

MINUTES OF THE MEETING
of the
MICHIGAN STATE UNIVERSITY
BOARD OF TRUSTEES
April 4, 1985

President Mackey called the meeting to order in the Gold Room of the Union Building at 8:40 a.m. on Thursday, April 4, 1985.

Present: Trustees Dade, Lick, Owen, Pridgeon, Reed, Sawyer, Wilbur, and Wilson; President Mackey, Provost Winder, Vice Presidents Breslin, Cantlon, Dickinson, Schonbein, Stewart and Turner; Acting Vice President and Secretary Wilkinson, General Counsel Carr, Assistant to the President Carlisle, Faculty Liaison Group and Student Liaison Group; Dr. Bonner, Director of Human Relations.

1. Approval of Proposed Agenda

Trustee Owen moved approval of the proposed agenda, seconded by Trustee Pridgeon. Approved by a vote of 8 to 0.

2. Approval of Minutes of February 8, 1985

Trustee Sawyer moved approval of the February 8, 1985 Minutes. Seconded by Trustee Owen. Approved by a vote of 8 to 0.

3. Board of Trustees Organizational Matters

A. Committee Chairpersons

Trustee Dade announced the following Committee Chairpersons:

Committee
Chairpersons:

Affirmative
Action - Lick

Audit - Sawyer

Investment -
 Wilbur

Land and
Physical
Facilities -
 Wilbur

Affirmative Action	Lick
Audit	Sawyer
Investment	Wilson
Land and Physical Facilities	Wilbur

B. Michigan Association of Governing Boards (MAGB)

Delegate	Lick
Delegate	Wilbur
Alternate	Pridgeon

C. Board Assessment Committee

Trustee Dade announced the establishment of an Ad Hoc Board Assessment Committee to review and recommend plans for an internal assessment of the Board's strengths and weaknesses. The Chairperson will be Trustee Dade, and membership will consist of Trustees Lick, Pridgeon, and Reed.

MAGB: Delegates-
 Lick & Wilbur
Alternate-Pridgeon

Establishment of
Board Assessment
Committee

4. Committee Meetings

The Board convened at 8:50 a.m. for the Investment Committee, followed by the Land and Physical Facilities Committee, followed by the Ad Hoc Bylaws Committee.

The Trustees briefly discussed the January 29, 1985 memorandum from Trustee Wilson on the Bylaws of the Board of Trustees. It was agreed that the Trustees would review these documents and inform Chairperson Dade as to recommendations for further review by the Board of Trustees. Chairperson Dade also stated that he would consult with the administration as to the appropriate approach for further review of the Bylaws. (Copy of Trustee Wilson's memorandum is on file in the Secretary's Office.)

5. Affirmative Action Report

Dr. Ralph Bonner, Director of Human Relations, briefly summarized the annual Affirmative Action Report, which had been distributed with the agenda, and responded to Trustee questions.

6. Development Program Report

Vice President Dickinson responded to Trustee questions relating to the annual Development Program Report, which had been distributed with the agenda.

The Board recessed for lunch at 12:25 p.m.

The Board reconvened at 1:27 p.m. for its Action Session in the Board Room of the Administration Building.

April 4, 1985

7. Public Comments

- A. Robert Gardella, student and publisher and editor of The Michigan State Times, spoke in opposition to the University's policy of collecting the subscription fee for The State News and requested equal treatment for The Michigan State Times.
- B. Mark Milosch, student, spoke in opposition to the University supporting a private corporation such as The State News by allowing for its fee collection.
- C. Julia Zaher, student, spoke in opposition to pornography on campus through the showing of X-rated movies and presented a petition with 200 signatures supporting the removal of this activity from the campus. Ms. Zaher supported Vice President Turner's actions to remove the showing of these films from the campus.
- D. Kurt Norgaard, student, spoke in opposition to showing pornographic movies on campus and also supported Vice President Turner's action to remove this activity from the campus.
- E. Karen Higgins, student and Chairperson of the Women's Advisory Committee to the Vice President for Student Affairs and Services, spoke on the Committee's position which opposes the showing of pornographic movies on campus and the support of the Committee for Vice President Turner's actions to remove these from the campus.
- F. Rocky Beckett, student and Executive Director of ASMSU, introduced himself as a new liaison person to the Board of Trustees and made several comments concerning the funding of the proposed All-Events Building.
- G. Dan Selke, student, President of COGS, and a Student Liaison Group member, spoke in opposition to the funding proposal for the All-Events Building and expressed general concerns of the graduate students.
- H. Arthur Bollmann, student and RHA, supported the construction of an east campus intramural/recreational facility.

8. A. PERSONNEL ACTIONSFaculty Reappointment and Tenure Recommendations

- (1) The following action is recommended by the Departmental Chairperson(s), the Dean(s), and the Provost in accordance with the tenure rules.

Assistant Professor who acquires tenure with the reappointment effective September 1, 1985:

Richard J. Balendar

Animal Science

- (2) It is recommended that an executive management position titled Executive Assistant to the President be established effective July 1, 1985.

Approved by a vote of 7 to 0 on a motion by Trustee Wilson, seconded by Trustee Dade. (Trustee Wilbur was out of the room at the time of the vote.)

8. B. GIFT, GRANT AND CONTRACT REPORT

It is recommended that the Board of Trustees accept the gifts, grants, and contracts as listed in the report distributed with the agenda.

RESOLVED that the above be approved.

Approved by a vote of 7 to 0 on a motion by Trustee Sawyer, seconded by Trustee Lick. (Trustee Wilbur was out of the room at the time of the vote.)

8. C. BIDS AND CONTRACT AWARDS(1) Faculty Apartments

The following bids were received on March 12, 1985 for Installation of a New Substation at the Faculty Apartments. On August 9, 1984, an electrical transformer feeding the Faculty Bricks Apartment Complex failed, resulting in a power outage. Since that time, power to the Complex has been provided by a temporary transformer. This project restores permanent power by providing new transformers and main switches housed in a new building which is architecturally compatible with the apartments.

Personnel
Actions

Faculty
Reappointment
and Tenure
Recommendations

Established
Executive
Management
Position to
the President,
Effective
July 1, 1985

Approved
Faculty
Apartments New
Substation
Installation

continued - - -

8. C. BIDS AND CONTRACT AWARDS, continued

(1) Faculty Apartments, continued

<u>Bidder</u>	<u>Base Bid</u>
Parish Corporation	\$242,900
Haussman Construction Company	277,000
Hanel-Vance Construction Company	307,300

Notification and/or plans and specifications were sent to the offices of Builders Exchange and Dodge Reports in Lansing. The following minority organizations were also notified: Inner City Business Improvement Forum, Construction Association of Michigan, and Association of Minority Contractors. No minority or women-owned businesses submitted bids.

The subcontracting goals for this project are five percent Minority Business Enterprises (MBE) and five percent Women Business Enterprises (WBE). The low bidder has certified that it will comply with the requirements. The MBE and WBE subcontracts will total approximately \$24,300.

It is recommended that a contract in the amount of \$242,900 be awarded to Parish Corporation of Lansing, Michigan, and that the following budget be established:

Contract - Parish Corporation	\$242,900
Pre-Purchased Equipment (by Purchase Order)	89,719
Design, Coordination, and Inspection	27,000
Site Restoration (Campus Park and Planning)	5,500
Contingency	<u>29,881</u>
Total	\$395,000

This project was estimated at \$400,000 by the Physical Plant Division in January, 1985.

Funding for this project will be from the Auxiliary Activities Fund.

RESOLVED that the above contract be awarded and project budget be established as recommended.

Approved by a vote of 7 to 0 on a motion by Trustee Reed, seconded by Trustee Dade. (Trustee Wilbur was out of the room at the time of the vote.)

(2) Clarksville Horticulture Experiment Station

The following bids were received on March 12, 1985, for Phase II of the Irrigation System at the Clarksville Horticulture Experiment Station. This project consists of three separate parts. The first is for irrigation work including construction of the main line irrigation pipe system and installation of automatic valves, irrigation blocks, frost protection blocks, pipe valve hydrants, and automatic valve control wire. The second part is electrical work to construct the irrigation electrical system and installation of the computer signal cable. The third part is for the purchase of parts and material for the drip irrigation system beginning at the discharge side of the automatic valves. Alternate No. 1 is for installation of the drip system. Because of the specialized nature of each part of this system, it was deemed to be in the University's best interest to take separate bids and award separate purchase orders as recommended by the engineering consultant.

<u>Bidder</u>	<u>Irrigation Work</u>	<u>Base Bid</u>
Century Rain Aid		\$268,351
Spartan Distributors, Inc.		273,712
Jackson-Merkey Contractor		356,320

<u>Bidder</u>	<u>Electrical Work</u>	<u>Base Bid</u>
Smith & Evans Electric		\$ 76,850
Ellet Enterprises		78,196
C & L Electric		112,429
Delta Electric		119,667

<u>Bidder</u>	<u>Drip Irrigation</u>	<u>Base Bid</u>	<u>Alternate No. 1</u>
Trickl-eez Company		\$ 49,945	\$ 46,900
Century Rain Aid		54,468	73,872
Spartan Distributors, Inc.		56,294	85,375

continued - - -

Approved
Clarksville
Horticulture
Experiment
Station, Phase
II of the
Irrigation
System

April 4, 1985

8. C. BIDS AND CONTRACT AWARDS, continued

(2) Clarksville Horticulture Experiment Station, continued

Notification and/or plans and specifications were sent to the offices of Builders Exchange and Dodge Reports in Lansing and Michigan Contractor & Builders in Detroit. The following minority organizations were also notified: Inner City Business Improvement Forum, Construction Association of Michigan, and Association of Minority Contractors. No minority or women-owned businesses submitted bids.

Due to the specialized nature of the project, it was determined that there were no subcontracting opportunities.

It is recommended that purchase orders be issued to the following contractors in the amounts indicated:

Century Rain Aid of Madison Heights, Michigan	\$268,351
Smith & Evans Electric of Lake Odessa, Michigan	76,850
Trickl-eez Company of St. Joseph, Michigan (Base Bid:\$49,945 plus Alternate No. 1: \$46,900)	96,845

It is also recommended that the following budget be established:

Contract - Century Rain Aid	\$268,351
Contract - Smith & Evans Electric	76,850
Contract - Trickl-eez Company	96,845
Control System and Computer Interface	30,000
Engineering Consultant	7,000
Contingency	<u>20,954</u>

Total	\$500,000
-------	-----------

This project, excluding the control system and computer interface, was estimated at \$475,000 by the engineering consultant in February, 1985.

Funding for this project will be from the Agricultural Experiment Station.

RESOLVED that the above purchase orders be awarded and
that the budget be established as recommended.

Approved by a vote of 7 to 0 on a motion by Trustee Sawyer, seconded by Trustee Reed.
(Trustee Wilbur was out of the room at the time of the vote.)

(3) Munn Ice Arena

The following bids were received on March 14, 1985 for Replacement of the Ice Rink Refrigeration System in Munn Ice Arena. This project replaces the original ice rink floor containing deteriorated refrigeration piping.

<u>Bidder</u>	<u>Base Bid</u>
Holmsten Ice Rinks, Inc.	\$255,410
John E. Green Company, Inc.	376,500
Mollenberg-Betz Machine Company	450,554

Notification and/or plans and specifications were sent to the offices of Builders Exchange and Dodge Reports in Lansing. The following minority organizations were also notified: Inner City Business Improvement Forum, Construction Association of Michigan, and Association of Minority Contractors. No minority or women-owned businesses submitted bids.

Due to the specialized nature of this project, it was determined that there were no subcontracting opportunities.

It is recommended that a contract in the amount of \$255,410 be awarded to Holmsten Ice Rinks, Inc., of St. Paul, Minnesota, and that the following budget be established:

Contract - Holmsten Ice Rinks, Inc.	\$255,410
Design, Coordination & Inspection	20,000
Contingency	<u>44,590</u>

Total	\$320,000
-------	-----------

This project was estimated at \$320,000 by the Physical Plant Division in January, 1985.

Funding for this project will be from Intercollegiate Athletic funds.

RESOLVED that the above contract be awarded and that
project budget be established as recommended.

Approved by a vote of 7 to 0 on a motion by Trustee Sawyer, seconded by Trustee Reed.
(Trustee Wilbur was out of the room at the time of the vote.)

Approved
Munn Ice Arena
Ice Rink
Refrigeration
System
Replacement

8. C. BIDS AND CONTRACT AWARDS, continued

(4) Spartan Stadium

The following bids were received on March 21, 1985 for Restoration and Seating at the North and South End Zones of Spartan Stadium. This project includes removing existing wood seats and steel brackets, repairing deteriorated concrete surfaces and expansion joints, and installing waterproof traffic topping and new aluminum seating at the north and south end zones. This work, which is the fourth phase of a six phase program to restore the stadium, will improve appearance, reduce maintenance, and provide more comfortable seating. The base bid provides for work at the south end zone and alternate No. 1 adds all work at the north end zone.

Bidder	Base Bid	Alternate No. 1
William H. Kelly Company	\$312,140.00	\$197,200.00
Western Waterproofing Company	367,810.00	260,000.00
D. C. Byers Company of Lansing	369,640.00	224,770.00
The Grunwell-Cashero Company, Inc.	414,000.00	268,000.00
Western Waterproofing Co., Inc., and its Wholly-Owned Subsidiary Brisk Waterproofing Company, Inc.	436,380.00	267,780.00
Jayda Construction Company	454,883.24	280,441.70

Notification and/or plans and specifications were sent to the offices of Builders Exchange and Dodge Reports in Lansing. The following minority organizations were also notified: Inner City Business Improvement Forum, Construction Association of Michigan, and Association of Minority Contractors. The low bidder is a woman-owned business. No minority-owned businesses submitted bids.

Due to the specialized nature of this project, it was determined that there were no subcontracting opportunities.

It is recommended that a contract in the amount of \$509,340 (Base Bid: \$312,140 plus Alternate No. 1: \$197,200) be awarded to the William H. Kelly Company of East Lansing, Michigan, and that the following budget be established:

Contract - William H. Kelly Company	\$509,340
Design, Coordination, and Inspection	25,660
Contingency	50,000
Total	\$585,000

This project was estimated at \$887,000 by the Physical Plant Division in February, 1985. The estimate was based on actual construction costs for restoration of the east and west upper and lower stands.

Funding for this project will be from Intercollegiate Athletic funds.

RESOLVED that the above contract be awarded and that project budget be established as recommended.

Approved by a vote of 8 to 0 on a motion by Trustee Lick, seconded by Trustee Sawyer.

8. D. OTHER ITEMS FOR ACTION

(1) Restructuring of Hannah Professorships

On November 21, 1969, the Board of Trustees established the John A. Hannah Professorships and, periodically, has designated resources within the University for the support of this program in addition to those that have been received as gifts. Also, the Trustees have periodically reviewed this program for the establishment of financing principles for its administration.

When established, the goal of this program was to provide for ten professorships at a principal value of \$300,000 each, or a total endowment of \$3,000,000. When fully funded, this would have provided approximately \$15,000 per professorship to be added to the departmental funding of a full professor's position.

In December of 1977, in order to reflect inflationary factors since the establishment of the Hannah Professorships, the Trustees restructured the program which had an endowment value of approximately \$2,500,000 as of that date, recognizing five professorships with an estimated income of approximately \$25,000 each.

On June 26, 1981, the Board revised the program to work toward the objective of fully endowing five academic chairs under the Hannah program at an endowed value of \$1,000,000 supporting each chair. To achieve this objective, the Board designated certain unrestricted funds and reinvested accumulated income.

continued - - -

Approved Spartan Stadium Seating and Restoration at North and South End Zones

Approved Hannah Professorships Restructuring To Add One Academic Chair

April 4, 1985

8. D. OTHER ITEMS FOR ACTION, continued(1) Restructuring of Hannah Professorships, continued

This objective has now been met, and the endowed fund has a market value in excess of \$5,700,000.

It is now recommended that the Board revise the program to add one additional academic chair under the Hannah program with an endowed value of \$1,000,000. This chair can be funded through the appreciation in market value in this fund plus the reinvestment of accumulated income of approximately \$300,000. This action would result in six fully endowed chairs at a value of \$6,000,000.

RESOLVED that the above recommendation be approved.

Approved by a vote of 8 to 0 on a motion by Trustee Wilson, seconded by Trustee Lick.

(2) Endowed Chairs and Professorships

Endowed chairs and professorships are essential for success in national and international competition for superior faculty members in selected areas of academic endeavor. Michigan State University has made significant progress in establishment of endowed chairs and professorships in recent years. The momentum in this area is of fundamental importance for Michigan State University to continue its centers of academic excellence.

At the University's request, the MSU Foundation has taken formal action to provide assistance to the University by providing funds to ensure that additional endowed chairs and professorships can be filled in the near future to maintain this momentum.

The MSU Foundation approved up to \$150,000 to complete the funding of the Brinker Professorship in Veterinary Medicine. Michigan State University has the only veterinary medicine program in the State of Michigan. Competition from new colleges of veterinary medicine in other states is making recruitment and retention of superior faculty at Michigan State University extremely difficult. The Brinker Professorship will assist the effort to meet this nationwide competition.

The MSU Foundation approved up to \$110,000 to complete the endowment of the Meadows Chair in Dairy Science. The dairy industry is the most important sector of agriculture in Michigan in terms of dollar volume. Support for the dairy industry requires vigorous research for which Michigan State University is responsible. The Meadows Chair is central to plans to ensure that the Michigan State University dairy science program continue its leadership role.

In addition, the Executive Committee of the MSU Foundation endorsed the proposal that the Foundation provide endowment funds in the amount of \$1,000,000 to permit the MSU Board of Trustees to establish the Rosenberg Chair in Biological Science. Biological Science is fundamental to many areas to which Michigan State University has enduring commitments. The Rosenberg Chair will honor Professor Barnett Rosenberg and will permit Michigan State University to compete internationally for superior talent to ensure continuing advances in fundamental knowledge in biology. The Board of the Foundation is prepared to act on this matter following action by the Trustees.

The administration recommends that the MSU Board of Trustees authorize the administration to request that the MSU Foundation provide \$1,000,000 to fund the Rosenberg Chair in Biological Science.

RESOLVED that the administration is authorized to request funding in the amount of \$1,000,000 from the MSU Foundation to endow the Rosenberg Chair in Biological Science.

Approved by a vote of 8 to 0 on a motion by Trustee Reed, seconded by Trustee Lick.

(3) Endowed Scholarships

Michigan State University has been notified that it will receive a bequest in the amount of approximately \$570,000 from Mr. Jay Samuel Hartt. We recommend that \$500,000 of this bequest be committed to endow five (5) scholarships. These Jay Samuel Hartt Scholarships would be awarded to outstanding students in areas in the arts, letters, and humanities. The specific areas would be designated by the Provost based on recommendations developed by appropriate academic units. Each scholarship would be awarded for the duration of the student's degree program provided that the student's progress toward the degree and academic performance justified continuation of the scholarship.

Approved the
Rosenberg Chair
in Biological
Science

Approved Endowed
Scholarships:

Jay Samuel
Hartt
Scholarships

Trustee
Scholarships

continued - - -

8. D. OTHER ITEMS FOR ACTION, continued

(3) Endowed Scholarships, continued

We recommend that the remainder of the Hartt bequest be combined with income from the Jenison Fund and income from oil royalties from the Jones property to provide funds to endow five (5) additional scholarships to be known as Trustee Scholarships. These scholarships would be allocated to specific areas selected to encourage outstanding students to enroll in programs in which Distinguished Faculty are pursuing active scholarly and creative projects. The specific areas would be designated by the Provost based on recommendations developed by appropriate academic units. Different specific areas could be selected from time to time. Each scholarship would be awarded for the duration of the student's degree program provided that the student's progress toward the degree and academic performance justified continuation of the scholarship.

RESOLVED that the bequest from Jay Samuel Hartt to Michigan State University be designated as a fund functioning as an endowment. Income from \$500,000 of the bequest is to be used to fund five (5) Jay Samuel Hartt Scholarships. The remainder of the Hartt bequest will be combined with income from the Jenison Fund and income from oil royalties from the Jones property to establish a fund functioning as an endowment in the amount of \$500,000, the income to fund five (5) Trustee Scholarships.

Approved by a vote of 8 to 0 on a motion by Trustee Reed, seconded by Trustee Lick.

(4) Financing Plan for Recreational/Athletic Facilities

Pursuant to the Board of Trustees action of November 12, 1984, distributed with the agenda is the recommended financing plan for the recreational/athletic facilities. It is recommended that the administration be authorized, with the assistance of Cambridge Associates, to solicit proposals for financing approximately \$35 million in new debt to finance the construction of these facilities to be issued during the first half of the 1985-86 fiscal year. It is further recommended that debt service funding for this obligation be as outlined in this report and be supported by an increase in on-campus fee rates of the equivalent of \$1 per credit hour effective Fall Term 1985 and an additional \$1 per credit hour effective Fall Term 1986.

RESOLVED that the above recommendations be approved.

Approved by a vote of 8 to 0 on a motion by Trustee Lick, Seconded by Trustee Wilson.

(5) Appointment of Architects and Construction Manager for the All-Events Arenaa. Appointment of Architects

Distributed with the agenda is the report of the Selection Committee for the architectural/engineering firms for the All-Events Arena. It is recommended that the Committee's recommendation that Giffels/Hoyem-Basso Associates, Inc., in association with Howard Needles Tammen & Bergendoff, be appointed as the architectural/engineering firms for this project.

RESOLVED that the above recommendation be approved.

Approved by a vote of 8 to 0 on a motion by Trustee Wilson, seconded by Trustee Lick.

(6) 1984-85 General Fund Carry-Forward Plan

The Board of Trustees, at its April 6, 1984 meeting, authorized the carry-forward of up to 4% of unit budgets from 1983-84 to 1984-85. Review of the carry-forward procedure indicates that it provided administrators with increased flexibility and resulted in efficient use of resources.

Accordingly, it is recommended that a carry-forward plan of up to 4% of budgets be implemented for 1984-85 and that such funds be authorized for expenditure during 1985-86.

RESOLVED that the above recommendation be approved.

Approved by a vote of 8 to 0 on a motion by Trustee Reed, seconded by Trustee Dade.

Approved
Recreational/
Athletic
Facilities
Financing

Approved All-
Events Arena
Architects and
Construction
Manager

Approved Carry-
Forward Plan for
1984-85 with
Expenditures
During 1985-86

Minutes of the Meeting, continued

April 4, 1985

8. D. OTHER ITEMS FOR ACTION, continued

(7) Establishment of 1985-86 Housing Rates

(a) Residence Hall Rate

It is recommended that the residence hall rate be established at \$827 per term for the 1985-86 school year, effective with the Fall Term. This is an increase of \$23 per term over the current rate.

RESOLVED that the residence hall rate
be approved as recommended.

(b) University Apartments Rate

It is recommended that the University Apartments basic rate be established at \$227 per month for a one-bedroom apartment and \$245 per month for a two-bedroom apartment for the 1985-86 fiscal year, effective July 1, 1985. This is an increase of \$7 and \$9 per month, respectively, over the current rates.

RESOLVED that the University Apartments rates
be approved as recommended.

The above residence hall rate and University Apartments basic rate were approved by a vote of 8 to 0 on a motion by Trustee Dade, seconded by Trustee Owen.

9. REPORTS TO THE BOARD

A. Board Committee Reports

(1) Investment

Trustee Wilson reported that the Committee received a report on performance of the University's Pooled Cash Investment Portfolio and voted to recommend modifications to the Pooled Cash Investment Objectives to the Board of Trustees.

The Committee also heard a report from Cambridge Associates, Inc., the University's investment consultant, on the performance of the University's Permanent Investment Program, and received a report from representatives of McCowan Associates, Inc., one of the managers of the Permanent Investment Portfolio.

In addition, the Committee discussed financial market conditions relative to the proposed debt issue associated with the proposed Recreational/Athletic Facilities Package.

RESOLVED that the Statement of Investment Objectives for the Pooled Cash Fund be revised to increase the allowable investment in regulated pooled money market investment funds to a limit of 35% of the portfolio, with up to 35% in any one investment fund.

Approved by a vote of 8 to 0 on a motion by Trustee Wilson, seconded by Trustee Lick.

(2) Land and Physical Facilities

Trustee Wilbur reported that the Land and Physical Facilities Committee approved the following actions:

- (A) Sale of 235.556 acres to Mr. Carl R. Sams at a selling price of \$942,224.00. At the time of closing, there will be a down payment of \$500,000.00, with the balance of \$442,224.00 to be paid over a ten-year period at 11% interest.
- (B) Listing of 11.45 acres on Sandhill Road at a selling price of \$20,000.00.
- (C) Listing of 2.9 acres of landlocked property North of Sandhill Road and West of College Road for a selling price of \$2,250.00.
- (D) Accepted the gift of 81.75 acres of land close to the Kellogg Forest in Ross Township, Kalamazoo County, from the Maxwell A Goodwin Trust. This land will be used by the Kellogg Forest for teaching and research.

It should be noted that action item (C) was rescinded since the University does not have title to this property. This 2.9 acres is owned by the Michigan State Highway Department.

Approved
Residence Hall
Rate for 1985-86

Approved
University
Apartments Rate
for 1985-86

Investment
Committee:

Approved
Revision of
Statement of
Investment
Objectives for
the Pooled
Cash Fund

Land and
Physical
Facilities:

Approved Sale
of 235.556 Acres
Listing of
11.45 Acres on
Sandhill Road
Accepted Gift
of 81.75 Acres
of Land Close
to Kellogg
Forest

9. REPORTS TO THE BOARD, continuedA. Board Committee Reports, continued(3) Bylaws

Trustee Wilson reported that the Board has committed to resume its review of the Bylaws of the Board of Trustees with the assistance of the administration, and that this item will be reviewed at future Board meetings.

(4) Executive Management Compensation

Trustee Dade announced that the Ad Hoc Executive Management Compensation Committee had been meeting and called upon Trustee Wilson to introduce a resolution relating to this review, as follows:

RESOLVED that executive management compensation be suspended for all new hires to the executive management group. Pending further review, any deferred compensation arrangement that may be recommended for new hires will be subject to Board approval.

RESOLVED further that executive management compensation and benefits will continue to be studied under the direction of the Ad Hoc Committee.

Approved by a vote of 8 to 0 on a motion by Trustee Wilson, seconded by Trustee Dade.

President Mackey asked for clarification on this action as it applies to any employment offers currently pending. He was particularly concerned about the appointment of the Executive Assistant to the President. The consensus of the Board was that this action is applicable for all new appointments subsequent to this meeting.

10. BOARD COMMENTS

- A. Trustee Dade expressed his appreciation to the faculty, staff, and students who recently wrote to The Detroit News clarifying the academic quality of this institution.
- B. Trustee Dade announced that the first week of Fall Term would be Michigan State Week, and introduced the following resolution:

Michigan State Week

September 23 through September 29, 1985

The Board of Trustees will designate the first week of next Fall Term as Michigan State Week. Michigan State Week will be a time to draw attention to the importance of this University to the people of Michigan and to the beginning of the services of Dr. John A. DiBiaggio as President of Michigan State University.

The formal inauguration of Dr. John A. DiBiaggio as the 17th President of the University will be scheduled during Michigan State Week.

Starting on Monday, September 23, 1985, there will be a series of receptions to which faculty, staff, and students will be invited to meet President DiBiaggio and Ms. Carolyn DiBiaggio. On Friday evening, September 27, the members of the Benefactors Society will be invited to meet the DiBiaggios. Presidents Club members will be invited to be on campus on Saturday, September 28, which is the day of the home football game with Western Michigan University.

On Sunday, September 29, the formal inauguration ceremony for President DiBiaggio will be scheduled.

All of the events will be by invitation and details will be provided during the summer.

Approved by a vote of 8 to 0 on a motion by Trustee Dade, seconded by Trustee Lick.

Approved
Executive
Management
Compensation
be Suspended
for New Hires
to Group

Approved First
Week of Fall
Term 1985 as
Michigan State
Week

April 4, 1985

11. PRESIDENT'S REPORT

A. President Mackey made the following comments on litigation:

We are all aware of the increasing amount of litigation in our society and the ways that affects this University. We find that, from time to time, the issues in litigation overlap with issues that are being considered on campus in a way that has not required us to address the policy issue until rather recently. For example, this Board has authorized the establishment of several procedures for addressing grievances or complaints or for resolving disputes. There comes a time, on occasion, when an issue that is before a University committee, or in a University process, becomes a subject of litigation in court. Or, something can be brought up, first, as a case in court and, then, become the subject of an on-campus procedure. The University has never established a clear-cut policy as to what happens with University procedures at such times. There has been one instance where that has happened, and I made a determination under the authority of the Office of the President, as chief executive officer of the University, that the University processes would be suspended pending the outcome of litigation. That instance did not result, however, in a clear-cut resolution of the issue. There was not, for example, an acceptance by some of the faculty involved in the process that the decision was appropriate though it was my assertion and it is my belief that that was a totally proper and appropriate exercise of authority which inheres in the President's Office and that the Board had understood and supported that.

Dr. Mackey Made
Comments on
Litigation

There is currently litigation in which the University is named as a defendant. A number of people have been named individually in the case, and we have been notified by the University's attorney, -- we have been represented by outside counsel in this case -- that we are not to discuss the matter with anyone during the pendency of this litigation and we are not to take part in any activities which relate to the subject under litigation. The faculty member -- a former faculty member who filed the suit -- now seeks to pursue the substance of that matter through an internal University procedure. The University Committee that the faculty member has approached has been informed of the advice we have from legal counsel. I believe that Committee is fully aware of the prior instance and the possibility of a decision on my part to direct -- to give them direction -- as to the appropriateness of their proceeding. If I do that -- and I may have to do it soon and I did not want you to be unaware of that possibility -- it would be with what I believe is the authority of the office. If the faculty committee chooses to assert that it is not bound by that, it is my expectation that the matter would come to the Board rather promptly for its consideration. The basic question in my judgment is whether the University, through its executive officer, has the right to determine that internal consideration of a matter that is the subject of litigation should stop -- particularly when it's the determination of counsel representing the institution and the officers that it is inappropriate and, in fact, dangerous to the cause of the University in its defense to have the matter considered. Anybody dealing with the subject in those internal proceedings might do things which would prejudice the outcome of the case against the University and its officers or any other named defendants which might include members of the Board in their corporate or individual capacity as well. So, I simply wanted you to be aware of the issue, the fact that we have addressed it once before, that it has not been accepted as a clear-cut precedent, that I may take an action if events move in a certain direction, and that may result in the issue coming before you. That's all I need to say about that.

- B. President Mackey expressed his appreciation to Dr. E. Frederick Carlisle for serving in the capacity as Assistant to the President over the past three years. He announced that Dr. Carlisle will become the Provost of Miami University in Ohio and wished him well in his new position.
- C. Dr. Mackey announced the appointment of David L. Kimball as the Executive Assistant to the President effective July 1, 1985.

12. BOARD RESOLUTIONSA. Trustee Lick introduced the following resolution:

A RESOLUTION OF THE

MICHIGAN STATE UNIVERSITY BOARD OF TRUSTEES

April 4, 1985

The Board of Trustees of Michigan State University commends the 1984-85 hockey team coached by Ron Mason for compiling the highest win total in University history, for achieving the team's first league championship, and for gaining a berth in the NCAA Tournament for the fourth consecutive year.

Approved
Resolution
Commending
1984-85 Hockey
Team

continued - - -

12. BOARD RESOLUTIONS, continued

A. Trustee Lick introduced the following resolution, continued

The Board especially recognizes senior left winger Kelly Miller, senior defenseman Dan McFall, and sophomore center Craig Simpson for distinguished accomplishments during a very successful year.

The Board is proud of MSU's season record of 38-6 and of the 27-5 record in Central Collegiate Hockey Association play that carried the Spartans to the league title. The overall win total set a national record of which we are most proud.

Board commendations are extended to Miller, McFall, and Simpson for their selection to the All-American West team picked by the American Hockey Coaches Association and Titan. Simpson also won the CCHA scoring title with 24 goals and 45 assists, and Miller was named to the All-Academic first team chosen by the College Hockey Statistics Bureau. The Board also notes with pride that Miller and Simpson were among the ten finalists selected for the prestigious Hobey Baker Collegiate Player of the Year Award.

Also significant to the Board was the fact that Michigan State was ranked No. 1 in the nation for much of the 1984-85 season, and that the Spartans at one point recorded a 22-game winning streak to equal the best ever by a team in the Western Region.

A special Board salute is extended to Coach Mason, a person who stands at the top of his profession, and a leader who has in a few years built a program that stands for the ideals of excellence and commitment that are integral features of the Spartan tradition.

Mason, his staff, and all Spartan players are to be commended for helping to place the Spartan hockey program at the top of the national intercollegiate hockey scene.

Approved by a vote of 8 to 0 on a motion by Trustee Lick, seconded by Trustee Reed.

B. Trustee Wilson introduced the following resolution:

A RESOLUTION OF THE

MICHIGAN STATE UNIVERSITY BOARD OF TRUSTEES

April 4, 1985

The Board of Trustees of Michigan State University extends congratulations to MSU's men's basketball squad coached by Jud Heathcote for its outstanding 1984-85 season and to senior guard Sam Vincent for a brilliant year that included winning the Big Ten scoring championship and earning first team All-America honors.

The Board commends the Spartans for a 19-10 record, the victory total equaling the third highest in University history, and for selection to participate in the NCAA Tournament for the first time since the national championship year of 1978-79.

The Board notes that Vincent followed in the footsteps of older brother Jay in leading Big Ten scoring with a 23.7 points per game average, marking the first time in league history that brothers have held conference scoring titles.

The Board cites Sam Vincent for being named to The Sporting News All-America first team, as well as to the second All-America team picked by Basketball Weekly and to the third All-America team chosen by the Associated Press, in addition to being a unanimous choice on AP and UPI All-Big Ten first units.

The Board wishes to extend its appreciation and best wishes to seniors Sam Vincent, Richard Mudd, and Ken Johnson, as well as to senior manager Mark Hollis, for their hard work and commitment to the ideals of Spartan intercollegiate athletics.

The Board salutes Coach Heathcote, who was able to make a complete recovery from a pre-season heart attack, his staff, and all Spartan players who combined to make the 1984-85 season a success.

Approved by a vote of 8 to 0 on a motion by Trustee Wilson, seconded by Trustee Lick.

The meeting was adjourned at 3:18 p.m.

Approved
Resolution
Commending
1984-85 Men's
Basketball Team

Minutes of the Meeting, continued

April 4, 1985

Cecil Mackey
President

Roger Wilkinson
Secretary