehouse presented a KUDOS award to Celeste Spier, advisor in the Department of Psychology at the University of University of Nebraska-Lincoln.

Regent McClurg presented a KUDOS award to Erin Marotz, Research Manager Husbandry, Animal Science, in the Agricultural Research and Development Center at the University of Nebraska-Lincoln, in Ithaca, Nebraska.

Regent Klutman presented a KUDOS award to Eileen Andersen, Office Associate II, Information Technology Services at the University of Nebraska Medical Center.

Regent Crabb presented a KUDOS award to Esther Scarpello, Human Resources Fringe Benefits Manager, at the University of Nebraska at Omaha.

Regent Schroeder presented a KUDOS award to Jaime Lundgren, Associate Director of Intercollegiate Athletics at the University of Nebraska at Kearney.

V. PUBLIC COMMENT

John Schmidt addressed the Board on the topic of the UNL East Stadium Improvements, item IX-B-6

VI. RESOLUTIONS

None

VII. HEARINGS

None

VIII. UNIVERSITY CONSENT AGENDA

B. BUSINESS AFFAIRS

Motion Moved by Schroeder and seconded by McClurg to approve items VIII-B-1, VIII-B-2

University of Nebraska

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

University of Nebraska-Lincoln

VIII-B-2 Approve the disposal of Real Property associated with the Panhandle Research and Extension Center per the 1967 County Commissioners Deed of Box Butte County, Nebraska

Action Student Opinion: Voting Aye: Solomon, Summerfield, Crabb, and Klutman. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Ferlic. Not present: Clare. Motion carried.

IX. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

Motion Moved by Ferlic and seconded by McClurg to approve item IX-A-1

IX-A-1 Establish the Water for Food Institute at the University of Nebraska

There was discussion

Motion to Amend Moved by Hassebrook and seconded by Whitehouse to amend item IX-A-1 as follows:

Modify the paragraph of the Explanation as follows: The University of Nebraska recognizes that there is a critical need for an organization with a global perspective and diverse expertise to address the challenges and issues surrounding the use of water for agriculture. To meet that need, the University seeks to establish the Water for Food

Institute, a global research, education and policy institute committed to helping the world efficiently use its limited fresh water resources, with a particular focus on ensuring the food supply for current and future generations. It will develop and conduct research, policy analysis, educational programs, and promote practical solutions regarding the quantity and quality of water resources, the efficiency and sustainability of water use in agriculture, the quantity and quality of water resources, to support food production, sustain livelihoods and nutrition globally, and the human issues that affect water decision-making processes.

There was discussion.

Action on Amendment Approve amendment to item IX-A-1

Student Opinion: Voting Aye: Crabb, Klutman, Solomon, and Summerfield. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Ferlic, Hassebrook, and Hawks. Not present: Clare. Motion carried.

Approve amended item IX-A-1

Action Student Opinion: Voting Aye: Summerfield, Crabb, Klutman, and Solomon. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Ferlic, and Hassebrook. Not present: Clare. Motion carried.

B. BUSINESS AFFAIRS

Motion Moved by McClurg and seconded by Hassebrook to approve item IX-B-1

Nebraska College of Technical Agriculture

IX-B-1 Approve the purchase of Student Housing from the University of Nebraska Foundation

Action Student Opinion: Voting Aye: Klutman, Solomon, Summerfield, and Crabb. Voting Aye: Phares, Schroeder, Whitehouse, Ferlic, Hassebrook, Hawks, and McClurg. Not present: Clare. Motion carried.

Motion Moved by Hawks and seconded by Schroeder to approve item IX-B-2

University of Nebraska

IX-B-2 Approve the attached Resolution relating to the Education Center and Student Housing Projects (collectively, the NCTA Projects) at the Nebraska College of Technical Agriculture which (1) approves the issuance of not to exceed \$12,500,000 principal amount of Lease Rental Revenue Bonds, Series 2010 (NCTA Projects) by The University of Nebraska Facilities Corporation pursuant to a Trust Indenture, and (2) authorizes the execution and delivery of a Site Lease, if appropriate, Lease-Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, an Inducement Letter and a Preliminary Official Statement in connection with the sale of such Series 2010 Bonds, (3) authorizes the sale of such Series 2010 Bonds at a negotiated sale pursuant to a Bond Purchase Agreement and authorizes the Vice President for Business and Finance to determine interest rates (not to exceed a true interest cost of 4.25%), principal amounts, principal maturities and redemption provisions of such Series 2010 Bonds, and (4) approves the preparation and use of a final Official Statement

Action Student Opinion: Voting Aye: Solomon, Summerfield, Crabb, and Klutman. Voting Aye: Schroeder, Whitehouse, Ferlic, Hassebrook, Hawks, McClurg, and Phares. Not present: Clare. Motion carried.

Motion Moved by Whitehouse and seconded by Ferlic to approve item IX-B-3

University of Nebraska at Omaha

IX-B-3 Approve the Program Statement and Budget for the Community Engagement Center at the University of Nebraska at Omaha

There was discussion

- Action Student Opinion: Voting Aye: Summerfield, Crabb, Klutman, and Solomon. Voting Aye: Whitehouse, Ferlic, Hassebrook, Hawks, McClurg, Phares, and Schroeder. Not present: Clare. Motion carried.
- Motion Moved by Hassebrook and seconded by Whitehouse to approve item IX-B-4
University of Nebraska-Lincoln
- IX-B-4 Accept the gift from the University of Nebraska Foundation of the UNL Lied Center Addition design and funds to construct this project

Regent Hawks requested that the item and program statement be corrected to reflect that the new facility will be approximately 8,100 square feet, not 4,100 square feet.
- Action Student Opinion: Voting Aye: Crabb, Klutman, Solomon, and Summerfield. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Not present: Clare. Motion carried.
- Motion Moved by Hassebrook and seconded by McClurg to approve item IX-B-5
- IX-B-5 Approve the Construction Agreement with NEBCO, Inc. (NEBCO) for the design and construction of an Indoor Practice Facility at Haymarket Park
- Action Student Opinion: Voting Aye: Klutman, Solomon, Summerfield, and Crabb. Voting Aye: Ferlic, Hassebrook, Hawks, McClurg, Phares, Schroeder, and Whitehouse. Not present: Clare. Motion carried.
- Motion Moved by Schroeder and seconded by Hawks to approve item IX-B-6
- IX-B-6 Approve the Program Statement and Budget for East Stadium Improvements at the University of Nebraska-Lincoln
- Motion Student Opinion: Voting Aye: Solomon, Summerfield, Crabb, and Klutman. Voting Aye: Hassebrook, Hawks, McClurg, Phares, Schroeder, Whitehouse, and Ferlic. Not present: Clare: Motion carried.
- C. FOR INFORMATION ONLY**
- IX-C-1 University of Nebraska Strategic Planning Framework
- IX-C-2 University of Nebraska Strategic Framework Accountability Measures
- IX-C-3 Calendar of establishing and reporting accountability measures
- IX-C-4 University of Nebraska Strategic Dashboard Indicators
- IX-C-5 Board of Regents agenda items related to the University of Nebraska Strategic Framework
- D. REPORTS**
- IX-D-1 Bids and Contracts
- IX-D-2 Five-year Revocable Permit between the University of Nebraska-Lincoln and the United States Department of Agriculture-Agriculture Research Services-Northern Plains Area (USDA-ARS-NPA)
- IX-D-3 Amendments to the five-year lease agreement between the University of Nebraska-Lincoln and the American Nebraska Limited Partnership
- IX-D-4 Strategic Framework report –Nebraska Top 25%
- IX-D-5 Strategic Framework report – Nonresident Student Enrollment
- IX-D-6 Fall 2010 Headcount and Semester Credit Hour
- Chairman Phares accepted the reports.

X. ADDITIONAL BUSINESS

Chairman Phares made supportive comments on the University's health insurance program presented at the Business Affairs Committee meeting. President Millken also discussed elements of the program.

Closed Session

Motion Moved by Hassebrook 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) Settlement with the Big 12 Conference.

Action Student Opinion: Voting Aye: Summerfield, Crabb, Klutman, and Solomon. Voting Aye: Hawks, McClurg, Phares, Schroeder, Whitehouse, Ferlic, and Hassebrook. Not present: Clare. Motion carried.

The Board went into closed session at 9:40 a.m. and reconvened the open meeting at 10:15 a.m.

Motion to Amend Moved by Ferlic and seconded by Hawks to approve item IX-B-7 amended as follows:

IX-B-7 Approve the terms of the mediated settlement agreement with the Big 12 Conference and member institutions regarding the economic consequences of University of Nebraska-Lincoln's withdrawal from the conference, and allow the UNL Chancellor to execute a final agreement consistent with those terms.

Action on Amended Item Student Opinion: Voting Aye: Crabb, Klutman, Solomon, and Summerfield. Voting Aye: McClurg, Phares, Schroeder, Whitehouse, Ferlic, Hassebrook, and Hawks. Not present: Clare. Motion carried.

ADJOURNMENT

There being no further business, the meeting was adjourned by Chairman Phares at 10:20 a.m.

Respectfully submitted,

Donal J. Burns
Corporation Secretary

Robert A. Phares
Chairman of the Board