

*Approved at the 12/17/15 meeting*  
**BOARD OF TRUSTEES OF THE COLORADO SCHOOL OF MINES**  
**MINUTES OF THE BOARD MEETING**  
October 30, 2015  
**COLORADO SCHOOL OF MINES**  
**1500 ILLINOIS ST., STUDENT CENTER BALLROOM B**

Chairman Spaanstra called the meeting to order at 9:15am

Trustees present: Spaanstra, Cowart, Vallejo, Haddon, Jorden, Truly, Harrison, Jacobsen. Trustee Bliss joined the meeting at 10:30am.

CSM executives and directors were also present including President Johnson, Provost Parker, Asst. Provost Boyd, AVP Boyd, EVP Volpi, Mr. Han, Ms. Walker, Ms. Curran, VP Fox, CSMF President, Ms. Rosenthal, Winkelbauer, Dr. Osgood.

**A. Consent agenda**

The consent agenda contained three items: 1) The minutes from the May 18 meeting; 2) Emeritus Faculty recommendations for Dr. Ravel Ammerman, Dr. Ronald Cohen, Dr. David Hale, Dr. John Steele, and Dr. Mike Batzle, along with a University Emeritus recommendation for Dr. Brajendra Mishra; and 3) a utility easement for the General Research Laboratory submitted as follows: *BE IT RESOLVED, that the Board of Trustees of the Colorado School of Mines hereby approves of the School entering into a utility easement with the City of Golden in connection with the installation of the fire protection water line, and authorizes the Treasurer to execute this utility easement on the School's behalf.*

Trustee Haddon motioned to approve the consent agenda, seconded by Trustee Cowart. Motion approved 6-0.

**B. Action items**

Action item 1: Conflict of Interest Handbook Changes Dr. Boyd stated that in December 2014, new federal regulations regarding the governance of federally-funded research became effective (Uniform Guidance). This guidance mandates stricter requirements for award recipients to monitor sub-recipient compliance with federal regulations, including conflict of interest (COI). In response to requests by prime award recipients to verify our compliance with federal regulations, we have found that our current COI policies and practices do not meet federal requirements. As a result: 1) we can no longer certify on federal grants and contracts that our COI policies and practices meet federal requirements; and 2) faculty who have sub-recipient awards are now being required to agree to, and meet, other institutions' COI policies and procedures. The former issue will ultimately impact all research-active faculty. The latter issue currently impacts 15 faculty members and the impact is growing. The Office of Research Administration has done an exhaustive review of our current COI policies and practices and has

identified issues which require remediation to bring our COI policies and practices into compliance with federal regulations. The following actions are proposed:

- Minor modifications to Sections 6.3, 6.4 and 12.14 of the Faculty Handbook that define separate COI and COC (Conflict of Commitment) disclosure pathways for faculty.
- Deletion of Section 10.4 of the Faculty Handbook, which is the existing Board policy on “Research Conflict of Interest.”
- Creation of a stand-alone, institution-wide, new Board policy on “Conflict of Interest” that is in compliance with federal requirements.

Redlined versions of Sections 6.3, 6.4 and 12.14 of the Faculty Handbook and proposed “Conflict of Interest” policy that would replace section 10.4 of the Faculty Handbook are attached to these minutes as Addendum A.

The trustees engaged in a robust discussion, including making disciplinary language consistent with other policies and discussing disclosure and potential areas of conflict at the federally required 4-year trainings.

#### **RESOLUTION**

*BE IT RESOLVED, that the Board of Trustees of the Colorado School of Mines hereby approves: 1) the above-listed modifications to the Faculty Handbook; and 2) the proposed new Board policy governing Conflict of interest. Additionally, these actions supersede existing language in the current Handbook, taking effect immediately upon Board approval.*

Trustee Jorden motioned to approve, seconded by Trustee Vallejo. Approved 6-0.

Action Item 2: Green Center Renovation Program Plan and Capital Project Approval Ms. Volpi stated that earlier this year a campus committee developed a program plan for the Green Center renovation. In May the Board approved the five year capital plan that included the Green Center Renewal at an estimated cost of \$64 million. In July the committee completed the plan which calls for a complete asbestos material (ACM) abatement, roof replacement, and multiple other improvements including flexible Geophysics labs and research centers, classrooms, meeting rooms, and auditorium enhancements. The plan estimate was \$60 million, planned to receive 40% from the State and 60% from gifts. The budget includes:

- \$6.10M for professional services;
- \$45.30M in construction costs that includes \$3M for ACM abatement;
- \$3.50M for equipment and furnishings;
- \$0.25M for State required Art in Public Places Program; and
- the remaining \$4.85M for contingency.

The program plan was ranked #4 for new state-funded projects for the FY16-17 state budget cycle by the CO Dept. of Higher Education (DHE). The Capital Development Committee will review DHE recommendations and determine their priority list to submit to the Joint Budget Committee. Ms. Volpi stated that in the event that we do not receive money, we are currently getting estimates to fix the roof in the short term. Ms. Volpi requested that the board consider and approve the Green Center Program Plan at a total cost of \$60 million to be funded by the state in the amount of \$24 million and funding through gifts in the amount of \$36 million.

#### **RESOLUTION**

*BE IT RESOLVED, that the Board of Trustees of the Colorado School of Mines hereby approves the Green Center Program Plan at a total cost of \$60 million to be funded by the state in the amount of \$24 million and funding through gifts in the amount of \$36 million.*

Trustee Haddon motioned to approve, seconded by Trustee Cowart. Approved 6-0.

Action item #3: Sale of Pueblo Property Ms. Volpi stated that in August, a rancher living in Pueblo approached Mines about buying 960 acres of CSM-owned property. Mr. Gary Walker has assembled approximately 65,000 acres called the Walker Ranch, which completely surrounds the CSM property which has no access to the public Right Of Way. Mr. Walker intends to include this property in a conservation easement as he has done with the entire Walker Ranch. Mines has commissioned and received a real estate appraisal which values the property at \$600 per acre or \$576,000. Ms. Volpi stated that her office is currently performing a title search to determine if Mines owns other properties of which we are currently unaware and recommended that the trustees approve the sale of this property.

#### **RESOLUTION**

*BE IT RESOLVED, that the Board of Trustees of the Colorado School of Mines hereby approves the sale of the Wild Horse Park property in Pueblo County, CO and authorizes the Treasurer to execute the necessary closing documents representing the sale of the property at an acceptable price that is consistent with the appraised value.*

Trustee Cowart motioned to approve, seconded by Trustee Vallejo. Approved 6-0.

Action item #4: Contracts policy Ms. Volpi stated that the Contract Approval Policy, adopted in 1992 and revised several times, delegates authority from the Board to the president for the majority of the business required to operate the university. It is also specific to whom the president may delegate authority for contracts or agreements. Ms. Volpi proposes a change to the policy to enable the president's delegation decisions. This operational aspect can become dynamic and agile, with the proposed changes allowing the president delegation of the operations as appropriate to Area VPs/directors and remain transparent by the adoption of a memorandum outlining his delegations.

The Board of Trustees is asked to consider and approve the Revised Contract Approval Policy attached as Addendum B.

## **RESOLUTION**

*BE IT RESOLVED, that the Board of Trustees of the Colorado School of Mines hereby approves a revised Contract Approval Policy, as attached and presented this 30th day of October, 2015.*

Trustee Cowart motioned to approve, seconded by Trustee Haddon. Approved 6-0.

### **C. Reports and Updates**

Committee Reports \_\_\_ Trustee Vallejo stated that the Finance and Audit Committee met on Oct. 20 to review the cash position and receive an internal audit update. The Investment Advisory Committee met on the same day to receive an update on investments.

President's Report \_\_\_ President Johnson highlighted recent events including the CO Commission on Higher Education's CEO & Governing Boards Summit, campus homecoming events, and the opening of the Starzer Welcome Center. Student athletes doing very well on the field and in the classroom with all six varsity sports ranked in the Top 25 earlier this year, and a football player named RMAC Athlete of the Year.

Financial report \_\_\_\_\_ Ms. Volpi presented the FY16 forecast summary and financial statements for September 30, 2015.

Faculty Senate Report \_\_\_ Dr. Osgood reported that the Senate is currently working on P & T items, the academic calendar, the Library renovation, ways to reduce email traffic, and multiple honors programs.

### **D. Presentation and Discussion Items**

Lt. Governor's Presentation \_\_\_ Lt. Governor Joe Garcia, who is also the Director of CO Dept. of Higher Education, met with the trustees to discuss how the state is working with universities to close the degree attainment gap and complemented Mines on our progress. Dr. Garcia and the trustees discussed the role higher education plays in educating the future work force and advancing state goals.

Title IX Ms. Curran discussed how this Federal law provides for gender equity in higher education through a variety of programs ranging from sexual harassment prevention and resolution efforts to student housing to Athletics. Ms. Curran and the trustees discussed trainings to date and current campus policies that fall under the Title IX umbrella.

Hospital Provide Fee \_\_\_ Mr. Han and lobbyist Mr. Cole provided the trustees with more information regarding the Hospital Provider Fee, noting that legislation language is currently being drafted.

### **Executive session**

Chairman Spaanstra noted the need to move into executive session to receive legal advice pursuant to §24-6-402 (3)(a)(II), C.R.S. and discuss personnel matters per §24-6-402(3)(b)(I) C.R.S.. Trustee Jorden

motioned to move into executive session, seconded by Trustee Bliss. Motion approved 7-0. Executive session began at 12:15pm.

Trustee Bliss motioned to exit executive session, seconded by Trustee Jorden. Approved 7-0. Executive session ended at 3:30pm.

There being no further business, the meeting adjourned at 3:30pm.