

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES OF OHIO UNIVERSITY**

Friday, February 13, 2004

Ohio University, Athens Campus

THE OHIO UNIVERSITY BOARD OF TRUSTEES
MINUTES OF February 13, 2004 MEETING

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EXECUTIVE SESSION

**7:30 a.m, Friday, February 13, 2004
Wilson Room, Ohio University Inn
Athens, OH**

On a motion by Ms. Perry, and a second by Mr. Kidder the Ohio University Board of Trustees resolved to hold an executive session to consider personnel matters as permitted by Section 121.22(G)(1) of the Ohio Revised Code on this 13th day of February 2004.

On a roll call vote all voted aye, namely: Patricia Ackerman, Gregory Browning, Daniel DeLawder, Robert Kidder, Lee Ong, Marnette Perry, Larry Schey, David Snyder, and Robert Walter. This constituted a quorum. Also attending were National Trustees, J. Michael Lawrie and Wilfred Konneker, Student Trustees Tara Stuckey and Dustin Wood, and David Wilhelm, president of the Ohio University Alumni Board of Directors. Trustees returned to open session at 9:40 a.m. and adjourned the session at 9:45 a.m.

Personnel

Matters relating to the presidential search were considered and discussed.

I. ROLL CALL

All Trustees were present – Chairman Robert D. Walter, Patricia A. Ackerman, R. Gregory Browning, C. Daniel DeLawder, C. Robert Kidder, M. Lee Ong, M. Marnette Perry, Larry L. Schey, and C. David Snyder.

Student Trustees Tara Stuckey and Dustin Wood attended as did President Robert Glidden and Secretary Alan H. Geiger. Also present were David Wilhelm, president of the Ohio University Alumni Board of Directors, who sits by invitation of the Board of Trustees, and National Trustees Wilfred R. Konneker and J. Michael Lawrie.

This was the first meeting for National Trustee Lawrie who is serving a three-year term in this new role.

This, too, was the first meeting of the Board of Trustees in the Governance Room of the new Lecture Hall Facility.

II. APPROVAL OF THE MINUTES OF THE MEETING Of December 5, 2003 (Previously distributed)

Mr. Kidder moved approval of the previously distributed minutes. Ms. Perry seconded the motion. All agreed.

III. COMMUNICATIONS, PETITIONS, AND MEMORIALS

Secretary Geiger stated there were no communications, petitions, or memorials.

IV. ANNOUNCEMENTS

Secretary Geiger stated there were no announcements.

V. REPORTS

Marshall Scholars – President Robert Glidden

President Glidden introduced Ann Brown, director, Office of Nationally Competitive Awards and Marshall Scholarship winners Natalie Kruse and Jessica Benson. Each young

woman briefly introduced herself, telling Trustees of her plans for graduate study in England. Ms. Kruse plans to attend Newcastle University and Ms. Benson plans to attend Imperial College.

Bicentennial Activities Update – Nancy Crist, director, Office of the President; Hub Burton, associate vice president, University Communications and Marketing

Ms. Crist reviewed the activities underway citing the committee structure and the listing of special projects or programs completed or to be undertaken. Mr. Burton reviewed and demonstrated the external communication and marketing efforts underway with local, state, and national media. They encouraged Trustees and others to visit the bicentennial website at www.ohio.edu/bicentennial.

Budget Overview – President Robert Glidden

The President provided a comprehensive overview of budget planning to date. The purpose of the update was to provide background for Trustees on the choices and priorities that need to be made by June 30, 2004. He noted Trustee participation was sought as this process moved forward.

Given the extent of the material provided, Trustees asked that the full text of the President's report be included in the minutes. In addition, Trustees asked that working sessions be scheduled with members of the Executive Committee on matters dealing with compensation, health care costs, employment levels, etc.

OHIO UNIVERSITY

Budget Overview

Board of Trustees
February 13, 2004
Robert Glidden, President

University Budgeting is a Matter of Choices and Priorities

- Investing in a vision for the future
 - Building on strengths
 - Adherence to mission
 - Maintaining attractiveness
 - Providing for health and safety
-

Overview of Presentation

- The Big Picture
 - FY04 Revenues and Expenditures
- Athens Campus and General Funds
- Scholarships – Trends
- Planning for the Future
- Comparison of Tuition and Fees in Ohio
- Distribution of 3.9% tuition increase
- Trustee Participation

University Sources of Revenue

- Relatively Few Sources:
 - Tuition and Fees
 - State Support
 - Other Revenues
 - Includes Auxiliaries, Leases, Private Grants and Contracts, Foundation Support, Departmental Sales & Services
 - Transfers & Overhead
 - Overhead from Federal Government; Transfers for services from OUCOM, Regional Higher Ed and Unsupported Auxiliaries; Plant Fund to General Fund
 - Investment Earnings

RESOURCES (FY04)

Government Support	\$193,176,000	36.76%
Student Tuition & Fees	202,697,000	38.57%
Other Revenues	94,445,000	17.97%
Transfers into current funds	35,230,000	6.70%
Total:	\$525,548,000	100.00%

EXPENDITURES

Athens General Programs	\$277,274,000	51.74%
Athens Departmental Expense	12,741,000	2.38%
Athens Restricted Funds	43,575,000	8.13%
College of Osteopathic Medicine	23,813,000	5.38%
Regional Higher Education	63,394,000	11.83%
Auxiliaries	70,454,000	13.15%
Transfers out of current funds	39,697,000	7.41%
Total	535,948,000	100.00%

*Note: Transfers out of current funds - transfers into current funds = transfers into noncurrent funds.
Transfers into noncurrent funds are primarily undertaken to pay debt service.*

Athens Campus Resources

General Funds	295,854,000	69.92%
Auxiliaries	81,297,000	19.21%
Restricted Funds	45,982,000	10.87%
<hr/>		
Total	\$423,133,000	100.00%

Athens General Fund Resources

Instructional Subsidy	\$92,006,000	31.10%
Success Challenge	5,608,000	1.90%
Student Fees	161,063,000	54.44%
Other Resources	24,376,000	8.24%
Departmental Income	12,801,000	4.33%
<hr/>		
Total	\$295,854,000	100.00%

Allocations for Academic Programs

Arts & Sciences	\$49,332,000	33.39%
Business	12,465,000	8.43%
Communication	11,066,000	7.49%
Education	6,803,000	4.60%
Engineering	13,690,000	9.26%
Fine Arts	13,121,000	8.88%
Human Services	12,400,000	8.39%
Honors-Tutorial	672,000	0.45%
International Studies	1,218,000	0.82%
University College	2,363,000	1.60%
Summer School	2,584,000	1.75%
Graduate Studies-Fee Waivers	22,067,000	14.93%
Total	147,791,000	100.00%

Administrative and Support Services

■ President	\$2,687,000
■ Provost	5,389,000
■ Information Technology	10,290,000
■ Library	11,072,000
■ Telecommunications Center	2,955,000
■ Intercollegiate Athletics	9,181,000
■ VP for Administration	33,845,000
■ VP for Finance	5,212,000
■ VP for Research	7,279,000
■ VP for Student Affairs	7,575,000
■ VP for University Advancement	5,335,000

Expenditures (Academic) by Category

■ Compensation - Faculty & Research	43.28%
■ Compensation – Students (GA Stipend or Hourly)	7.45%
■ Compensation – Other Ohio University	9.73%
■ Compensation – Other	0.66%
■ Benefits	15.65%
■ Graduate Fee Waivers	14.93%
■ Supplies and Equipment <\$2,500	1.48%
■ Travel	1.87%
■ Information and Communication	1.23%
■ Maintenance and Repairs	0.80%
■ Miscellaneous Expenses	2.66%
■ Equipment >\$2500 & Transfers Out (In)	0.26%

Administrative/Support Unit Expenditures by Category

■ Salaries and Wages	58.14%
■ Benefits	18.85%
■ Supplies & Equipment <\$2500	4.32%
■ Travel	1.38%
■ Information & Communication	5.34%
■ Maintenance & Repairs	5.25%
■ Miscellaneous	10.33%
■ Cost of Goods Sold	0.19%
■ Equipment >\$2500 & Transfers	3.80%

Student Aid Funds - Scholarships

	<i>Current Yr \$\$</i>	<i>FY99 \$\$</i>
1998-99	\$3,225,000	\$3,225,000
1999-00	3,818,000	3,711,000
2000-01	4,654,000	4,374,000
2001-02	5,886,000	5,435,000
2002-03	7,001,000	6,326,000
2003-04	9,288,000	8,211,000

Student Aid Funds - Grants

	<i>Current Yr \$\$</i>	<i>FY99 \$\$</i>
1998-99	\$1,317,000	\$1,317,000
1999-00	1,317,000	1,280,000
2000-01	1,317,000	1,237,000
2001-02	1,317,000	1,216,000
2002-03	1,492,000	1,348,000
2003-04	2,799,000	2,475,000

Student Aid Funds – Federal Match

	<i>Current Yr \$\$</i>	<i>FY99 \$\$</i>
1998-99	\$859,000	\$859,000
1999-00	859,000	835,000
2000-01	860,000	808,000
2001-02	860,000	794,000
2002-03	849,000	767,000
2003-04	850,000	752,000

Student Aid Funds – OU Foundation Scholarships

	<i>Current Yr \$\$</i>	<i>FY99 \$\$</i>
1998-99	\$2,358,000	\$2,358,000
1999-00	2,787,000	2,709,000
2000-01	3,151,000	2,961,000
2001-02	3,528,000	3,258,000
2002-03	3,601,000	3,254,000
2003-04	3,263,000	2,885,000

**Comparison of Ohio Tuition-Fees –
UG Ohio Residents (2003-04)**

Miami University	\$8,354
University of Cincinnati	7,623
Bowling Green State University	7,408
Ohio University	7,128
Kent State University	6,882
University of Akron	6,808
Ohio State University	6,651

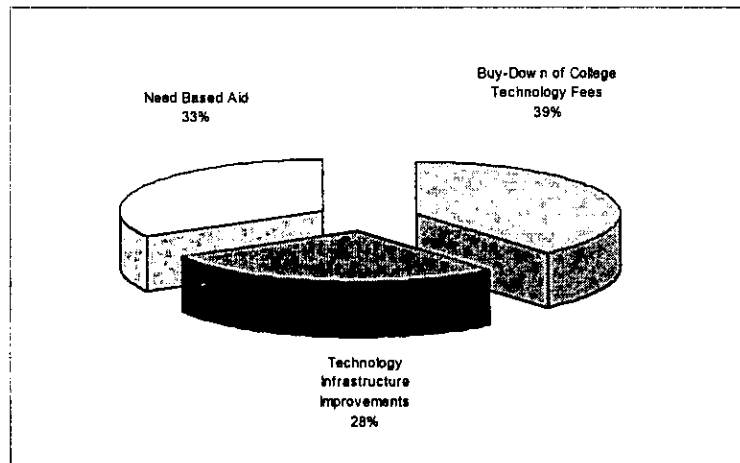
**Comparison of Ohio Tuition-Fees –
UG Non-Residents (2003-04)**

University of Cincinnati	\$19,230
Miami University	18,124
Ohio State University	16,638
Ohio University	15,351
University of Toledo	15,064
Bowling Green State University	14,368
University of Akron	14,298

Distribution of 3.9% UG Tuition Increase

Buy-Down of College Technology Fees	\$1,526,000
Technology Infrastructure Improvements	\$1,091,000
Need-Based Student Financial Aid	\$1,307,000
Total:	\$3,924,000

Distribution of 3.9% UG Tuition Increase



Distribution of Technology Fees by College

Arts & Sciences	\$424,000
Business	\$197,000
Communication	\$256,000
Education	\$179,000
Engineering	\$141,000
Fine Arts	\$99,000
Health & Human Services	\$230,000
Total	\$1,526,000

FY05 Budget Projection

■ Assumptions

- Flat Enrollment (16,700 UG, 2,600 Grad, 420 Medical)
- Tuition Increase of 6%
- State Funding \$1 Million Less than FY04
- Compensation Increase of 4%

■ Result

- Planned Budget Reduction of \$6,350,000

Principles and Assumptions for Budgeting

- Focus on Core Activities
- Structure Budgetary Realignments to Position the University for the Future
- Improve Operational Efficiency
- Explore and Prioritize Revenue Enhancement Opportunities
- Institutional Culture Matters!

Current Strategies -- Working Committees

- Efficiency Study Committee –
 - Considering areas of unnecessary duplication for possible consolidation or elimination
- Compensation Study Committee
 - Market salary and wage studies for all faculty, administrative and classified employees
- Revenue Enhancement Committee
 - Evaluation of opportunities for enhancing revenue and optimizing the yield from university expenditures

The Dark Side

- Although immediate repeal of the temporary 1¢ sales tax has failed, the tax is scheduled to be lifted on July 1, 2005.
- Question is whether the state's economy will have improved enough to make up the difference.
- Further cuts for FY06 are not only possible, but likely.

The Brighter Side

- Each additional 100 students adds \$750,000 in tuition/fees revenue alone – should be working for higher retention anyway.
- Workforce has been reduced by 220; anticipate further reduction by fall.
- Investment income is improving.
- Tuition increase beyond 6%?

Trustee Participation

- Revenue Enhancement
 - Enrollment Issues
 - Pricing
- Compensation
 - Salary/Wage Increment
 - Health Benefits
- Special Priorities/Directions
- Review of Inflationary Items
- Review of Recommended Reductions
 - Program
 - Personnel

Budget Planning Process

FY 2005 and Beyond

*Ohio University Board of Trustees
Presentation*

Stephen J. Kopp

Provost

February 12, 2004

Overview

- Guiding Principles and Priorities
- 3-Year Planning Assumptions
- Current Strategies
- Progress
- Plans for the Future

Guiding Principles & Priorities

■ **Focus Activities on Core Mission**

- Strategic academic initiatives, e.g.,
 - Revise General Education
 - Improve student engagement and achievement
 - Advance distinctive graduate and research programs
 - Optimize learning opportunities – residential campus, RHE

Guiding Principles & Priorities

■ **Realign Budget to Position Ohio University for the Future**

- Differential budget cuts – mission focus, performance
- Protect instruction; improve efficiency
- Enact strategies to reduce costs/enhance revenues.
 - Short-term (1 yr.) – e.g., undergrad retention
 - Intermediate Term (1-3 yrs) – e.g., increase graduate fee payers
 - Long-Term (>3 yrs) – program elimination

Guiding Principles & Priorities

■ **Improve Operational Efficiency**

- Assess functions, activities, services relative to mission (system-wide analysis)
- Eliminate non-essential; improve efficiency (e.g., energy conservation, capacity analyses)
- Focus on workforce reduction; improve productivity [e.g., develop pilot projects and strategies to reduce academic instructional costs (improve productivity)]
- Consolidate, restructure operations to effect cost savings; increased productivity (e.g., Graduate Studies, IT)

Guiding Principles & Priorities

■ **Develop and Prioritize Revenue**

Enhancement Opportunities [e.g., increase undergraduate retention to 87% (+\$800 K 1st yr), increase # graduate fee-payers in high demand programs (\$~1.1m), increase % undergrad non-resident students to 15%, delay FY 2005 compensation adjustments until end of 1st qtr (~+\$700K)]

■ **Institutional Culture Matters**

- People + Relationships + Shared governance
- Focus on retaining high-performing people in all categories – performance matters
- Consideration of “people impact” of budget decisions

Preliminary Budget Picture

Three-Year Budget Plan & Assumptions¹² – Athens Campus

	FY 2005	FY 2006	FY 2007
Assumptions	3.0%	3.0%	3.0%
State Funding (SSI)	Guarantee (0.99*0.99 = 0.98 FY04)	FY05*0.99 (0.97 of FY04)	FY06*0.99 (0.96 of FY04)
Compensation Increase	4.0%	3.0%	3.0%
Projected General Fund Revenues	\$ 284,899,000	\$ 306,337,000	\$ 321,003,000
Projected General Fund Expenditures	\$ 301,232,000	\$ 310,512,000	\$ 322,249,000
Surplus/Deficit	\$ (16,333,000)	\$ (4,175,000)	\$ (1,246,000)
Planned Budget Reduction	\$ (16,333,000)	\$ (4,175,000)	\$ (1,250,000)
Net Operating Surplus	\$17,000	\$25,000	\$4,000

- ¹² Assumptions:
- Full enrollment (~10,700 undergraduates, 2,600 graduate students, ~120 medical students (~18,700 or just below 20,000 on the campus))
 - Stable retention rate (84%) first-to-second year
 - 10% annual increase in annual healthcare costs
 - 2% increase in annual utility costs
 - No repeal of 1% sales tax and no rescission of SSI funding

Strategies

- Centrality to mission key determinant in cost-cutting decisions
- Comprehensive analysis and prioritization of activities, services and functions
 - Elimination/consolidation of services permanent
 - Auxiliaries included in University-wide review & base expenditure reductions
- Improve management tools (e.g., implement comprehensive position management system)
- Informed decision-making – benchmarking data, performance indicators (e.g., Delaware Study: <http://www.udel.edu/IR/fipse/index.html>)

Strategies

- Appoint working committees to study budget issues
 - Research, compile information
 - Develop recommendations for greater efficiency and effectiveness
 - Use recommendations to inform preparation of budget for FY05 and beyond.
- Efficiency Study Committee
 - Revenue Enhancement Committee
 - Compensation Committee

Strategies

- Develop long-range institutional planning and budgeting process to guide institutional planning priorities, budgeting, and evaluation of outcomes

Progress

- Comprehensive analysis and prioritization of services and functions - Completed
 - Estimated full costing of personnel and resources required
 - Services recommended for elimination/ cost-reduction
 - Assessment of probable implications
 - 2-4-6%, 3-5-7% scenarios
- Budget advisory working committees appointed in November. Progress reports filed early February 2004. Recommendations under study.

Progress

- Oracle Position Management System activated January 2004
- Comprehensive Institutional Planning and Budgeting Process developed – campus meetings convened in January 2004

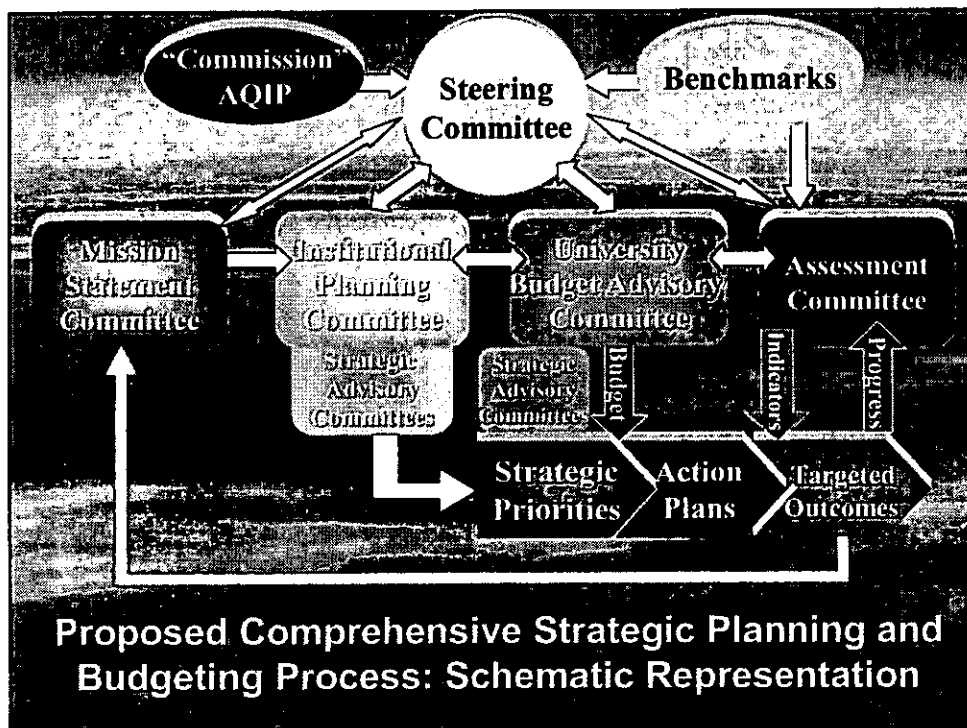
Future Planning: Rationale for Comprehensive, Integrated Institutional Planning Process

"Cogent planning for the future of Ohio University necessitates the systematic and intentional alignment of the University's mission with strategic, long-range planning, priorities and budgetary management!"

¹ Proposed Process for Institutional Planning and Budgeting document (<http://www.ohio.edu/provost/budgetplan.pdf>)

Plan Objectives

- Formalize and integrate planning
- Establish strategic, mission-based priorities
- Focus resource allocation – foremost priorities
- Formulate multi-year plan; evaluate opportunities beyond General Fund
- Create efficient working committees
- Enhance resource accountability
- Formalize process for monitoring effectiveness of new and existing resource commitments
- Assess and benchmark



VI. UNFINISHED BUSINESS

Secretary Geiger reported no unfinished business.

VII. NEW BUSINESS

Chairman Walter reported that the Audit, Finance, and Investment and the Human Resources and Compensation Committee, who met jointly, discussed matters being presented to the Board. Items for action will be presented by the committee chairperson or a committee member as designated by the chairperson.

AUDIT, FINANCE, AND INVESTMENT AND HUMAN RESOURCES AND COMPENSATION COMMITTEES

Chairpersons DeLawder and Perry reported the committees met in joint sessions to receive reports and review and study matters before the Trustees. These included a budget planning process update from Provost Kopp, and an update on the status of the early retirement program and position management system by Vice President North as well as FY 2002-03 Audit Report from external auditors Deloitte and Touche.

Committee members requested that the full text of Provost Kopp's budget planning process report be included with the minutes. As the report was presented Trustees considered such issues as definitions and measures and who establishes them; the presented strategies; tuition levels; compensation; new initiatives, and where "opportunities" are. The Trustees asked that they be a part of the budget planning process to the extent of understanding planning assumptions and ensuing dynamics prior to their April board meeting.

Mr. DeLawder stated the external audit reported no matters or material weaknesses involving the University's control or financial reporting. The audit report did note recommendations for improving matters of internal control on accounting, administrative, and operating matters. The University's response to each were noted and methods of implementing the recommendations were acceptable.

Ms. Perry asked for regular reporting of the planned early retirement program seeking more information on positions open and filled and the effect on functions and operations within the University.

Chairman DeLawder reported he had earlier discussed with members of the administration the bond resolution and the estimated cost and funding sources for the proposed University Center. He noted that with the additional debt, bond counsel had opined the University was still within its debt capacity limits.

Mr. DeLawder presented and moved approval of the Bond Resolution 2004. Mr. Snyder seconded the motion. Approval was unanimous.

BOND RESOLUTION 2004 - 1916

Providing for the authorization, issuance and sale of not to exceed \$58,000,000 Subordinated General Receipts Bonds, Series 2004, of The Ohio University, authorizing a Fourth Supplemental Trust Agreement securing such bonds, and authorizing matters related thereto

WHEREAS, The Ohio University (herein called the "University"), a state university of the State of Ohio created and existing under Chapter 3337 of the Ohio Revised Code, by Resolution No. 2000-1744 adopted by its Board of Trustees (herein called the "Board") on December 8, 2000 (herein called the "General Bond Resolution") and by a Trust Agreement dated May 1, 2001 (together with amendments and supplements thereto, the "Trust Agreement"), comprised in part of the General Bond Resolution, has provided for the issuance from time to time of Obligations (as defined in the General Bond Resolution) of the University, each such issue to be authorized by a Series Resolution adopted by the Board pursuant to the Trust Agreement; and

WHEREAS, the General Bond Resolution was adopted and the Trust Agreement was authorized by the Board pursuant to Sections 3345.11 and 3345.12 of the Ohio Revised Code, enacted by the General Assembly of Ohio under authority of the Constitution of Ohio, particularly Section 2i of Article VIII thereof, which authorizes the University to issue its Obligations from time to time to pay costs of certain capital facilities, defined as "auxiliary facilities" or "education facilities" in Section 3345.12 of the Ohio Revised Code and called "University Facilities" in the General Bond Resolution and in this Series Resolution, and to refund, fund or retire such Obligations or other obligations previously issued for such purpose; and

WHEREAS, the University has heretofore issued its \$48,025,000 principal amount of Bonds (as defined in the General Bond Resolution) under the Trust Agreement designated "Subordinated Variable Rate General Receipts Bonds, Series 2001" dated May 3, 2001 and maturing December 1, 2026 (the "Series 2001 Bonds"), pursuant to a First Supplemental Trust Agreement dated as of May 1, 2001 (the "First Supplemental Trust Agreement"); and

WHEREAS, the University has heretofore entered into an Interest Rate Hedge (as defined in Section 9.98 of the Ohio Revised Code) for a portion of the Series 2001 Bonds in the form of an ISDA Master Agreement, dated December 1, 2001 (which, together with the schedule and confirmations related thereto, are collectively referred to as the "Series 2001 Swap Agreement") in a maximum notional amount of \$31,020,000 with Morgan Guaranty Trust Company of New York, under the Trust Agreement with respect to amounts payable by the University under the Series 2001 Swap Agreement (other than any Early Termination Amount, as defined in the Series 2001 Swap Agreement, and any amounts payable pursuant to Section 11 of the Series 2001 Swap Agreement by the University); and

WHEREAS, the University has heretofore issued under such Trust Agreement its \$47,860,000 principal amount of Bonds (as defined in the General Bond Resolution) designated "Subordinated General Receipts Bonds, Series 2003" dated September 3, 2003 and maturing

through December 1, 2023 (the "Series 2003 Bonds"), pursuant to a Second Supplemental Trust Agreement dated as of September 1, 2003 (the "Second Supplemental Trust Agreement"); and

WHEREAS, the University has heretofore issued under such Trust Agreement its \$6,590,000 principal amount of Notes (as defined in the General Bond Resolution) designated "Subordinated General Receipts Bond Anticipation Notes, Series 2003B" dated October 30, 2003 and maturing May 3, 2004 (together with any Notes issued to renew such Notes, the "Series 2003B Notes"), pursuant to a Third Supplemental Trust Agreement dated as of October 1, 2003 (the "Third Supplemental Trust Agreement") for the purpose of paying part of the cost of certain of the 2004 Projects, as hereinafter defined; and

WHEREAS, the University has previously determined, and does hereby confirm, that it is necessary to acquire, construct, equip, furnish, reconstruct, alter, enlarge, remodel, renovate, rehabilitate or improve the following University Facilities at the respective currently estimated costs (being collectively referred to herein as the "2004 Projects"):

<u>Project Name</u>	<u>Description</u>	<u>Currently Estimated Cost</u>
University Center	Planning and initial project costs for the construction of a new approximately 180,000 square foot facility at the southern edge of the college green which is expected to contain a 550 seat ballroom, food service and dining facilities, student government and organization offices, office and conference space, a number of social/activity spaces, a small theater, and an associated parking facility.	\$45,700,000
Aircraft Acquisition	A 2003 Raytheon Beechcraft King Air 350 turbo-propeller aircraft to replace the existing 1981 King Air and the 1979 Piper Navajo currently used to transport University personnel.	\$3,500,000
Performance Contracting	The Energy Performance Contract for Life Sciences heat recovery and steam extension to the Ridges.	\$1,830,000
Lausche Heating Plant	Phase I which includes the total rebuild of boiler #3, and Phase II which includes design work, the rebuild of boiler #2, expansion of baghouse capacity, and design of University Center chiller for the West Green central chilled water plant.	\$2,990,000

; and

WHEREAS, the University has determined to issue not to exceed \$58,000,000 principal amount of Bonds under the Trust Agreement, to be designated "Subordinated General Receipts Bonds, Series 2004", or such other designation as authorized hereby (the "Series 2004 Bonds"), to refund the Series 2003B Notes and finance part of the costs of the 2004 Projects, and desires to provide therefore by this Resolution; and

WHEREAS, the Board finds that all conditions precedent to the authorization and sale of the Series 2004 Bonds have been or will be met by the time the Series 2004 Bonds are issued:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE OHIO UNIVERSITY, as follows:

Section 1. Definitions and Interpretations. All words and terms defined in the General Bond Resolution and elsewhere in the Trust Agreement and all interpretations therein provided shall have the meanings, respectively, and be subject to the same interpretations as therein provided where used in this Resolution, unless the context or use indicates another or different meaning or intent, except that this Resolution is sometimes herein called and may be known as the "Series 2004 Resolution", the Bonds authorized by this Resolution are referred to herein and in the Fourth Supplemental Trust Agreement hereby authorized as the "Series 2004 Bonds", and the terms "hereof", "herein", "hereby", "hereto" and "hereunder", and similar terms, mean this Resolution. All words and terms defined in the preambles hereto shall have the respective meanings provided in the preambles hereto.

In addition, when used in this Resolution and the Fourth Supplemental Trust Agreement hereby authorized, the following words shall have the indicated meanings:

"Authorized Denominations" means with respect to the Series 2004 Bonds, the denominations designated as such in the Series 2004 Certificate of Award.

"Beneficial Owner" means with respect to the Series 2004 Bonds, the Person owning the Beneficial Ownership Interest therein, as evidenced to the satisfaction of the Trustee.

"Beneficial Ownership Interest" means the right to receive payments and notices with respect to the Series 2004 Bonds held in a book entry system for which the Depository does not act on behalf of a Beneficial Owner with respect to the optional or mandatory tender for purchase of the Series 2004 Bonds pursuant to the Trust Agreement.

"Book entry form" or "book entry system" means, with respect to the Series 2004 Bonds, a form or system, as applicable, under which (i) the ownership of beneficial interests in such Bonds and Debt Service Charges may be transferred only through a book entry and (ii) physical Series 2004 Bond certificates in fully registered form are registered only in the name of a Depository or its nominee as Bondholder, with the physical Series 2004 Bond certificates "immobilized" in the custody of the Depository. The book entry system maintained by and the responsibility of the Depository and not maintained by or the responsibility of the University or the Trustee is the record that identifies, and records the transfer of the interests of, the owners of beneficial (book entry) interests in such Series 2004 Bonds.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record ownership of beneficial interest in the Series 2004 Bonds, and to effect transfers of book entry interests in such Bonds, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Fixed Rate Bonds” means Series 2004 Bonds that are not “Variable Rate Obligations”, as defined in the General Bond Resolution.

“Fourth Supplemental Trust Agreement” means the Fourth Supplemental Trust Agreement dated as determined in the Series 2004 Certificate of Award, by and between the University and the Trustee supplementing the Trust Agreement and securing the Series 2004 Bonds, as the same may be amended as provided therein.

“Interest Payment Date” means, as to the Series 2004 Bonds, each of the dates set forth as such in the Series 2004 Certificate of Award.

“Interest Rate Hedge” means an “interest rate hedge” as defined in Section 9.98 of the Ohio Revised Code.

“Interest Rate Mode” means any of those modes of interest with respect to the Series 2004 Bonds permitted by the Fourth Supplemental Trust Agreement and specified in the Series 2004 Certificate of Award.

“Mandatory Redemption Date” means, as to the Series 2004 Bonds, each of the dates set forth in the Series 2004 Certificate of Award for the retirement of a portion of the principal of the Series 2004 Bonds pursuant to any Mandatory Sinking Fund Requirements set forth therein.

“Mandatory Sinking Fund Requirements” means, as to the Series 2004 Bonds, the amounts required to be deposited in the Debt Service Fund for the purpose of redeeming Series 2004 Bonds (less the amount of any credit as provided in Section 4(c) of this Resolution) on each Mandatory Redemption Date, as may be set forth in the Series 2004 Certificate of Award.

“Maximum Rate” means twelve percent (12%) per annum or such lesser rate designated as such in the Series 2004 Certificate of Award.

“Memorandum of Instructions” means the Memorandum of Instructions Regarding Use of Proceeds, Investment Limitations and Rebate Requirements delivered to the University and the Trustee at the time of the issuance and delivery of the Series 2004 Bonds, as the same may be amended or supplemented in accordance with its terms.

“Original Purchaser” means, as to the Series 2004 Bonds, the purchaser or purchasers of the Series 2004 Bonds designated as such in the Series 2004 Certificate of Award.

“Pledged Bonds” means Series 2004 Bonds or Beneficial Ownership Interests registered in the name of the Series 2004 Financial Institution and securing the obligations of the University to reimburse the Series 2004 Financial Institution for advances made pursuant to the

Series 2004 Credit Support Instrument as may be provided in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

“Rebate Fund” means the fund by that name referred to in Section 10 hereof.

“Series 2004 Certificate of Award” means the certificate of the Fiscal Officer establishing certain terms of the Series 2004 Bonds and authorized in Section 5 hereof.

“Series 2004 Closing Date” means the date on which the Series 2004 Bonds are delivered to the Original Purchaser for payment.

“Series 2004 Credit Support Instrument” means any Credit Support Instruments relating to the Series 2004 Bonds described in the Series 2004 Certificate of Award and issued by the Series 2004 Financial Institution for the benefit of the holders of the Series 2004 Bonds.

“Series 2004 Financial Institution” means the Financial Institution issuing the Series 2004 Credit Support Instrument described in the Series 2004 Certificate of Award.

“Series 2004 Projects Account” means the account by that name created in the Facilities Fund pursuant to Section 6 hereof.

“Series 2004 Remarketing Agent” means the Remarketing Agent designated as such in the Series 2004 Certificate of Award.

“Taxable Series 2004 Bonds” means any Series 2004 Bonds other than Tax-Exempt Series 2004 Bonds.

“Tax-Exempt Series 2004 Bonds” means Series 2004 Bonds the interest on which is intended by the University at the time of initial issuance, to be exempt from federal income taxation under the Code, such intent to be conclusively evidenced by a determination to that effect contained in the Series 2004 Certificate of Award.

Section 2. Determinations by Board. The Board hereby finds and determines that (a) each of the 2004 Projects will constitute “auxiliary facilities” or “education facilities” as defined in the Act; (b) the issuance of the Series 2004 Bonds will be in the best interests of the University; and (c) this Resolution is adopted pursuant to the General Bond Resolution, the Trust Agreement, the Act and Section 2i of Article VIII of the Ohio Constitution.

The Board finds that the conditions stated in numbered subparagraphs (1) and (2) of Section 3(a) of the General Bond Resolution will be satisfied by the time of authentication of the Series 2004 Bonds. The Fiscal Officer shall confirm these findings by a certificate in form satisfactory to, and to be filed with, the Trustee prior to the authentication of the Series 2004 Bonds, and the Fiscal Officer may provide such other evidence with respect thereto as the Trustee may reasonably request.

Section 3. Authorization, Designation and Purpose of Series 2004 Bonds. It is hereby declared to be necessary and in the best interests of the University to, and the University shall, issue, sell and deliver, as provided and authorized herein not to exceed \$58,000,000 principal

amount of Bonds of the University, on a parity with all other outstanding Obligations from time to time, which shall be designated "Subordinated General Receipts Bonds, Series 2004", or such other designation as may be specified in the Series 2004 Certificate of Award (the "Series 2004 Bonds"), for the purposes of (i) refunding the Series 2003B Notes, and (ii) paying Costs of University Facilities, as defined in the General Bond Resolution, related to the 2004 Projects and the Series 2004 Bonds upon the terms set forth herein. For such purposes, the proceeds from the sale of the Series 2004 Bonds shall be allocated and deposited as provided in Section 6 hereof. Proceeds of the Series 2004 Bonds may be allocated among the 2004 Projects other than as shown in the preambles to this Resolution (even if doing so results in a reduction or elimination of one or more of the Series 2004 Projects), and deviations from the descriptions of particular Series 2004 Projects as shown in the preambles to this Resolution may be made, if the Fiscal Officer determines that doing so is in the best interest of the University. The principal amount of the Series 2004 Bonds to be issued shall be determined by the Fiscal Officer and specified in the Series 2004 Certificate of Award. The Series 2004 Bonds may be issued in one or more separate series of (i) Fixed Rate Bonds, or (ii) Variable Rate Obligations bearing interest at one or more Interest Rate Modes, and any such Variable Rate Obligations may be convertible to one or more Interest Rate Modes, all as the Fiscal Officer may determine in the Series 2004 Certificate of Award and as described herein and in the Fourth Supplemental Trust Agreement. The Series 2004 Bonds may be issued in separate series of Tax-Exempt Series 2004 Bonds and Taxable Series 2004 Bonds as the Fiscal Officer may determine in the Series 2004 Certificate of Award.

Section 4. Terms and Provisions Applicable to the Series 2004 Bonds.

(a) Forms, Denominations, Dates and Numbering. The Series 2004 Bonds shall be negotiable instruments in accordance with the Act, shall be issued only in fully registered form, without coupons, shall be substantially in the respective forms thereof set forth in the Fourth Supplemental Trust Agreement, shall be in Authorized Denominations and shall express upon their faces the purpose for which they are issued and that they are issued pursuant to the Act. Each Series 2004 Bond shall have only one principal maturity date, except for interim certificates, receipts or temporary Series 2004 Bonds which may be issued pending preparation of definitive Series 2004 Bonds. The Series 2004 Bonds shall be dated and numbered as set forth in the Series 2004 Certificate of Award.

Subject to the provisions of this Resolution for the use of a book entry system, the Series 2004 Bonds shall be exchangeable for other Series 2004 Bonds in the manner and upon the terms set forth in the Trust Agreement.

(b) Execution, Interest Rates and Maturities. (i) The Series 2004 Bonds shall be executed by the Chairman of the Board or the President of the University and by the Fiscal Officer or the Secretary of the Board and may have the seal of the University affixed or printed thereon; provided that all of such signatures and such seal may be facsimiles.

(ii) The Series 2004 Bonds shall mature on the date or dates and in the amounts set forth in the Series 2004 Certificate of Award, provided that the final maturity of the Series 2004 Bonds shall be not later than December 1, 2032. Interest on the Series 2004 Bonds shall be calculated and payable as provided in the Series 2004 Certificate of Award. The interest rate payable by the University on the Series 2004 Bonds shall not exceed the Maximum Rate except

that Pledged Bonds (or the economic equivalent thereof as may be determined in the Series 2004 Certificate of Award) may bear interest at a rate greater than the Maximum Rate as provided in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

(iii) At the University's option, some or all of the Series 2004 Bonds may be converted to or from one Interest Rate Mode to another as provided in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

(c) Mandatory Sinking Fund Redemption. The Series 2004 Bonds shall be subject to mandatory sinking fund redemption in part on each Mandatory Redemption Date, in the manner provided in the Trust Agreement, at a redemption price of 100% of the principal amount thereof to be redeemed plus accrued interest to the redemption date in such amounts and in the manner as may be set forth in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

(d) Optional Redemption. The Series 2004 Bonds shall be callable for redemption at the option of the University, in the manner provided in the Trust Agreement, in whole or in part, at such price or prices (but in any case not greater than 103% of the principal amount of Series 2004 Bonds to be redeemed plus accrued interest to the redemption date) at such times and in the manner as may be set forth in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

(e) Method and Notice of Redemption. If less than all of the outstanding Series 2004 Bonds of one maturity are to be called, the selection of such Series 2004 Bonds of such maturity to be called shall be made in the manner provided in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement. Notice of call for redemption of Series 2004 Bonds shall be given at the times and in the manner provided in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

(f) Place of Payment; Record Dates. Debt Service Charges on the Series 2004 Bonds when due shall be payable to the registered holders thereof at the places and in the manner provided in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement. The Fiscal Officer may establish a Regular Record Date and a Special Record Date for the Series 2004 Bonds which shall be set forth in the Series 2004 Certificate of Award.

(g) Paying Agent and Registrar. The Trustee shall serve as Paying Agent and Registrar for the Series 2004 Bonds.

(h) Payment. Debt Service Charges with respect to the Series 2004 Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Trustee or the Paying Agent, in the manner provided in the Trust Agreement.

(i) Book Entry System. The Series 2004 Bonds shall only be originally issued to a Depository for use in a book entry system and: (i) such Series 2004 Bonds shall be registered in the name of the Depository or its nominee, as Bondholder, and immobilized in the custody of the Depository; (ii) there shall be a single Series 2004 Bond representing each maturity; and (iii) such Series 2004 Bonds shall not be transferable or exchangeable, except for transfer to another Depository or another nominee of a Depository or to the Series 2004 Financial Institution in

order to obtain payment of principal of Series 2004 Bonds in accordance with the Trust Agreement and in exchange for any Series 2004 Bonds so transferred without further action by the University. The Beneficial Owners shall not have any right to receive Series 2004 Bonds in the form of physical certificates.

So long as a book entry system is in effect for the Series 2004 Bonds, the University and Trustee shall recognize and treat the Depository, or its nominee, as the Holder of the Series 2004 Bonds for all purposes, including payment of Debt Service Charges, giving of notices, and enforcement of remedies. The crediting of payments of Debt Service Charges on the Series 2004 Bonds and the transmittal of notices and other communications by the Depository to Beneficial Owners are the responsibility of the Depository and are not the responsibility of the University or the Trustee; provided, however, that the University and the Trustee understand that neither the Depository or its nominee shall provide any consent requested of Holders of Series 2004 Bonds pursuant to the Trust Agreement, and that the Depository will mail an omnibus proxy (including a list identifying the owners of the book entry interests in the Series 2004 Bonds) to the University which assigns the Depository's, or its nominee's, voting rights to the owners of the book entry interests in the Series 2004 Bonds (as credited to their accounts at the Depository as of the record date for mailing of requests for such consents). Upon receipt of such omnibus proxy, the University shall promptly provide such omnibus proxy (including the list identifying the owners of the book entry interests in the Series 2004 Bonds attached thereto) to the Trustee, who shall then treat such owners as Holders of the Series 2004 Bonds for purposes of obtaining any consents pursuant to the terms of the Trust Agreement.

As long as the Series 2004 Bonds are registered in the name of a Depository, or its nominee, the University and the Trustee agrees to comply with the terms and provisions of their agreement with the Depository including the provisions thereof with respect to any delivery of the Series 2004 Bonds to the Trustee which shall supersede the provisions of the Trust Agreement with respect thereto.

Notwithstanding any other provision of this Resolution or any provision of the General Bond Resolution, the Trust Agreement, the Fourth Supplemental Trust Agreement or any Series 2004 Bond to the contrary, with the approval of the Fiscal Officer, the Trustee may enter into an agreement with a Depository, or the nominee of a Depository, that is the registered owner of a Series 2004 Bond in the custody of that Depository providing for making all payments to that registered owner of principal of and interest and any premium on that Series 2004 Bond or any portion of that Series 2004 Bond (other than any payment of its entire unpaid principal amount) at a place and in a manner (including wire transfer of federal funds) other than as provided above in this Resolution, without prior presentation or surrender of the Series 2004 Bond, upon any conditions which shall be satisfactory to the Trustee and the Fiscal Officer. That payment in any event shall be made to the person who is the registered owner of that Series 2004 Bond on the date that principal and premium is due, or, with respect to the payment of interest, as of the applicable Regular Record Date or Special Record Date or other date agreed upon, as the case may be. The Trustee will furnish a copy of each of those agreements, certified to be correct by an officer of the Trustee, to other Authenticating Agents and Paying Agents for Series 2004 Bonds, if any, and to the University. Any payment of principal, premium, or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution and Trust Agreement.

(j) Change of Depository and Replacement Series 2004 Bonds. If any Depository determines not to continue to act as a Depository for the Series 2004 Bonds for use in a book entry system, the University may attempt to have established a securities depository/book entry system relationship with another qualified Depository under the Trust Agreement. If the University does not or is unable to do so, the University and the Trustee, after the Trustee has made provision for notification of the owners of book entry interests in the Series 2004 Bonds by appropriate notice to the then Depository, shall permit withdrawal of the Series 2004 Bonds from the Depository, and authenticate and deliver Series 2004 Bond certificates in fully registered form to the assignees of the Depository or its nominee. If the event is not the result of University action or inaction, such withdrawal, authentication and delivery shall be at the cost and expense (including costs of printing or otherwise preparing, and delivering, such replacement Series 2004 Bonds), of those persons requesting that authentication and delivery unless University action or inaction shall have been the cause of the termination of the book entry system in which event such cost and expense shall be borne by the University. Such replacement Series 2004 Bonds shall be in Authorized Denominations.

(j) Change of Depository and Replacement Series 2004 Bonds. If any Depository determines not to continue to act as a Depository for the Series 2004 Bonds for use in a book entry system, the University may attempt to have established a securities depository/book entry system relationship with another qualified Depository under the Trust Agreement. If the University does not or is unable to do so, the University and the Trustee, after the Trustee has made provision for notification of the owners of book entry interests in the Series 2004 Bonds by appropriate notice to the then Depository, shall permit withdrawal of the Series 2004 Bonds from the Depository, and authenticate and deliver Series 2004 Bond certificates in fully registered form to the assignees of the Depository or its nominee. If the event is not the result of University action or inaction, such withdrawal, authentication and delivery shall be at the cost and expense (including costs of printing or otherwise preparing, and delivering, such replacement Series 2004 Bonds), of those persons requesting that authentication and delivery unless University action or inaction shall have been the cause of the termination of the book entry system in which event such cost and expense shall be borne by the University. Such replacement Series 2004 Bonds shall be in Authorized Denominations.

(k) Tender Options. Each Holder and Beneficial Owner shall have the option to tender Series 2004 Bonds for purchase upon such terms as may be set forth in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

(l) Mandatory Tender. The Series 2004 Bonds shall be subject to mandatory tender by the Holders and Beneficial Owners thereof for purchase upon such terms as may be set forth in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement. The Fiscal Officer shall determine in the Series 2004 Certificate of Award whether any obligation on the part of the University to purchase Series 2004 Bonds from their Holders upon the completion of the term of the Series 2004 Credit Support Instrument shall be treated for purposes of the third paragraph of Section 2 of the General Bond Resolution as the conclusion of the term of Series 2004 Bonds.

(m) Remarketing of Series 2004 Bonds. Series 2004 Bonds which have been tendered for purchase shall be remarketed by the Series 2004 Remarketing Agent in the manner set forth

or provided for in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement.

Section 5. Sale of the Series 2004 Bonds; Series 2004 Certificate of Award. The Series 2004 Bonds shall be awarded and sold to the Original Purchaser at the price set forth in the Series 2004 Certificate of Award, such price for any maturity of the Series 2004 Bonds shall be not less than 93% of the principal amount thereof, plus accrued interest on the aggregate principal amount of the Series 2004 Bonds from their dates to the date of delivery to and payment by the Original Purchaser, all in accordance with, and subject to the terms and conditions of, the Original Purchaser's proposal contained in the hereinafter described Series 2004 Bond Purchase Agreement. Such award and sale shall be evidenced by the execution of a Series 2004 Certificate of Award by the Fiscal Officer setting forth such award and sale, the other matters to be set forth therein referred to in this Resolution, and such other matters as the Fiscal Officer determines are consistent with this Resolution, the Trust Agreement and the Fourth Supplemental Trust Agreement. That the matters contained in the Series 2004 Certificate of Award are consistent with this Resolution, the Trust Agreement and the Fourth Supplemental Trust Agreement shall be conclusively evidenced by the execution of the Series 2004 Certificate of Award by such officer. The Series 2004 Certificate of Award shall be and hereby is incorporated into this Resolution and the Fourth Supplemental Trust Agreement.

The Fiscal Officer is hereby further authorized and directed to execute and deliver, in the name and on behalf of the University, a bond purchase agreement with the Original Purchaser (the "Series 2004 Bond Purchase Agreement") upon such terms as approved by such officer not inconsistent with this Bond Legislation and not substantially adverse to the University. The approval of such officer, and that the Series 2004 Bond Purchase Agreement is consistent with this Resolution and not substantially adverse to the University, shall be conclusively evidenced by the execution of the Series 2004 Bond Purchase Agreement by such officer. The Fiscal Officer is hereby authorized to make arrangements with Peck, Shaffer & Williams LLP to serve as bond counsel and underwriter's counsel for the Series 2004 Bonds, and such firm is hereby appointed to serve in such capacities.

The Fiscal Officer, and any other appropriate officer of the University, are each hereby separately authorized to make arrangements for the delivery of the Series 2004 Bonds to, and payment therefor by, the Original Purchaser. It is hereby determined that the price for and the terms of the Series 2004 Bonds, and the sale thereof, all as provided in this Resolution, the Fourth Supplemental Trust Agreement and the Series 2004 Certificate of Award are in the best interest of the University and in compliance with all legal requirements.

Section 6. Allocation of Proceeds of Series 2004 Bonds. All of the proceeds from the sale of the Series 2004 Bonds shall be received and receipted for by the Fiscal Officer, and shall be deposited and allocated as follows:

(a) To the Debt Service Account of the Debt Service Fund, the portion of such proceeds representing accrued interest and any capitalized interest directed to be deposited in the Debt Service Account by the Series 2004 Certificate of Award; and

(b) To the Debt Service Account of the Debt Service Fund, an amount sufficient to refund the Series 2003B Notes, which amount shall be determined in the Series 2004 Certificate of Award; and

(c) To the Series 2004 Projects Account which is hereby created as a separate deposit account within the Facilities Fund (except when invested as hereinafter provided) in the custody of the University or the Trustee or other entity, as the Fiscal Officer shall determine, the balance of such proceeds.

Any such capitalized interest may be deposited in a separate sub-account of the Debt Service Account of the Debt Service Fund as the Fiscal Officer may determine. Upon a determination by the Fiscal Officer that any portion of such amount designated to be used for capitalized interest is not needed for such purpose, such portion may be transferred to the Series 2004 Projects Account.

Such proceeds are hereby appropriated for the purposes of the respective funds and accounts into which such proceeds are deposited.

No provision shall be made for a Debt Service Reserve Account with respect to the Series 2004 Bonds, and there shall be no Required Reserve for the Series 2004 Bonds. The Series 2004 Bonds shall not be payable from, and the Series 2004 Bonds shall not be secured by, any moneys in or investments credited to the Debt Service Reserve Account, and therefore, Debt Service Charges on the Series 2004 Bonds shall not have access to or claims upon the Debt Service Reserve Account.

Section 7. Series 2004 Projects Account; Recordkeeping; Application of Moneys. A record of each deposit into and disbursement from the Series 2004 Projects Account shall be made and maintained by the party having custody of such account.

Moneys in the Series 2004 Projects Account shall be used to pay Costs of University Facilities related to the 2004 Projects, capitalized interest to a date as may be set forth in the Series 2004 Certificate of Award and any costs associated with the issuance of the Series 2004 Bonds, and shall be disbursed upon the written request of the Fiscal Officer on behalf of the University. The University covenants that it will proceed with due diligence to pay such costs and complete the 2004 Projects. Upon the final payment of such costs, the University shall deliver to the Trustee a certificate of the Fiscal Officer on behalf of the University stating that fact and setting forth the amount, if any, then remaining in the Series 2004 Projects Account which shall be transferred to the Debt Service Account of the Debt Service Fund pursuant to this Section.

Upon such certification, any moneys remaining in the Series 2004 Projects Account and certified pursuant to the preceding paragraph shall be transferred by the party having custody of such Fund to the Debt Service Account of the Debt Service Fund as set forth in the immediately preceding paragraph.

Moneys in the Series 2004 Projects Account may be invested in any lawful University investments in amounts maturing not later than the times when such amounts in the Series 2004 Projects Account are required to pay any costs payable from such Fund. Any investment made by the Trustee shall be at the written or oral (and, if oral, promptly confirmed in writing)

direction of the Fiscal Officer. The term "lawful University investments" shall mean those investments made in accordance with the *Statement of Objectives and Policies for Non-Endowment Invested Funds*, approved by the Board on February 14, 2003, as the same may be amended or supplemented from time to time. Such investments may include qualifying money market mutual funds for which the Trustee or any of its affiliates provide services for a fee, whether as an investment advisor, custodian, transfer agent, registrar, sponsor distributor, manager or otherwise.

Any investment of moneys in the Series 2004 Projects Account shall constitute a part of the Series 2004 Projects Account and the Series 2004 Projects Account shall be credited with all proceeds of sale, and gain or loss, from such investment. Interest earnings on moneys in the Series 2004 Projects Account shall be credited when received to the Series 2004 Projects Account. For investment purposes only, moneys in the Series 2004 Projects Account may be commingled with moneys from one or more funds held by the Trustee pursuant to the Trust Agreement; provided that separate records are maintained for each such fund, the investments made therefrom, and the interest earnings credited thereto.

Section 8. Fourth Supplemental Trust Agreement. The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, a Fourth Supplemental Trust Agreement pursuant to the Trust Agreement in connection with the issuance of the Series 2004 Bonds, in a form not substantially adverse to the University as may be permitted by the Act and the Trust Agreement and approved by the officer or officers executing the same on behalf of the University. The approval of such form by the Board and such officer or officers, and the fact that such forms are not substantially adverse to the University, shall be conclusively evidenced by the execution of the Fourth Supplemental Trust Agreement by such officer or officers.

Consistent with Section 8.02 of the Original Trust Agreement, the University and the Trustee, without the consent of or notice to any of the Bondholders, may enter into agreements supplemental to the Trust Agreement and the Fourth Supplemental Trust Agreement to the extent necessary or desirable to permit (i) the transfer of Series 2004 Bonds from one Depository to another, and the succession of Depositories or (ii) the withdrawal of Series 2004 Bonds issued to a Depository for use of a book entry system and the issuance of replacement Series 2004 Bonds in fully registered form to others than a Depository.

The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer are each separately authorized to execute and deliver, on behalf of the University, such other certificates, documents and instruments as are necessary in connection with the transactions authorized in this Resolution, and to do all other things required of them or the University pursuant to the Trust Agreement and this Resolution.

The appropriate officers of the University shall do all things necessary or proper to implement and carry out the orders and agreements set forth in or approved in this Resolution for the proper fulfillment of the purposes of the General Bond Resolution and this Resolution. The Secretary of the Board shall furnish to the Original Purchaser a true and certified transcript of all

proceedings taken with reference to the authorization and issuance of the Series 2004 Bonds along with other information as is necessary or proper with respect to the Series 2004 Bonds.

Section 9. Tax Matters. The University hereby covenants that it will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Tax-Exempt Series 2004 Bonds under Section 103(a) of the Code. Without limiting the generality of the foregoing, the University hereby covenants as follows:

(a) The University will not directly or indirectly use or permit the use of any proceeds of the Tax-Exempt Series 2004 Bonds or any other funds of the University, or take or omit to take any action that would cause the Tax-Exempt Series 2004 Bonds to be "arbitrage bonds" within the meaning of Sections 103(b)(2) and 148 of the Code. To that end, the University will comply with all requirements of Sections 103(b)(2) and 148 of the Code to the extent applicable to the Tax-Exempt Series 2004 Bonds. In the event that at any time the University is of the opinion that for purposes of this sub-section (a) it is necessary to restrict or limit the yield on the investment of any moneys held by the Trustee under the Trust Agreement, the Fiscal Officer shall so instruct the Trustee in writing, and the Trustee shall take such action as may be necessary in accordance with such instructions. The Fiscal Officer, or any other officer having responsibility with respect to the issuance of the Tax-Exempt Series 2004 Bonds, is authorized and directed to give an appropriate certificate on behalf of the University, on the date of delivery of the Tax-Exempt Series 2004 Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of such Sections 103(b)(2) and 148, and to execute and deliver on behalf of the University an IRS Form 8038G in connection with the issuance of the Tax-Exempt Series 2004 Bonds.

Without limiting the generality of the foregoing, the University agrees that there shall be paid from time to time all amounts required to be rebated to the United States pursuant to Section 148(f) of the Code. This covenant shall survive payment in full or defeasance of the Tax-Exempt Series 2004 Bonds. The University specifically covenants to pay or cause to be paid to the United States at the times and in the amounts determined under Section 10 hereof the Rebate Amounts, as described in the Memorandum of Instructions. The Trustee agrees to perform all tasks required of it in the Memorandum of Instructions.

Notwithstanding any provision of this sub-section (a), if the University shall provide to the Trustee an opinion of nationally recognized bond counsel to the effect that any action required under this Section and Section 10 of this Resolution is no longer required, or to the effect that some further action is required, to maintain the exclusion from gross income of the interest on the Tax-Exempt Series 2004 Bonds pursuant to Section 103(a) of the Code, the University and the Trustee may rely conclusively on such opinion in complying with the provisions hereof.

(b) So long as any of the Tax-Exempt Series 2004 Bonds, or any obligations issued to refund the Tax-Exempt Series 2004 Bonds, remain unpaid, the University will not operate or use, or permit the operation or use of, the 2004 Projects or any part thereof in any trade or business

carried on by any person within the meaning of the Code which would cause the Tax-Exempt Series 2004 Bonds to be "private activity bonds" within the meaning of Section 141 of the Code.

Section 10. Rebate Fund.

(a) There has previously been created and ordered maintained in the custody of the Trustee (except when invested as herein provided), the Rebate Fund, which shall not constitute a Special Fund or Account securing the Series 2004 Bonds or other Obligations. There shall be deposited in the Rebate Fund such amounts as are required to be deposited therein pursuant to the Memorandum of Instructions. Subject to the transfer provisions provided in paragraph (d) below, all money at any time deposited in the Rebate Fund shall be held by the Trustee in trust, to the extent required to satisfy the Rebate Amount (as defined in the Memorandum of Instructions), for payment to the United States of America, and neither the University nor the owner of any Bonds shall have any rights in or claim to such money. All amounts deposited into or on deposit in the Rebate Fund shall be governed by this Section, by Section 9 of this Resolution and by the Memorandum of Instructions (which is incorporated herein by reference).

(b) The Trustee shall have no obligations to rebate any amounts required to be rebated pursuant to this Section, other than from moneys held in the funds created under the Trust Agreement or from other moneys provided to it by the University upon its request for said moneys from the University as set forth in the Memorandum of Instructions.

(c) The Trustee shall, at the direction of the University, invest amounts held in the Rebate Fund and deposit all earnings on such amounts as provided in the Memorandum of Instructions.

(d) The Trustee shall remit moneys in the Rebate Fund to the United States, as directed in the Memorandum of Instructions. Any funds remaining in the Rebate Fund after redemption and payment of all of the Bonds and payment and satisfaction of any Rebate Amount, or provision made therefor satisfactory to the Trustee shall be withdrawn and remitted to the University.

(e) Notwithstanding any other provision of this Resolution or the Trust Agreement, the obligation to remit the Rebate Amounts to the United States and to comply with all other requirements of this Section, Section 9 of this Resolution and the Memorandum of Instructions shall survive the defeasance or payment in full of the Bonds.

Section 11. Official Statement. The Fiscal Officer is hereby authorized to execute and deliver preliminary and final official statements on behalf of the University, in such forms as such officer may approve, and to deem such official statements to be "final" for purposes of Securities and Exchange Commission Rule 15c2-12, such officer's execution thereof on behalf of the University to be conclusive evidence of such authorization, approval and deeming, and copies thereof are hereby authorized to be prepared and furnished to the Original Purchaser for distribution to prospective purchasers of the Series 2004 Bonds and other interested persons.

The Fiscal Officer on behalf of the University is hereby authorized to execute and deliver a continuing disclosure certificate or agreement dated as set forth in the Series 2004 Certificate of Award (the "Continuing Disclosure Certificate") in connection with the issuance of the Series

2004 Bonds in such form as such officer may approve. The University hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Series 2004 Bonds; however, any holder or owner of the Series 2004 Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause the University to comply with its obligations under this paragraph and the Continuing Disclosure Certificate

The Fiscal Officer on behalf of the University is hereby authorized to furnish such information, to execute such instruments and to take such other actions in cooperation with the Original Purchaser as may be reasonably requested to qualify the Series 2004 Bonds for offer and sale under the Blue Sky or other securities laws and regulations and to determine their eligibility for investment under the laws and regulations of such states and other jurisdictions of the United States of America as may be designated by the Original Purchaser; provided however, that the University shall not be required to register as a dealer or broker in any such state or jurisdiction or become subject to the service of process in any jurisdiction in which the University is not now subject to such service.

Section 12. Series 2004 Credit Support Instrument. The Fiscal Officer is hereby authorized to apply for a Credit Support Instrument with respect to one or more series of the Series 2004 Bonds. The Fiscal Officer is hereby authorized to select a Financial Institution having qualifications and duties as set forth in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement to serve as the Series 2004 Financial Institution and to provide any Series 2004 Credit Support Instrument, and to accept the commitment of the Series 2004 Financial Institution therefor, and the payment of the fees, premiums and expenses relating to the Series 2004 Credit Support Instrument from sources described in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement is hereby authorized. The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, a reimbursement agreement or other agreement with the Series 2004 Financial Institution providing for the payment of the fees and expenses of the Series 2004 Financial Institution and the reimbursement, and security for the reimbursement, of the Series 2004 Financial Institution for advances made pursuant to the Series 2004 Credit Support Instrument, in such form as may be permitted by the Act and approved by the officer or officers executing the same on behalf of the University. The approval of such form by the Board and such officer or officers shall be conclusively evidenced by the execution of such agreement by such officer or officers.

Section 13. Interest Rate Hedges. The Fiscal Officer is hereby authorized to (i) apply for one or more Interest Rate Hedges with respect to all or a portion of the Series 2004 Bonds, (ii) select a provider of such Interest Rate Hedge by negotiation or by a bidding process, based on the Fiscal Officer's best judgment as to which approach best serves the interest of the University, and (iii) accept the commitment of such provider therefor. The Fiscal Officer is authorized to retain such consultants and professional advisors as the Fiscal Officer deems necessary to accomplish the Interest Rate Hedge in the manner most beneficial to the University, and if a negotiated process is to be used, to select the counterparty and to approve the market-based terms for such Interest Rate Hedge. The payment of the fees and expenses of such consultants and

advisors or otherwise related to any Interest Rate Hedge from the moneys in the Series 2004 Projects Account, or other sources described in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement is hereby authorized.

Any Interest Rate Hedge may be secured by a pledge of the General Receipts, either on a parity basis with the outstanding Obligations payable from the same sources as the Series 2004 Bonds, or on a subordinated basis payable as provided in the documentation for the Interest Rate Hedge (the "Hedge Documents"). The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, any Hedge Documents, in such form as may be permitted by the Act and approved by the officer or officers executing the same on behalf of the University. The approval of such form by the Board and such officer or officers shall be conclusively evidenced by the execution of such Hedge Documents by such officer or officers.

Consistent with Sections 8.02 and 10.02 of the Original Trust Agreement, the University and the Trustee, without the consent of or notice to any of the Bondholders but with the consent of any applicable Financial Institutions, may enter into agreements supplemental or amendatory to the Trust Agreement and the Fourth Supplemental Trust Agreement to the extent necessary or desirable to permit an Interest Rate Hedge to take place upon terms acceptable to the University, particularly with respect to how the amounts to be paid by the University pursuant to the Hedge Documents are to be treated for calculating annual amounts payable on the Obligations. Any Authorized Officer is hereby authorized and directed, in the name and on behalf of the University, and as its corporate act and deed, to negotiate, execute and deliver amendments or supplements to the Trust Agreement and the Fourth Supplemental Trust Agreement determined by the Authorized Officer to be necessary and appropriate to accomplish any Interest Rate Hedge in such forms not substantially adverse to the University as may be permitted by the Act and approved by the Authorized Officer executing the same on behalf of the University. The approval of such forms by the Board and such officer or officers, and the fact that such forms are not substantially adverse to the University, shall be conclusively evidenced by the execution of such amendments or supplements by such Authorized Officer.

Section 14. Series 2004 Remarketing Agent. The Fiscal Officer is hereby authorized to select a Remarketing Agent having qualifications and duties as set forth in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement to serve as the Series 2004 Remarketing Agent for the Series 2004 Bonds, and the payment of the fees and expenses relating to the remarketing of the Series 2004 Bonds from sources described in the Series 2004 Certificate of Award and the Fourth Supplemental Trust Agreement is hereby authorized. The Chairman of the Board, the President of the University, the Secretary of the Board and the Fiscal Officer, or any one or more of them, are each authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the University, an agreement with the Series 2004 Remarketing Agent providing for its services and the payment of the fees and expenses of the Series 2004 Remarketing Agent, in such form as may be permitted by the Act and approved by the officer or officers executing the same on behalf of the University. The approval of such form by the Board and such officer or officers shall be conclusively evidenced by the execution of such agreement by such officer or officers.

Section 15. Temporary Series 2004 Bonds. Pending the preparation of definitive Series 2004 Bonds the University may execute and the Trustee shall authenticate and deliver temporary Series 2004 Bonds in printed or typewritten form. Temporary Series 2004 Bonds shall be issuable in fully registered form, of any denomination, and substantially in the form of the definitive Series 2004 Bonds but with such omissions, insertions and variations as may be appropriate for temporary Series 2004 Bonds, all as may be determined by the Fiscal Officer. Every temporary Series 2004 Bond shall be executed on behalf of the University, and be authenticated by the Trustee upon the same conditions and in substantially the same manner, and with like effect, as the definitive Series 2004 Bonds. If one or more temporary Series 2004 Bonds are issued, then without unnecessary delay the University shall execute and furnish to the Trustee in exchange therefor without charge, and the Trustee shall authenticate and deliver in exchange for such temporary Series 2004 Bonds an equal aggregate principal amount of definitive Series 2004 Bonds. Until so exchanged the temporary Series 2004 Bonds shall be entitled to the same benefits under the Trust Agreement as definitive Series 2004 Bonds.

Section 16. Prior Actions Approved. All actions hereto taken by officers and employees of the Board and the University in connection with the approval, authorization, sale, execution, delivery and issuance of the Series 2001 Bonds, Series 2001 Swap Agreement, the Series 2003 Bonds, and the Series 2003B Notes or the security therefor, or any Interest Rate Hedge or Credit Support Instrument related thereto, are hereby approved, ratified and confirmed.

Section 17. Additional Special Funds and Accounts. The Fiscal Officer is hereby authorized to create such additional Special Funds and Special Accounts in connection with the Series 2004 Bonds and the security therefor and the remarketing thereof as the Fiscal Officer deems necessary. Any such Special Funds and Accounts and the permitted investment thereof shall be described in the Series 2004 Certificate of Award.

Section 18. Relationship of this Resolution to General Bond Resolution. It is understood and acknowledged by the University that the Series 2004 Bonds are being issued pursuant to the terms of the General Bond Resolution, as amended and supplemented by the terms of this Resolution; that the Series 2004 Bonds are subject to all of the terms and conditions of the General Bond Resolution, as amended, except as otherwise provided herein; and that all of the terms, conditions, covenants and warranties contained in the General Bond Resolution, as amended, except as otherwise provided herein, shall apply with like force and effect to the Series 2004 Bonds as if originally made in connection therewith. The General Bond Resolution and the Trust Agreement, as amended and supplemented to date including by this Resolution, and the Obligations issued to date thereunder, including the Series 2001 Bonds, the Series 2001 Swap Agreement, the Series 2003 Bonds and the Series 2003B Notes, are hereby approved, ratified and confirmed.

Section 19. General. This Resolution is adopted pursuant to the General Bond Resolution and the Trust Agreement. The appropriate officers of the University shall do all things necessary and proper to implement and carry out the orders and agreements set forth in or approved in the General Bond Resolution and this Resolution for the proper fulfillment of the purposes thereof. Without limiting the generality of the foregoing, the Fiscal Officer and other appropriate officers of the University are hereby authorized to apply to the Ohio Board of Regents for any required approvals with respect to the 2004 Projects or the Series 2004 Bonds.

Should all the Series 2004 Projects or the Series 2004 Bonds not receive such approvals by the time the Series 2004 Bonds are sold, the Fiscal Officer shall set forth in the Series 2004 Certificate of Award the 2004 Projects and the amount of Series 2004 Bonds that have received such approvals. Thereupon, the Series 2004 Bonds shall be issued in a principal amount not exceeding the amount approved by the Ohio Board of Regents and the 2004 Projects shall include only the projects approved by the Ohio Board of Regents.

Section 20. Inconsistencies. All orders, resolutions and other official actions, or parts thereof, inconsistent herewith or with the documents hereby authorized, approved, ratified or confirmed are hereby repealed, but only to the extent of such inconsistency. This Resolution shall not be construed as otherwise revising any order, resolution or other official action, or part thereof.

Section 21. Open Meeting Determination. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

Section 22. Effective Date. This Resolution shall take effect and be in force immediately upon its adoption.

Adopted: February ___, 2004

Mr. DeLawder next reviewed items before the Trustees involving the approval of construction documents, the awarding of contracts and the hiring of consultants. He reported John Kotowski, assistant vice president, Facilities Planning, had reviewed each project in committee and had answered Trustees' questions.

Mr. DeLawder presented and moved approval, by consensus, the following resolutions. Dr. Ackerman seconded the motion. All voted aye.

Approval of Construction Documents and Authority to Award Contracts for
University Center – Resolution 2004 – 1917

Approval to Hire a Consultant and Authority to Develop Bid Documents for
Pickerington Center, Phase II Rehabilitation – 2004 – 1918

Approval to Hire a Consultant and Authority to Develop Bid Documents for
Airport Improvements – 2004 – 1919

Approval of Construction Documents and Authority to Award Contracts for Alden
Library, Second Floor Rehabilitation – 2004 – 1920

Authority to Hire a Consultant and Develop Bid Documents for Lausche Heating
Plant Rehabilitation and Expansion, Phase II – 2004 – 1921

**DOCUMENT APPROVAL FOR THE CONSTRUCTION
OF THE
UNIVERSITY CENTER PROJECT**

RESOLUTION 2004 - 1917

WHEREAS, the current University Center was constructed in 1953 for a student population that was less than half the size of the current enrollment, and

WHEREAS, the Student Senate approved the assessment of an additional Student Fee in April of 2001 so that a new facility could be constructed and operated, and

WHEREAS, the Student Fee will be assessed at \$60 per full time Athens Campus student per quarter, including College of Medicine students, and a pro rata fee for all part time Athens Campus students per quarter, and

WHEREAS, the expected total cost of the new University Center will be \$60 million and includes the cost of building construction, consulting fees, funds to equip the building and contingency dollars; and

WHEREAS, the Ohio University Capital Improvements Plan identifies \$20 million over three biennia for the facility, and

WHEREAS, the Student Fee will provide the repayment source for \$40 million of construction costs, capitalized interest during construction and operating expenses, and

WHEREAS, Ohio University has been working with the Department of Administrative Services, a variety of constituents within the University community and the consultant team of Moody/Nolan Ltd. and WTW Architects on this project, and

WHEREAS, final plans and specifications have been completed and the project has been advertised for construction bids.

NOW, THEREFORE, BE IT RESOLVED, that the Ohio University Board of Trustees does hereby approve construction documents for the University Center Project.

BE IT FURTHER RESOLVED, that the Ohio University Board of Trustees does hereby authorize the receipt of bids and does empower the President or his designee to recommend to the Deputy Director, General Services Administration, award of construction contracts provided total bids do not exceed funds identified.

BE IT FURTHER RESOLVED, that the Ohio University Board of Trustees does hereby approve assessment and collection of the Student Fee as described above.

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3- 2727/ fax: 3-4081 email: Kotowski@ohio.edu

TO: Dr. Gary B. North, Vice President for Administration

DATE: February 3, 2004

**SUBJECT: APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORITY TO
PROCEED WITH CONSTRUCTION OF THE PROPOSED UNIVERSITY CENTER**

MEMO:

In 1995, the University commissioned a study of the University Center and identified a variety of facility and student life needs that could not be met in the current facility. The 1996 campus master plan identified a site for a new university center located at the southern end of Court Street that would place the facility on the edge of the College Green and provide a linkage between the upper and lower campus.

Then in January 2001, the University commissioned a program study that defined the specific needs of a proposed university center and supporting parking structure. The process of developing this program included extensive input from students and staff as well as members of the broader campus community. The program suggested that a center of approximately 180,000 gross square feet and a 300 automobile parking facility was needed. At the time this study was completed, it was estimated that the cost of this project would be between 50 and 60 million dollars.

The Student Senate unanimously passed a resolution to endorse the university center project and encourage the University to take the necessary steps to build the new center with the support of a student fee at their May 16, 2001 meeting. The recently completed capital improvements plan has identified sufficient capital funding to support \$20,000,000 of the proposed project. These capital funds are earmarked in three appropriations. The first in FY 2003-2004 which accounts for approximately \$4,400,000, the second in FY 2005-2006 where the University is seeking approximately \$10,300,000 and the remainder to be available in FY 2007-2008 capital bill.

In December of 2001, the University hired a consultant to refine the estimate for the proposed university center and parking facility. This study examined the physical conditions of the site as well as the availability of utilities to support the center. That study was completed in late January 2002 and suggested that the proposed facilities could be constructed at the South Court Street site for \$60,000,000.

On April 12, 2002, the Ohio University Board of Trustees, at their regular meeting, approved a resolution; which authorized the hiring of a consultant for the project. The University hired the firms of Moody/Nolan, Ltd. and WTW Architects, Inc. to develop construction documents of the University Center replacement project.

Page #2
Dr. Gary B. North
January 21, 2004

The final plans and specifications are complete and the project has been advertised seeking bids for the construction contracts. In order that I may proceed, I have enclosed a resolution for consideration by the Ohio University Board of Trustees at their regular meeting of February 13, 2004. This resolution seeks the approval of plans and specifications for the project. In addition, the resolution authorizes the award of contracts for the building of the facility, so long as bids are within the funds identified.

If you have any questions or concerns, please let me know. Thank you.

JKK/slW/UNIVCTR0402.GBN

enclosure

pc: Dr. Stephen J. Kopp
Mr. Michael J. Sostarich
Mr. John F. Burns
Mr. Larry A. Corrigan

**CONSULTANT APPROVAL AND AUTHORIZATION FOR THE
RECEIPT OF BIDS FOR THE RENOVATION OF
THE LOWER LEVEL OF BUILDING NUMBER 2 AT THE
PICKERINGTON CENTER**

RESOLUTION 2004 -- 1918

WHEREAS, Ohio University Lancaster Campus has a need to expand its Executive Masters of Business Administration and Executive Professional programs, and

WHEREAS, after careful study it has been determined to move the Executive Masters of Business Administration and Executive Professional Programs from the Lancaster Campus to the Pickerington Center, and

WHEREAS, the lower level of building number 2 will be renovated into two tiered forty-seat seminar rooms, multi-purpose breakout room and required support areas, and

WHEREAS, the office of Regional Higher Education has identified funding in the amount of \$300,000 for this project, and

WHEREAS, the office of Facilities Planning and Construction has interviewed and selected Bogden Architects, Inc. to be the Associate Architect.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby empower the President or his designee to recommend the firm of Bogden Architects, Inc. as the Associate for the project to prepare plans and specifications for the Pickerington Center Renovation.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize the receipt of bids and award of construction contracts for the renovation of the lower level of Building Number 2 at the Pickerington Center, provided the total bids do not exceed the resources identified for this project.

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3- 2727/ fax: 3-4081 email: Kotowski@ohio.edu

TO: Dr. Gary B. North, Vice President for Administration

DATE: February 3, 2004

SUBJECT: **CONSULTANT APPROVAL AND AUTHORIZATION FOR THE RECEIPT
OF BIDS FOR THE RENOVATION OF THE LOWER LEVEL OF
BUILDING NUMBER 2 AT THE PICKERINGTON CENTER**

MEMO:

Ohio University Pickerington Center was established in the mid 1990's to provide educational programs to residents of northern Fairfield County whose way of life did not facilitate attendance at the Lancaster Campus. The program was initially held in a local high school, but as enrollment increased, the University leased space in a facility now known as the Pickerington Center. This facility was first occupied in 2000, and in 2001 the University purchased the property, which consists of two two-story buildings, each with a total area of 15,000 square feet. Building number one is currently 100% occupied by university programs. In building number two, the upper level (7,500 square feet) is presently leased to non-university professional offices, and the lower floor is vacant.

Ohio University Lancaster's Pickerington Center is broadening its mission by establishing executive educational programs and master level business degrees. The newly created Master of Finance in Economics inaugural class began in the Fall of 2003. The Executive Master of Business Administration Program, in its 27th year, will be relocating from the Lancaster Campus to the Pickerington Center for the Fall of 2004. The further development of executive programs at the Pickerington Center will provide greater accessibility to the Central Ohio market as well as open new educational opportunities for communities located along the interstate seventy corridor. These programs will occupy a proposed renovated 5,000 square foot space on the lower level of building two. These programs are conducted primarily on the weekends, so the proposed renovated space will be available for the general use by the University and community during the week; both days and evenings.

The proposed renovation will consist of creating two forty-seat-tiered seminar rooms, a multi-purpose breakout room and required support areas. The total project budget is \$300,000 with funding available from the office of Regional Higher Education.

inter.memo.pik.ctr.1.22.04

CONSULTANT FOR THE 2004 AIRPORT IMPROVEMENTS PROJECT

RESOLUTION 2004--- 1919

WHEREAS, Ohio University has been engaged in a series of projects to expand and upgrade the Ohio University Bush Airport, including a recently completed runway/taxiway extension, upgrades to some existing pavements, and improvements to some navigational aid equipment, and

WHEREAS, indications are that the Federal Aviation Administration will fund, through its discretionary funding, additional improvements to pavements, navigational aid equipment, and security; and

WHEREAS, the continued improvements to the airport infrastructure will promote economic development in the area as well as better support University academic and research programs, and

WHEREAS, this office, in conjunction with airport personnel, has done an assessment of needed improvements at the airport, and has submitted that assessment to the FAA, and has received approval of the proposed improvements from the FAA, and

WHEREAS, Ohio University has advertised for qualified consulting firms and will be receiving proposals from and finalizing a list of organizations to be interviewed for this work.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby empower the President or his designee to interview and select an associate architect for the 2004 Airport Improvements Project.

BE IT FURTHER RESOLVED that the Ohio University Board of Trustees does hereby authorize the preparation of construction plans and specifications for the project.

AIP2004CON.RES

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3-2727/ fax: 3-4081 email: kotowski@ohio.edu

TO: Dr. Gary B. North, Vice President For Administration

DATE: January 22, 2004

SUBJECT: APPROVAL OF CONSULTANT SELECTION FOR THE 2004 AIRPORT
IMPROVEMENTS PROJECT

In a continuing process of supporting General Aviation Airports, the Federal Aviation Administration has been providing grants for improvements to airport infrastructure and equipment. In addition to the multi-million dollar grant recently received for the runway and taxiway extension project, the University's Bush Airport has received Air 21 entitlement grants of \$150,000 for each of the past two years (2002 and 2003). The 2002 grant was used for upgrades to existing pavements and navigational aids. The 2003 grant has been earmarked for fencing around the airfield, and those grant dollars are being held by the FAA until such time as total financing for the fencing (about \$250,000) is available. In addition to the \$150,000 entitlement grant for the 2004 grant (which is designated for the fencing), the FAA now has indicated that it will award an additional \$1,000,000 in discretionary funds to the University for qualifying airport improvements.

At the request of the FAA, the airport director and the facilities planning office have submitted a list of projects to be funded by the proposed discretionary grant, and the FAA has given verbal approval to the proposed projects. In addition to the fencing covered by the entitlement funds, these projects include upgrades to all existing aircraft pavements in need of such, improvements to drainage problem areas adjacent to pavements, upgrades to the remaining navigational aids not addressed during the runway extension project, airspace obstruction removal, runway safety area study, purchase of a new snow plow / maintenance vehicle, and an upgrade to the current Airport Layout Plan (ALP) / Master Plan as recommended by the FAA.

The total grant monies anticipated from the FAA for these projects is \$1,300,000. The required matching funds of \$65,000 (5%) will be provided by Airport Operations, through the office of the Vice President of Research. The FAA grant is awarded on a reimbursement basis after work is complete.

I have enclosed a resolution for consideration by the Board of Trustees at their regular meeting on February 12, 2004, which seeks approval to hire a consultant and develop bid documents for the 2004 Airport Improvements Project. If I can be of further assistance or provide additional information regarding this matter, please let me know.

JKK/dp/AIP2004CON.GBN

enclosure

pc: Dr. Stephen Kopp
Dr. Jack A. Bantle
Mr. Larry Corrigan
Ms. Linda Stroh

**APPROVAL OF CONSTRUCTION DOCUMENTS FOR THE
ALDEN LIBRARY SECOND FLOOR LEARNING COMMONS RENOVATION**

RESOLUTION 2004 --- 1920

WHEREAS, the Ohio University Board of Trustees, at their regular meeting of February 14, 2003 provided the authority to plan the development of a number of basic renovation projects, and

WHEREAS, one of the projects approved by the Trustees is the Alden Library Second Floor Library Commons Renovation, and

WHEREAS, House Bill 675, Basic Renovation allocation, contains \$250,000, while the Ohio University Libraries is earmarking \$1,156,000 in gifts and local funding, and

WHEREAS, the University did select Design Group Inc., 515 East Main Street, Columbus, Ohio 43215 as the consulting architect for this project,

WHEREAS, final plans and specifications have been prepared for advertisement on Alden Library Second Floor Learning Commons renovation.

NOW, THEREFORE, BE IT RESOLVED that the Ohio University Board of Trustees does hereby approve construction documents for this project.

BE IT FURTHER RESOLVED, that the Ohio University Board of Trustees does hereby empower the President or his designee to accept and recommend to Procurement Services the award of construction contracts; provided the total bids do not exceed funds available.

alden 2ndconstr.res

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3-2727 / fax: 3-4081 email: kotowski@ohio.edu

TO: Dr. Gary B. North, Vice President for Administration

DATE: January 21, 2004

SUBJECT: **APPROVAL OF CONSTRUCTION DOCUMENTS FOR ALDEN
LIBRARY 2ND FLOOR LIBRARY COMMONS RENOVATION**

MEMO:

This project involves the renovation of the second floor of Alden Library to accommodate an array of student centered library services, including consolidation of the reference and computer services; creation of an information commons; provision of more group study rooms; and creation of a writing center. Once the project is complete, the second floor will have a central service desk for reference and computer services, eighty computer workstations, group study rooms, study tables, offices for reference and computer services staff, multi media conference room, staff lounge, small vending area and self service project center.

The anticipated project cost for this renovation is \$1,406,000 with the cost of construction estimated to be \$927,000. Funding will be from two sources. The State Capital Improvements Bill, basic renovation line item which will provide \$250,000, and the Libraries which has earmarked \$1,156,000 in donations and local funding.

The University, based on the authority provided by the Board of Trustees at their regular meeting of February 14, 2003, hired the Design Group, Inc. to provide architectural and engineering consulting services. The plans and specifications have been completed. In order that this project may proceed, I have enclosed a resolution for consideration by the Board of Trustees at their regular meeting on February 13, 2004. The resolution asks that construction documents be approved and that the authorization to bid and award contracts, so long as funding is sufficient to cover the cost of the work, be given. If I can be of further assistance by providing additional information regarding this matter, please let me know.

ALDENCONSTR.GBN

xc: Stephen Kopp
Julia Zimmerman

CONSULTANT FOR THE LAUSCHE HEATING PLANT, PHASE II PROJECT

RESOLUTION 2004 - 1921

WHEREAS, the Lausche Heating Plant, constructed and put into services in 1967 and more than 35 years old, and

WHEREAS, the plant has not received a major rehabilitation since its construction and the facility is experiencing a significant number of failures, and

WHEREAS, Ohio University is seeking \$4,800,000 in capital funding from the State of Ohio for the FY 2005-2006 Biennium for the rehabilitation of the Lausche Heating Plant, and

WHEREAS, Ohio University is planning to use \$2,000,000 of that appropriation to rehabilitate boiler number two, replace the associated turbine, and expand the facilities bag house, and

WHEREAS, the University would like to utilize local funds to hire a consultant to do the design work for the second phase of the rehabilitation of the Plant so that work can begin at the conclusion of this heating season, and

WHEREAS, Ohio University has the authority of the Ohio Board of Regents and the Department of Administrative Services to manage this project locally and hire the necessary consultants to proceed with the project, and

WHEREAS, the University did advertise in the Ohio Register for interested consultants, developed a list of firms to be interviewed from those showing interest, and did conduct interviews in January, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Ohio University Board of Trustees does hereby approve the recommendation to hire Fosdick and Hilmer, Inc. to provide consulting engineering services for this Project.

BE IT FURTHER RESOLVED, that the Ohio University Board of Trustees does hereby authorize the preparation of plans and specifications for the Lausche Heating Plant, Phase II Project.

LAHP0401.RES

INTEROFFICE MEMORANDUM

FROM: John K. Kotowski voice: 3- 2727/ fax: 3-4081 email: Kotowski@ohio.edu

TO: Dr. Gary B. North, Vice President for Administration

DATE: January 21, 2004



**SUBJECT: AUTHORIZATION TO HIRE A CONSULTANT AND APPROVAL TO
PROCEED WITH THE DEVELOPMENT OF PLANS AND
SPECIFICATIONS FOR THE LAUSCHE HEATING PLANT, PHASE II
PROJECT**

MEMO:

The Lausche Heating Plant construction was completed and the facility was brought into service in 1967. At the time, it contained three coal fired steam boilers. Since its construction, a fourth boiler, using natural gas as a fuel source was added to the facility. For the past 35 years, the facility has continued to provide steam to the University for heating buildings, heating water and operating steam chillers for air conditioning. The coal boilers are near the end of their useful life and are in need of an overhaul. This is also the case with much of the equipment in the facility that is associated with steam production.

The age of the facility and increased failures over the last several years with the interior components of the steam boilers have led the institution to recommend that capital dollars be used to rehabilitate the facility. Further, a recent study has indicated that the facility should be expanded to meet the growth of the campus in the last two decades. On September 19, 2003, the Ohio University Board of Trustees approved the University's capital improvements plan, which has been submitted to the Ohio Board of Regents for consideration. In this plan, the University is seeking \$13,750,000 over the next two biennia to rehabilitate the existing plant and also expand its steam and chilled water capacity.

Last summer the University undertook a project, which resulted in the rehabilitation of boiler number three, the boiler in the worst condition in the plant. This summer the University would like to rehabilitate boiler number two, replace the associated turbine system, expand the bag house capacity at the plant, and begin the design work to expand the chilled water capacity of the plant. It is expected that this work will cost approximately \$2,000,000. These funds are to be covered by the University's FY 2005-2006 capital request that is in the amount of \$4,800,000. The design work for the second phase of the Lausche Heating Plant Project will cost approximately \$250,000. The University is planning to borrow under its current notes program funds to cover the design costs and then reimburse itself when funds in the FY 2005-2006 capital improvements bill are available.

Page #2
Dr. Gary B. North
January 21, 2004

The University has advertised for consultants interested in doing the Lausche Heating Plant, Phase II Project. In January 2004, a short list was developed and interviews took place. It is the recommendation of the selection committee that Fosdick and Hilmer, Inc., located in Cincinnati, Ohio 45202, be hired for this project. In order that the University may proceed, I have enclosed a resolution for consideration by the Ohio University Board of Trustees at their regular meeting of February 13, 2004. This resolution seeks the approval to hire Fosdick and Hilmer, Inc. as the consulting engineer for the project. In addition, the resolution authorizes the development of construction documents for the project.

If you have any questions or concerns, please let me know. Thank you.

JKK/slw/LAHP0402.GBN

enclosure

pc: Dr. Stephen J. Kopp
Dr. Terry W. Conry
Mr. John F. Burns
Mr. Larry A. Corrigan



OHIO
UNIVERSITY

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index.html](http://www.ohio.edu/vpadmin/index.html)

January 23, 2004

Dr. Robert Glidden
Office of the President
Cutler Hall 108

CAMPUS MAIL

Dear Bob,

John Kotowski is seeking Board approval for the following projects:

- 1) approval of plans and specifications and authorization to seek bids for the University Center.
- 2) approval to select a consultant to plan the renovation of the lower level of The Pickerington Center and authorization to take bids for the project.
- 3) approval to select a consultant and develop bid documents for the Snyder Airport Improvement Project.
- 4) approval of construction documents for the Alden Library second floor renovation and authorization to seek bids for the project.
- 5) approval to select a consultant to develop plans and specifications for the rehabilitation of the Lausche Heating Plant, Phase II, project.

I recommend approval of these recommendations.

Yours truly,

Gary B. North
Vice President for Administration and Finance

GN:jt

Attachments (5)

ACADEMIC QUALITY COMMITTEE

Committee Chairman Browning reported his committee met and received two reports and considered two resolutions before the Trustees for action.

Mr. Browning thanked Provost Kopp for his report on the Academic Quality Improvement Program and noted its significance to the University. He thanked those working on the project and asked that a copy be included with the official minutes.

He thanked Dean Ann Fidler, Honors Tutorial College, for her timely report on the Office of Nationally Competitive Awards.

Dr. Browning presented and moved approval of the resolution. Mr. DeLawder seconded the motion. All agreed.

**REVIEW AND RENAMING OF THE
SOMATIC DYSFUNCTION RESEARCH INSTITUTE**

RESOLUTION 2004 - 1922

WHEREAS, the continued review of academic programs is essential to the maintenance of quality within an education institution, and

WHEREAS, Ohio University has had for many years a rigorous program of internal review.

WHEREAS, Section 67 of House Bill 694 provides for the review and evaluation of all programs of instruction conducted by state institutions.

WHEREAS, a name change better reflects the progressive direction of research conducted by the Institute and interdisciplinary collaboration with the College of Osteopathic Medicine, the Russ College of Engineering and Technology, and the College of Health and Human Services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Ohio University accepts the 2003-2004 Review of the *Somatic Dysfunction Research Institute* renamed to the *Interdisciplinary Institute for Neuromusculoskeletal Medicine* and recommends that the Institute be continued.



OHIO
UNIVERSITY

Office of the Vice President
for Research

Research and Technology
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www.ohio.edu/research/

DATE: January 23, 2004
TO: Robert Glidden, President
FROM: John Bantle, Vice President for Research
SUBJECT: Review and Change of Name for the
Somatic Dysfunction Research Institute

Attached is the 5-year review of the *Somatic Dysfunction Research Institute*, which includes a proposal for changing the name of the *Somatic Dysfunction Research Institute* to the *Interdisciplinary Institute for Neuromusculoskeletal Medicine*.

I concur with the recommendation for continuation of the Institute and the proposed name change. I suggest these recommendations be presented to the Board of Trustees for their action at their February meeting.

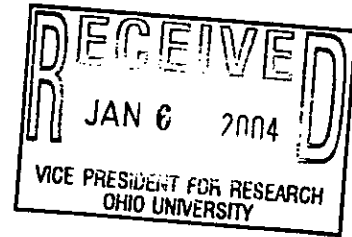
bc

Enclosures



Interoffice Communication

January 2, 2004



TO: Jack Bantle, Ph.D., Vice President for Research

FROM: John A. Brose, D.O., Dean
College of Osteopathic Medicine

SUBJECT: Somatic Dysfunction Research Institute

Attached for your review is the Self-Study Report and the Review Committee Evaluation of the Somatic Dysfunction Research Institute (SDRI). The Review Committee "enthusiastically recommends" continuation of the Institute, and I concur.

The current SDRI Director and the review committee have recommended a name change for the institute, to Interdisciplinary Institute for Neuromusculoskeletal Medicine (IINM), and I concur with this recommendation as well. This name change is indicative of the progressive direction for the research being conducted and the collaboration into interdisciplinary areas with the College of Engineering and the College of Health and Human Services. Long-term funding through the Osteopathic Heritage Foundation will provide financial stability for the Institute. Over the next year, the Institute will need to address the issues of retirement and recruitment.

I strongly recommend continuation of the Somatic Dysfunction Research Institute, renamed to the Interdisciplinary Institute for Neuromusculoskeletal Medicine.

cab

Center/Institute Summary

Center/Institute: Somatic Dysfunction Research Institute

Director: John N. Howell, Ph.D.
Department of Biomedical Sciences
College of Osteopathic Medicine

Affiliated Faculty: Anthony Chila, D.O., Family Medicine, OUCOM
David Eland, D.O., Family Medicine, OUCOM
Janet Burns, D.O., Family Medicine, OUCOM
Robert L. Williams, II, Mechanical Engineering, RCENT
Gary S. Chleboun, Ph.D., Physical Therapy, HHS

Mission: The Somatic Dysfunction Research Institute promotes and carries out research addressing the role and mechanisms 1) of somatic dysfunction in the organization of disease processes and in the maintenance of the healthy state, and 2) of manipulative treatment on the course of the natural history of somatic dysfunction. The work on the Virtual Haptic Back has extended the reach of the Institute into developing teaching and testing tools for medical palpation, using the technology of haptics.

Future Activity: Our on-going research projects include the Virtual Haptic Back and spin-offs from that project, use of the CERSR EMG system to evaluate the effects of osteopathic manipulative treatment in patients with back and neck pain, investigations of muscle mechanics related to interventions of physical therapy. In addition, the Institute will 1) explore additional opportunities for collaborative research at OU and beyond, specifically with Osteopathic Research Center in Texas, 2) seek funding through the National Center for Complementary and Alternative Medicine, and 3) increase the visibility of the Institute and its work.

Source	Awards - 1999-2003/04
External Grants/Contracts	\$1,191,981
Internal Awards/Operating	\$68,010
Total	\$1,259,991

H:\Centers&Inst\C&IReviewSample.wpd
10/1/03

- Kenneth Holroyd, PhD
- Gillian Ice, PhD
- Lawrence Witmer, PhD, Chair



1. EXECUTIVE SUMMARY

The committee enthusiastically recommends continuation of the Somatic Dysfunction Research Institute (SDRI). The institute is moving in exciting new directions while not abandoning their past strengths of osteopathic manipulative treatment (OMT) research. New collaborations have led to very well funded new projects, but the institute still has not obtained external funds from federal sources (e.g., NIH). Publications and presentations, while not impressive, are adequate and show continuing scholarship. A critical task that needs to be addressed is to develop a plan to replace the SDRI Director and Associate Director, both of whom will be retiring in the next few years. A final and related recommendation from the committee is to hire a PhD osteopathic researcher that would play a major leadership role in the SDRI and coordinate an OMT-based research program at OU-COM.

2. FULL REPORT

a. Evaluation of current viability.—The current viability of the institute is very good, which is remarkable given the small number of faculty members associated with the institute. There seems to be new energy. SDRI has moved beyond the investigation of somatic dysfunction in the context of OMT and has expanded into new, more interdisciplinary areas. New collaborations with faculty in the Russ College of Engineering and Technology (RCENT, R. L. Williams) and the College of Health and Human Services (CHHS, G. S. Chleboun) are exciting and encouraging. Likewise, the additions of vigorous new DO collaborators (e.g., J. M. Burns, DO) and students effectively promote current activities. As in the past, the enthusiasm and skills of Director J. N. Howell, PhD and technician R. R. Conatser are key elements.

With regard to funding, their grant from the Osteopathic Heritage Foundation through 2007 puts at least one of the major directions of the Institute on a very sound footing. This direction, the Haptic Back Project, represents a new research trajectory in that a major objective of this project is the training of osteopathic physicians; obviously, there is a significant research component but it is less clearly related to the original SDRI mission of somatic dysfunction and the efficacy of OMT. The original OMT research directions of the SDRI are continuing by other personnel.

SDRI members published 10 papers over the last five years, with a decline in production over time. Likewise, members had 11 presentations over this period, at a fairly stable rate of approximately three per year. Ten papers and eleven presentations is good productivity for a *single* faculty member, but perhaps below average for an institute with several members. It is not clear from the report how many papers were submitted over this time period, nor whether all activity during the period by the named faculty was counted as SDRI activity. There is a lapse in productivity in 1999, with no explanation given.

b. Evaluation of potential future viability.—Given the funding level and time-course of the Haptic Back project, the near future of the SDRI is quite bright. Likewise, the collaborations with RCENT and CHHS faculty, as well as COM DOs, suggest that the SDRI has a bright and diverse future. The future activities listed in the self-study report are very encouraging and seem to represent legitimate and reasonable outgrowths of current activities.

There is some cause for concern, however, and this relates to the structure of the SDRI. As stated in the self-study report, the SDRI is administered by Dr. Howell and A. G. Chila, DO, with Dean Brose presumably providing more general oversight than attention to operations. Both Dr. Howell and Dr. Chila will be retiring in the next few years. The self-study report provides no information on the administrative transition that must take place upon this retirement. Going on the assumption that the intent is to maintain the SDRI beyond the time of Dr. Howell's day-to-day involvement, it seems essential to have such a plan in place.

c. Evaluation of current and future funding strategies.—In the last five years, SDRI members have received three extramural grants and six intramural grants (although the connection between the institute and the investigators/projects is not entirely clear). With the exception of the very significant grant from the Osteopathic Heritage Foundation, the other grants have been modest to small in size. None of the grants are federal grants (e.g., NIH), and it is not clear that any of them fund indirect costs. The self-study report does not indicate proposals that were submitted but not funded, and so it is unclear from the report whether federal funds were even sought. Nevertheless, documents supplied by the OUCOM Office of Research and Grants reveal that, in fact, Dr. Howell did submit a \$423,787 proposal to the NIH in 1999 entitled "Osteopathic treatment of somatic dysfunction," which obviously is fully within the scope of the SDRI. Although not funded, this represents an important effort to secure federal grant dollars.

The self-study report states that none of the funded intramural grants listed "were formally channeled through the SDRI." This would seem to be a mistake that should be addressed in the future. Beyond the issue of "counting" grants that did not formally issue from the institute, it would seem that the association of faculty with an institute such as the SDRI should be regarded by funding agencies as a positive attribute. Thus, a future funding strategy should be to submit proposals through the SDRI and, moreover, to submit more federal (NIH) proposals.

d. Recommendation regarding continuation of the SDRI, including levels of institutional support.—The SDRI is currently very healthy and viable and should be continued. Dr. Howell has even proposed a new name for the institute (Interdisciplinary Institute for Neuromusculoskeletal Medicine) to reflect its future (the committee supported the name change, as well). Thus, the institute is a forward-thinking place that deserves both to continue and be supported by the university. Having said that, a number of areas require attention. The number of publications and external grant proposals (preferably NIH) needs to be increased. SDRI activities would benefit from a clearer connection between the institute on the one hand and personnel and activities on the other hand; that is, funneling grants and papers through the institute (even simply adding SDRI to the participant's address) enhances the profile of the institute and hence also its prospects. Perhaps most importantly, the SDRI will be facing a significant challenge in the next few years as its leadership retires. A plan for the transition needs to be put in place, with

one possibility being the Dean appointing a committee to address the problem. A related recommendation of the committee is for COM, perhaps in connection with the Department of Biomedical Sciences, to hire a faculty member who would have at least part of their duties within the SDRI. In particular, this new hire should be focused on osteopathic research, that is, research that tests the scientific validity of OMT. This hire would preferably be a PhD scientist but would work closely with COM clinical faculty. It is important to point out that such a hire would go a long way toward accomplishing the research goal outlined by the COM Strategic Plan of enhancing and promoting osteopathic research.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. M. Witmer". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Lawrence M. Witmer, PhD
Committee Chair

Dr. Browning presented and moved approval of the resolution. Mr. Schey seconded the motion. Approval was unanimous.

Appointment to Regional Coordinating Councils

RESOLUTION 2004 -- 1923

BE IT RESOLVED BY the Board of Trustees of Ohio University that the following persons be appointed to membership on the Coordinating Council at the Regional Campus of Ohio University - Lancaster and Chillicothe.

Ohio University - Lancaster

Stephen G. Wells

For a nine-year term beginning February 1, 2004, and ending at the close of business June 30, 2012, vice Ralph Luffler, whose term expired.

Ohio University - Chillicothe

Cynthia Henderson

For a seven-year term beginning February 1, 2004, and ending at the close of business June 30, 2010, vice Robert Hitchens, whose term expired.

Carl W. Jones

For a five-year term beginning February 1, 2004, and ending at the close of business June 30, 2008, vice George Clayton, who resigned.

Carvel Simmons

For a nine-year term beginning February 1, 2004, and ending at the close of business June 30, 2012, vice David Phillips, whose term expired.

***Stephen G. Wells
1230 Fogg Drive
Lancaster, Ohio 43130***

President, Fairfield National Bank, Division of The Park National Bank, Lancaster, Ohio

Chairman, Fairfield National Bank Advisory Board

Educational Background

Graduate School of Banking, American Bankers Association

Graduate, Advanced School of Commercial Credit

Honors Graduate, American Bankers Association School of Consumer Credit

Bachelor of Science, Mount Union College, Alliance, Ohio

Civic and Business Leadership-Current

Fairfield Medical Center, Board of Trustees, Vice -Chair

Lancaster Festival Inc., Board of Trustees Vice-President and Secretary

Lancaster Community Improvement Corporation, Executive Committee Member/Treasurer

Lancaster Fairfield Chamber of Commerce, Board of Trustees

Consolidated Computer Center, Board of Directors

Previous Leadership Positions

2000 Fairfield County United Way Campaign Chairman. Campaign raised \$1.47 million

Decorative Arts Center of Ohio, Founding Member Board of Trustees, Treasurer.

Lancaster Rotary Club Board of Directors

Family

Wife Elizabeth (Lisa), and sons Adam, Kyle and Nate.

Biography - Short

January 15, 2004

Cynthia Henderson (Cindy)
280 Church Street
Chillicothe, OH 45601
Home Phone 740-774-3620
Office 740-702-1170
Fax 740-702-1175
Cell: 740-703-0214
E-mail: medicine@bright.net

Current Occupation:

Pharmacy Management
President, Henderson Pharmacy Services, Inc./co-owner
Medicine Shoppe Pharmacy Franchises. Chillicothe and Lancaster
Home Healthcare Store Chillicothe

Current Service:

Member Ohio Bicentennial Commission 1997 to present
Member Chillicothe/Ross Bicentennial Executive Committee
Women's Advisory Council Member for Medicine Shoppe International
-A Cardinal Health Company
Member Ohio University Chillicothe Steering Committee

Past Service:

Former Chillicothe City Council Member at Large (2 terms)
Campaign Chairwoman for United Way of Ross County 2001-2002
Chillicothe City Council Member 2004 -
Finance Committee Chair

Education:

Graduate B.S. Ohio University cum laude 1977
Master Level Courses Ohio University - Public Relations,
Administration

January 14, 2004

RESUME
CARL W. JONES
36 South Paint Street
Chillicothe, Ohio 45601
602/775-5297

Attorney at law licensed in the State of Ohio. From admission to the bar in 1964 to 1984 and from 1989 to the present, engaged in the practice of law encompassing consultations, negotiations and trials for personal injury, criminal matters, business, trusts, taxation, and estate planning. Have served as a Common Pleas court referee and as an Assistant City Law Director. Was "Of Counsel" with the firm of Spetnagel and Benson, located at 42 East Fifth Street from 1989 to September, 1998.

In 1960, managed and operated an 800-acre cattle and grain farm in Ross County, Ohio. Management duties and part ownership of the farm are still retained. During 1976 and 1977 owned and operated Snow Hill Marina on the Eastern Shore of Maryland.

In 1984, received a Series Seven License with the New York Stock Exchange and worked with a financial planning firm in Newport News, Virginia.

1985 to 1987, Assistant Vice President of Membership Services with a cooperative trust in Los Angeles, California composed of 2500 doctors who jointly self-insure for professional liability protection. Duties included policy development and the management of a staff administering promotion, membership screening, membership services, underwriting and peer review.

1987 - 1989, real estate and new construction sales and home design on the Eastern Shore of Maryland.

EDUCATION

Law school was completed in 1964 at The Ohio State University, culminating in a Juris Doctorate degree. Accounting requirements for law school were acquired at Ohio University in 1961. Undergraduate degree is a Bachelor of Science in Agriculture, majoring in Agricultural Economics and Rural Sociology. The degree was received in 1961 also from The Ohio State University. Received a diploma from Southeastern High School, Ross County, Ohio in 1956.

OTHER INTERESTS

Sailing blue water and coastal, kayaking, sport motorcycle riding, bicycling, target shooting both primitive flintlock and modern guns, photography, back road camping, hiking, whatever someone else is doing that looks interesting...!

**Carvel E. Simmons
10448 Westfall Road
Frankfort, OH 45628**

**President
Trio Enterprises
7750 Reinhold Drive
Cincinnati, OH 45237**

**Trio Enterprises consists of:
Trio Trucking & Transportation
Trio Intermodal
Montgomery Insurance Center**

In business for 30+ years

Also own, operate, and live on 400 acre farm in Frankfort, Ohio

**Born and raised in Ross County
Graduated from Frankfort High School
Attended Ohio University-Chillicothe
Taken various business courses at other institutions related to
his entrepreneurial spirit**

Married with two children

**Have had numerous business awards from sales to recognition
by Black Enterprise for having a company ranked in the Top 100
Black Companies in the U.S.A. (in revenue).**

EXECUTIVE COMMITTEE

The committee did not meet.

VIII. ANNOUNCEMENT OF NEXT STATED MEETING

Chairman Walter announced the Board of Trustees would meet next on Thursday and Friday, April 15-16, 2004.

IX. OTHER MATTERS

Chairman Comments – Robert Walter

Chairman Walter welcomed National Trustee J. Michael Lawrie and commented his presence on the Board will be invaluable, bringing special insights to the Trustees' deliberations.

Chairman Walter updated those in attendance on the status of the search for President Glidden's successor. He stated no candidates have been identified or seen. The Chairman noted the upcoming committee meeting on February 17 and his hope to complete the process by late spring 2004.

In response to a question, Leonard Raley, vice president for advancement, stated that the faculty and staff campaign had raised \$10 million from 2,600 individuals and that campaign totals are now in excess of \$192 million

X. ADJOURNMENT

Determining there was no further business to come before the Board, Chairman Walter adjourned the meeting at 11:15 a.m. Trustee photographs were taken following adjournment.

CERTIFICATION OF SECRETARY

Notice of this meeting and its conduct was in accordance with Resolution 1975 – 240 of the Board, which resolution was adopted on November 5, 1975, in accordance with Section 121.22(F) of the Ohio Revised Code and of the State Administration Procedures Act.

Robert D. Walter
Chairman

Alan H. Geiger
Secretary