

**MINUTES OF REGULAR MEETING
OF
BOARD OF TRUSTEES
OF
YOUNGSTOWN STATE UNIVERSITY**

Tod Administration Building
Friday, September 24, 2004

Pursuant to notice duly given, a regular meeting (the two hundred fifty-third) of the Board of Trustees of Youngstown State University convened at 3:00 p.m., on Friday, September 24, 2004, in the Board Room in Tod Administration Building.

All eleven trustees were present at the meeting, to-wit: Mr. Larry E. Esterly, chairperson of the board, who presided; Dr. Chander M. Kohli; Mr. William J. Bresnahan; Mr. Donald Cagigas; Dr. H. S. Wang; Mr. John L. Pogue; Mr. Larry D. DeJane; Ms. Millicent S. Counts; Mr. Scott R. Schulick; Ms. Charity Pappas; and Mr. Paul L. Walker.

Also present were: Dr. David C. Sweet, President; Dr. Tony Atwater, Provost and Vice President for Academic Affairs; Mr. John L. Habat, Vice President for Administration; Dr. Cynthia E. Anderson, Vice President for Student Affairs; and Franklin S. Bennett, Jr., secretary to the board of trustees. Also present were approximately 30 persons, including deans, members of the faculty, students, administrators, and members of the news media.

The chairperson called the meeting to order.

ITEM I - PROOF OF NOTICE OF MEETING.

Evidence was available to establish that pursuant to Article II, Section 1, of the board's Bylaws; written notice of today's regular meeting was timely provided to each of the trustees, the student trustee, and to the president.

ITEM II - DISPOSITION OF MINUTES FOR MEETINGS HELD APRIL 23, 2004; MAY 17, 2004; MAY 18, 2004; JUNE 1, 2004; JUNE 7, 2004; AND JUNE 18, 2004.

Prior to the meeting, the secretary had provided draft copies of the minutes of the board's meetings held on April 23, 2004 (#247); May 17, 2004 (#248); May 18, 2004 (#249); June 1, 2004 (#250); June 7, 2004 (#251); and June 18, 2004 (#252), to each trustee, the student trustees, and the president. There being no additions, corrections, or revisions thereto, the minutes were approved as provided.

ITEM III - OATH OF OFFICE OF NEW STUDENT TRUSTEE PAUL L. WALKER.

The chairperson reported that Governor Taft had appointed Paul L. Walker as student trustee for the term expiring May 2006. At the request of the chairperson, the secretary administered the oath of office to Mr. Walker, and he was invited to take his seat with the board of trustees.

ITEM IV - REPORT OF THE PRESIDENT OF THE UNIVERSITY.

Stating that the university is off to a great start this Fall, Dr. Sweet provided an overview of four areas: Enrollment, Diversity, Partnerships and Fiscal Year 2005 Priorities. Dr. Sweet reported that, for the first time since 1995, headcount enrollment at YSU exceeds 13,000. Fall 2004 headcount enrollment of 13,101 represents an increase of 1.9% over Fall 2003. Fall 2004 Full Time Equivalent (FTE) enrollment exceeds budgeted FTE enrollment by 277. Fall 2004 enrollment at YSU includes 56 valedictorians.

Dr. Sweet stated that 1,791 minority students are now enrolled at YSU, and that the percentage of minority students at YSU has risen from 10.87% in 2000 to 13.67% in 2004.

Dr. Sweet highlighted the partnership efforts represented by the Youngstown Early College High School, Youngstown 1010, and the Centennial Master Plan and the Campus Neighborhood.

Dr. Sweet stated that Fiscal Year 2005 priorities include Academic Program Development, the Center for Student Progress, the Office of Student Diversity Programs, Conditional Admissions, College Preparation Initiatives, a Columbiana County Initiative, Tuition Reciprocity, Sound Fiscal Management, Ensuring the Success of the Youngstown Early College High School, Implementation of the Technology Master Plan, Successful Collective Bargaining Negotiations with YSU-OEA and YSU-ACE, Development of a Faculty Hiring Policy, and the upcoming Centennial Capital Campaign.

ITEM V - REPORTS OF THE COMMITTEES OF THE BOARD.

The board considered the following committee reports and recommendations:

1. Academic and Student Affairs Committee

The chairperson recognized Dr. Chander M. Kohli, chairperson of the Academic and Student Affairs Committee, who stated that the committee was recommending one resolution for adoption by the board. On behalf of the committee, Dr. Kohli then moved the adoption of the following resolution:

Resolution to Authorize
Conferral of Honorary Degree

YR 2005-01

BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby authorize the conferral of a Doctor of Music (D.Mus.) degree, honoris causa, upon Maureen McGovern, with all the rights and privileges attendant thereto.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

2. External Relations Committee.

The chairperson recognized Dr. H. S. Wang, chairperson of the External Relations Committee, who stated that the committee was recommending two resolutions for adoption by the board. On behalf of the committee, Dr. Wang then moved the adoption of the following resolution:

Resolution to Accept Development Gifts

YR 2005-02

WHEREAS, Board policy provides that the President shall compile a list of gifts to the University for each meeting of the Board of Trustees and present the list accompanied by his recommendation for action by the Board; and

WHEREAS, the President has reported that the gifts as listed in Exhibit A attached hereto are being held pending acceptance and he recommends their acceptance;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees does hereby accept these gifts on behalf of Youngstown State University and requests that the President acknowledge the acceptance of these gifts and express our gratitude for their generosity in support of the University.

After the motion received the affirmative vote of all trustees present, the chairperson declared the motion carried and the resolution adopted.

On behalf of the committee, Dr. Wang then moved for adoption of the following resolution which was read aloud by the secretary to the board:

Resolution to Name The McKelvey Family Lounge

WHEREAS, Youngstown State University implemented a campaign to secure funding for a Recreation and Wellness Center; and

WHEREAS, the Recreation and Wellness Center initiative was led by Student Government and an adjunct committee thereof; and

WHEREAS, Lucius B. McKelvey, on behalf of the McKelvey Family, provided a leadership gift of \$100,000 to the campaign; and

WHEREAS, the McKelvey Family is one of the most prominent families in the history of the Mahoning Valley; George McCartney McKelvey founded The G. M. McKelvey Company in Youngstown in 1883, and it quickly became one of the Valley's most recognized department stores until its merger with another company in 1969; and

WHEREAS, the family's longstanding tradition of leadership excellence has been carried on by the children of William B. and Sallie T. McKelvey: Letitia; Lucius; Walter; William; George, Mayor of the City of Youngstown; David; Sally; and Annie; and

WHEREAS, the University and the Board of Trustees wish to provide appropriate recognition to Lucius B. McKelvey and the McKelvey Family for their significant contribution and commitment to the students of Youngstown State University;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University designates the Foyer Lounge in Jones Hall as the McKelvey Family Lounge; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to Lucius B. McKelvey and Family.

After the motion received the affirmative vote of all trustees present, the chairperson declared the motion carried and the resolution adopted.

3. Finance and Facilities Committee.

The chairperson recognized Mr. William J. Bresnahan, chairperson of the Finance and Facilities Committee, who stated that the Finance and Facilities Committee was recommending five resolutions for adoption by the board. On behalf of the committee, Mr. Bresnahan then moved the adoption of the following resolution:

Resolution to Approval
Interfund Transfers on June 30, 2004

YR 2005-04

WHEREAS, certain accounting adjustments and other interfund transfers are necessary at the end of a fiscal year;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the interfund transfers on June 30, 2004, as detailed in Exhibit B.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

On behalf of the committee, Mr. Bresnahan then moved the adoption of the following resolution:

Resolution to Modify the
Annual Operating Budget for Fiscal Year 2005

YR 2005-05

WHEREAS, the Board of Trustees of Youngstown State University adopted the Fiscal Year 2005 Annual Operating Budget at the June 18, 2004 meeting of the Board; and

WHEREAS, the Annual Operating Budget establishes the general spending plans for the University; and

WHEREAS, the General Fund un-audited net end-of-year revenue for Fiscal Year 2004 totaled \$3,406,977;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby authorize a modification to the Fiscal Year 2005 General Fund component of the Annual Operating Budget in the amount of \$3,406,977 as set forth in Exhibit C.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

On behalf of the committee, Mr. Bresnahan then moved the adoption of the following resolution:

Resolution to Authorize Performance Contracting

YR 2005-06

WHEREAS, Ohio Revised Code Sections 3345.64-66 (House Bill 7 of the 120th General Assembly) allows state universities to contract with energy services companies, architects, professional engineers, contractors, or other persons experienced in the design and implementation of energy conservation measures, and to pay for such improvements by using the savings resulting from energy conservation; and

WHEREAS, Youngstown State University has experienced higher utility costs; and

WHEREAS, Youngstown State University desires to reduce energy costs while providing permanent improvements to the physical plant;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University hereby authorizes the administration to proceed in accordance with Ohio Revised Code Sections 3345.64-66 to solicit performance contractors; and

BE IT FURTHER RESOLVED, that the administration will seek Board approval for any vendor contract to implement the finance mechanism provided under said Ohio Revised Code Sections.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

On behalf of the committee, Mr. Bresnahan then moved the adoption of the following resolution:

Resolution to Authorize Purchase of
Properties for Campus Improvement

YR 2005-07

WHEREAS, Youngstown State University has identified an area surrounding the campus and within which it seeks to acquire property needed for the benefit of the University; and

WHEREAS, property located on 258 Carlton, City Lot No. 13357, s.e. 45 feet, Parcel No. 53-018-0-322.00.0 (Elash property) is needed for campus improvement; and

WHEREAS, the University acquisition process requires pre-approval prior to the purchase to an extent that the University now seeks preliminary approval to obtain parcels not owned by the University identified as follows: 302 W. Scott Street, City Lot 4618 part, Parcel No. 53-005-0-110 (Jackson); 307 W. Scott Street, City Lot 4664 part & 4605 part, Parcel No. 53-005-0-081 & 082 (Crenshaw); 326 W. Scott Street, City Lot 4614 part, Parcel No. 53-005-0-104 (Morris); 330 W. Scott Street, City Lot 4613 & 4614 part, Parcel No. 53-005-0-102 & 103 (Jacks); 343 Arlington, City Lot 4657 & 4656, Parcel No. 53-003-0-238 & 239 (Pavelko); 351-353 Arlington, City Lot 4655, Parcel No. 53-003-0-240 (Locker); 365 Arlington, City Lot 4652, Parcel No. 53-003-0-243 (Enger); 369 Arlington, City Lot 4651, Parcel No. 53-003-0-244 (Enger); 311 Custer, City Lot 9102, Parcel No. 53-005-0-160 (DeCato); 308 Custer, City Lot 9120 part & 9121 part, Parcel No. 53-005-0-181 & 182 (DeCato); Custer, City Lot 9117 part & 9118 part, Parcel No. 53-005-0-177 & 178 (Buckeye Elks); Custer, City Lot 4864 & 9116 part, Parcel No. 53-005-0-172 & 174 (Jones); Madison Avenue, City Lot 4861 part, 4862 part, 4863 part, 12620, Parcel No. 53-005-0-252 through 257 (Jones); 720 Bryson, City Lot 934, Parcel No. 53-004-0-016 (Krantz); Rayen Avenue, City Lot 676, Parcel No. 53-003-0-121 (305 Elm Corp); Rayen Avenue, City Lot 2602, 618, 619 part, 620, 621, 622, Parcel No. 53-002-0-270 through 276 (Cherol); Rayen Avenue, City Lot 603 part, Parcel No. 53-002-0-243 (Cherol); Wood Street, City Lot 606 part, 607, 2598, Parcel No. 53-002-0-248 through 250 (Cherol);

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does authorize the acquisition of City Lot 13357, Parcel No. 53-018-0-322.00.0, subject to satisfactory title search and preliminary environmental assessments; and

BE IT FURTHER RESOLVED, that the University is authorized to begin preliminary proceedings to acquire the other properties listed above.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

On behalf of the committee, Mr. Bresnahan then moved the adoption of the following resolution:

Resolution to Modify
Acquisition of Real Estate Policy

YR 2005-08

WHEREAS, the Institutional Policies are being reviewed and reconceptualized on an ongoing basis; and

WHEREAS, this process can result in the modification of existing policies, the creation of new policies, or the deletion of policies no longer needed; and

WHEREAS, action is required by the Board of Trustees prior to replacing and/or implementing modified or newly created policies, or to rescind existing policies;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby approve the modification of the Institutional Policy governing Acquisition of Real Estate, policy number 4005.01, of the *University Guidebook*, shown as Exhibit E, attached hereto, and does hereby rescind the former corresponding policy number 4005.01. A copy of the policy indicating changes to be made is also attached.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

4. Internal Affairs Committee.

The chairperson recognized Mr. John L. Pogue, chairperson of the Internal Affairs Committee, who stated that the committee was recommending one resolution for adoption by the board. On behalf of the committee, Mr. Pogue then moved for adoption of the following resolution:

Resolution to Ratify Faculty/Staff Appointments

YR 2005-09

WHEREAS, the *Policies of the Board of Trustees* direct the President to appoint such employees as are necessary to effectively carry out the operation of the University; and

WHEREAS, new appointments have been made subsequent to the June 18, 2004, meeting of the Board of Trustees; and

WHEREAS, such appointments are in accordance with the 2003-2004 Budget and with the University policy on Equal Employment Opportunity;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Youngstown State University does hereby ratify and confirm the appointments as listed in Exhibit D attached hereto.

Following discussion, the motion received the affirmative vote of all trustees present. The chairperson declared the motion carried and the resolution adopted.

ITEM VI - COMMUNICATIONS AND MEMORIALS

The board considered no communications or memorials.

ITEM VII - UNFINISHED BUSINESS

The secretary to the board read the list of committee chairperson and vice chairperson appointments made by the board chairperson for the board's year 2004-2005 (which list accompanies these minutes). Upon motion made by Dr. Wang, seconded by Dr. Kohli, the board unanimously approved the list of chairperson and vice chairperson appointments.

ITEM VIII - NEW BUSINESS

The board considered no new business.

ITEM IX - TIME AND PLACE OF UPCOMING REGULAR MEETINGS

Upon motion made by Dr. Kohli, seconded by Dr. Wang, which received the affirmative vote of all trustees present, the trustees resolved to set the following dates and times for the next regular meetings of the board:

3:00 p.m. on Wednesday, December 15, 2004
3:00 p.m. on Friday, March 18, 2005
3:00 p.m. on Friday, June 24, 2005

ITEM X - ADJOURNMENT

Upon motion duly made and seconded, the meeting was duly adjourned by unanimous vote of the trustees at 3:38 p.m.

Chairperson

ATTEST:

Secretary to the Board of Trustees