

RECORD OF PROCEEDINGS

Golden, Colorado
January 29, 2010

The Board of Trustees met in regular session on January 29, 2010 in the Coors Board Room.

Present: Trustees Bliss, Cowart, Fox, Hutson, Misra, Nyikos, Spaanstra; Student Trustee Illing. Absent: Faculty Trustee Dorgan.

Also in attendance: President Scoggins, Provost Castillo, Senior Vice Presidents Middleton and Volpi, Vice Presidents Fox, Poate and Williams and other staff and visitors.

Trustee Nyikos presided.

Regular Session. The Trustees convened in regular session at 9:15 a.m.

Approval of Minutes. Trustee Hutson made a motion, seconded by Trustee Spaanstra, to approve the minutes of the December 17, 2009 regular meeting as submitted. Motion carried.

Chairman's Report. Trustee Nyikos reported that he attended a meeting of the Associated Students of Colorado School of Mines on January 28. Trustee Nyikos asked that the Trustees send any suggestions for topics for the upcoming retreat directly to him. He further indicated that there has been discussion regarding the formation of a new Board committee to focus on strategic planning.

Board Committee Reports. Trustee Hutson reported that the Finance and Audit Committee met on January 20, 2010. The auditors attended the meeting to review the audit; a copy of the audited financial statements from BKD was sent to each Trustee as part of their meeting packet. The committee also reviewed the other financial items on this meeting's agenda; these items will be presented by Senior Vice President Volpi.

President's Report. President Scoggins remarked with sadness on the passing of two distinguished alumni, Mr. Ted Stockmar and Justice William Erickson.

President Scoggins remarked on the successful December commencement ceremony featuring Mayor John Hickenlooper as the speaker.

President Scoggins remarked that the spring semester is off to a good start, with strong enrollment numbers.

President Scoggins asked Dr. Nigel Middleton, Senior Vice President for Strategic Enterprises, to give an update on the Petroleum Institute. Dr. Middleton highlighted enrollment trends and the recent research collaborations between Mines and the Petroleum Institute.

Student Trustee Illing reported on a recent community service event, Into the Streets, through which 150 Mines students volunteered at a local food bank. He also reported on the upcoming Legislature Day event being organized by the Associated Students of Colorado School of Mines.

Research Activities. Dr. John Poate, Vice President for Research and Technology Transfer, presented the research highlights for the month of November. He indicated that this year's research award numbers are tracking well to last year's strong numbers. Dr. Poate reported that, as in previous years, the level of industry funding remains higher than average. Mines' researchers are also starting to apply for and receive more funding from the National Institute of Health (NIH), which is typically a major source of research funding at many universities. Dr. Poate reported that the School's major proposal to the National Institute of Standards and Technology (NIST) was not funded, although the proposal received excellent reviews. Dr. Poate also presented highlights of several major new research awards, and highlighted other major proposals under development.

Financial Report. Senior Vice President Volpi reviewed the *Statement of Net Assets*, *Statement of Revenue and Expenses* and the *Statement of Cash Flows* for the period ending December 31, 2009. On the Statement of Net Assets, Ms. Volpi reported that the increase in liabilities from 2008 to 2009 is due primarily to the effect of the November bond issuance. Ms. Volpi remarked that the School typically does budget forecasts three times a year; the next forecast will be done in time for the March Board meeting.

Administration of Oath of Office. Chairman Nyikos administered the oath of office to incoming Trustees, Mr. Stewart Bliss and Dr. Mohan Misra.

Approval of Bylaws Changes. Chairman Nyikos presented a proposed revision to the Colorado School of Mines Board of Trustees bylaws that would shift the timing of officer elections to odd numbered years. While not specifically addressed in the bylaws, as a matter of practice officer elections would normally be held in January of odd-numbered years. Trustee Spaanstra made a motion, seconded by Trustee Fox, to accept the proposed bylaws changes as submitted. Motion carried.

Election of Officers. Trustee Spaanstra made a motion, seconded by Trustee Hutson, to extend the following Board officers' terms through December 31, 2010:

Chairman, Dr. Michael Nyikos
Vice Chairman, Mr. Roger Hutson
Treasurer, Ms. Kirsten Volpi

Motion carried.

Trustee Bliss made a motion, seconded by Trustee Fox, to elect Trustee Vicki Cowart to serve as Secretary of the Board through December 31, 2010. Motion carried.

Election of CSMAA Representative. The Trustees discussed the selection of a representative from the Board of Trustees to sit on the Colorado School of Mines Alumni Association Board of Directors for a one year (renewable) term, replacing emeritus Trustee Tschatschula. Ms. Pariseau will provide additional information about the Board of Directors, including their meeting schedule, to the Trustees for their review.

Tuition Plan. Pursuant to state statute and the School's performance agreement, each year by February 15 the School must submit its plan for the upcoming year's resident and nonresident tuition increases to the Colorado Commission on Higher Education, the Joint Budget Committee, and the House and Senate Education Committees. The administration recommends that the School submit a tuition plan that is consistent with the Governor's requested increase per credit hour tuition rates of nine percent for resident tuition and five percent for nonresident tuition in order to help offset state funding reductions and mandated cost increases expected in FY11. Student Trustee Illing commented that most students feel that, despite recent tuition increases, Mines is still a tremendous value, particularly for in-state students. President Scoggins commented that these are planning numbers at this point, and that there will be an action item as part of the May agenda for the Board to finalize tuition rates for the next academic year. Trustee Fox expressed concerns with the impact of a nine percent increase on students and their families.

Trustee Hutson made a motion, seconded by Trustee Bliss, to approve the following resolution:

BE IT RESOLVED that the Board of Trustees of the Colorado School of Mines hereby approves:

- A. Increasing the per credit hour resident tuition rates by 9 percent and nonresident tuition rates by 5 percent in order to help offset the reductions in state funding and mandated cost increases expected in FY2011; and*
- B. Directing management to communicate this Board Resolution to the appropriate legislative and executive branch entities, as required by the School's performance agreement.*

Motion carried, with Trustee Fox opposed.

Quitclaim Deeds. Because of the legal issues involved, the Trustees will consider this agenda item in executive session, pursuant to §24-6-402 (3)(a)(II), C.R.S.

Revision to School's Debt Policy. Senior Vice President Volpi presented several updating and clarifying edits to the School's policy on debt management. The Board's Finance and Audit Committee approved the proposed revisions at its January 20, 2010 meeting and recommends that the Board adopt the revisions as submitted. Trustee Cowart made a motion, seconded by Trustee Hutson, to approve the following resolution:

BE IT RESOLVED that the Board of Trustees of the Colorado School of Mines hereby approves the revisions to the School's Debt Management Policy as approved by the Finance and Audit committee and as submitted to the Board of Trustees.

Motion carried.

June 30, 2009 Audited Financial Statements. Senior Vice President Volpi presented the audit, conducted by BKD under the auspices of the State of Colorado. The report was released by the Legislative Audit Committee on January 19, 2010. Ms. Volpi reviewed the findings and indicated all the recommendations are being acted on.

Status of Major Capital Projects. Senior Vice President Volpi presented an overview of active capital projects and the other projects on the five year capital list, as well as an update on active planning projects. She commented that the campus master plan is being updated to match the re-calibrated strategic plan. A campus parking and vehicle circulation study will be conducted as part of this process.

Technology Transfer Update. Vice President Poate introduced Dr. Will Vaughan, Director of Technology Transfer, to provide an update on the work of his office, which works to commercialize inventions resulting from research conducted at Colorado School of Mines. As part of its work, the Office of Technology Transfer educates inventors about the steps involved in commercialization and assists in making appropriate connections with individuals in the economic development community who can be potential partners. Dr. Vaughan reported that an intellectual property policy was updated and approved last June and that significant work has been accomplished in organizing Mines' portfolio of patents.

Faculty Senate Report. Faculty Senate President Mark Eberhart gave a report on the work of the Faculty Senate. The Senate is recommending four changes to the Faculty Handbook: 1) revised statement of academic freedom; 2) changes to the definition of professional service; 3) creation of a university committee on efficiency; and 4) creation of a new academic rank of Institute Professor. The Senate is working with the Faculty Handbook Committee, the Department Heads/Division Directors, and the Provost on these proposed changes to the Handbook. Dr. Eberhart reported that President Scoggins spoke at a Faculty Forum on January 27, highlighting the current financial state of the School, his vision of Mines as a residential university, and current and planned construction on campus. On February 24, Dr. David Munoz will present the 2010 Faculty Senate Distinguished Lecture. Dr. Eberhart remarked that the Senate is eager to look for ways to increase the interface between the Board of Trustees and the Mines community.

At this point, Trustee Hutson departed the meeting.

Regular Written Reports. There were no questions on the regular written reports.

Executive Session. The Trustees went into executive session at 10:50 a.m. to discuss honorary awards, as authorized by CRS § 24-6-402 (3) (a) (VIII) and to receive legal advice related to the City of Golden quitclaim deeds, pursuant to §24-6-402 (3)(a)(II), C.R.S.

Regular Session. The Trustees reconvened in regular session at 11:30 a.m. Trustee Fox made a motion, seconded by Trustee Bliss, to recognize the following individuals with honorary awards at the April 29 Celebration of Alumni event:

Distinguished Achievement Medals:

Lauren E. Evans '82 BSc. Geological Engineering
President and Founder, Pinyon Environmental Engineering Resources

David Ginley '72, Mineral Engineering Chemistry
Research Fellow and Group Manager, National Renewable Energy Laboratory

Andrew Swiger '78, BSc. Petroleum Engineering
Senior Vice President, ExxonMobil Corporation

Mines Medals:

Harold Chevront
Retired Vice President for Student Life and Dean of Students

Marshall Crouch '67, Geological Engineer
President, White Eagle Exploration, Inc.

Motion carried.

There being no further business, the meeting adjourned at 11:35 a.m.

Secretary