

OHIO UNIVERSITY
ATHENS, OHIO 45701

BOARD OF TRUSTEES

July 21, 1980

TO: Those listed below*

FROM: Robert E. Mahn, Secretary, Board of Trustees *Robert E. Mahn*

SUBJECT: Minutes of the June 21, 1980, Meeting of the Board

Enclosed for your file is a copy of the June 21 minutes.
This draft will be presented for approval at the next regular meeting
of the Board.

REM:vg

Enclosure

- * Chairman and Members of the Board
- Mr. Johnson
- Mr. Axline
- Dr. Ping
- Mr. Mahn (2)
- Dr. Bucklew
- Mr. Peebles
- Mr. Kurlinski
- Dr. Harter
- Mr. Kennard
- Archivist (2)
- Resident Auditor
- Mr. Burns

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

Saturday, June 21, 1980, 9:00 A.M.
Room 319, Alden Library, Ohio University Campus
Athens, Ohio

I. ROLL CALL

Eight members were present, namely, Donald A. Spencer, Chairman, William A. Lavelle, Vice Chairman, Frank C. Baumholtz, G. Kenner Bush, Priscilla S. D'Angelo, Dean W. Jeffers, William D. Rohr and Milton J. Taylor, This constituted a quorum. J. Grant Keys was unable to attend.

President Charles J. Ping was present, as was Robert P. Axline, Jr., the new President of the National Alumni Board of Directors. He will sit with the Board by invitation during his two-year term, succeeding John M. Jones. Secretary Robert E. Mahn, who was ill, and Trustee Emeritus Fred H. Johnson did not attend.

(A copy of the 1980-81 Board Directory, including committee rosters, is appended to the minutes for record.)

II. ANNOUNCEMENT OF APPOINTMENTS
BY THE CHAIRMAN

Chairman Spencer, after calling the meeting to order, announced that at the opening of committee sessions on June 20 he had named University Treasurer William Kennard, Acting Secretary for the meeting. Also that he had named Mr. Taylor Temporary Chairman of the Educational Policies Committee, to serve in place of Dr. Holzer whose term as member of the Board had expired on May 13, and Mrs. D'Angelo, successor to Dr. Holzer, as member of the Committee.

III. APPROVAL OF MINUTES OF THE
MEETING OF APRIL 12, 1980
(previously distributed)

Mr. Jeffers moved that the minutes be approved as distributed.
Mr. Taylor seconded the motion. Approval was unanimous.

IV. COMMUNICATIONS, PETITIONS AND MEMORIALS

There were no communications, petitions or memorials.

V. ANNOUNCEMENTS

Chairman Spencer announced that Senator William Bowen, member of the Senate Finance Committee and Chairman of the Commerce and Labor Committee, and Representative William L. Mallory, Majority Floor Leader of the House were in attendance. He introduced them and welcomed them to the meeting.

VI. REPORTS

Provost Bucklew reported on new appointments for the coming year. Included are four blacks and one woman.

VII. UNFINISHED BUSINESS

The Acting Secretary reported no unfinished business.

VIII. NEW BUSINESS

Before Chairman Spencer asked committee chairmen to present agenda items for consideration, Mr. Lavelle, speaking for the Board-Administration Committee, reported that the President had on May 22, 1980, discussed with members of the Committee the wisdom of an amendment to Article V, Section 5 of the by-laws. He said there had been further discussion of this at the Committee's meeting on June 20, at which time a resolution had been finalized for presentation to

the Board at its next stated meeting, rather than at this meeting, since the by-laws require a thirty day written notice to members of a proposed change. THIS CONSTITUTES THAT NOTICE. The proposed resolution for change follows, along with a copy of the by-laws:

PROPOSED RESOLUTION

WHEREAS, Article VII, Section 1 of the by-laws states that, "When not in conflict with any of the provisions of these by-laws, Robert's Rules of Order, Revised shall govern the proceedings of the Board," and

WHEREAS, the purpose of the by-laws is to assure an effective and democratic deliberative procedure adapted to the Board's size and functions,

THEREFORE, BE IT RESOLVED that Article V, Section 5 of the by-laws be amended AS SHOWN BY UNDERLINE to provide specific voting requirements on proposals that would significantly affect the University's physical plant:

"Article V, Section 5 Quorum. For the purposes of doing business, a majority of the Board membership shall constitute a quorum; however, a vote of two-thirds of the Board membership shall be necessary to elect or remove a president; and a vote of a majority of the Board membership shall be necessary to authorize the sale or lease of a University building or for the planned demolition of a University Building."

BOARD OF TRUSTEES

OHIO UNIVERSITY

BY-LAWS
AS AMENDED

November 15, 1975

Article I.

Corporate Authority and By-Laws

Section 1. Since by law, Federal and State, "there shall be and forever remain in the said university, a body politic and corporate, by the name and style of "The President and Trustees of the Ohio University," the Ohio University Board of Trustees, hereinafter referred to as the Board, chooses to be governed by these by-laws.

Section 2. The adoption of these by-laws by the Board automatically nullifies all previous by-laws.

Section 3. No by-law shall be enacted, amended, or repealed, except by a majority vote of the Board, and then only after thirty days' notice of a proposed change has been given to all members.

Article II.

Officers of the Board and Their Duties

Section 1. Officers of the Board shall be as follows:

- (a) Chairman
- (b) Vice-Chairman
- (c) Secretary

Section 2. The Chairman shall preside at all meetings of the Board, and unless otherwise ordered by the Board, shall have the authority to appoint members of and fill vacancies on all standing and special committees. He shall serve as Member-Chairman of the Board-Administration Committee. Subject to these by-laws, he shall fix the date and time of all regular and special meetings, and perform such other duties as may be pertinent to the office.

Section 3. The Vice-Chairman, in the absence or incapacity of the Chairman, shall assume the duties and obligations of the Chairman.

Section 4. The Secretary shall keep minutes of all Board meetings and shall promptly distribute copies of same to all Board members. He shall be responsible for the orderly preservation of all records pertaining to Board business, and shall perform all other duties usual to the office or imposed by the Chairman or by Board action.

Article III.

Election of Officers

Section 1. The Chairman, Vice-Chairman, and Secretary shall be elected annually by the Board at its Spring meeting.

Section 2. The Chairman and Vice-Chairman shall each serve for one year and shall not be eligible for re-election to their respective offices except in accordance with the rotation of these offices provided for in Section 3 of this Article.

Section 3. Succession of Officers. It shall be the policy of the Board, but not mandatory, that the Trustee, senior in current term to other members of the Board, who has held no office on the Board, except that of vice-Chairman, during his current term, shall serve as Chairman of the Board, and that the Trustee, next senior to the Chairman in current term, shall serve as Vice-Chairman of the Board--similar rotation to continue from year to year. The Secretary shall be eligible to succession in office at the pleasure of the Board.

Article IV.

The President and His Duties

Section 1. On the basis of mutual good faith pointing to continuous service, the President of the University shall be elected from year to year, and shall be entitled at all times to one year's severance notice.

Section 2. The President shall attend all meetings of the Board, and shall, in an advisory capacity, have a voice in its deliberations. He shall have the authority to initiate any subject at Board meetings.

Section 3. The President shall be responsible to the Board for the administration and discipline of the University.

Article V.

Meetings

Section 1. Regular Meetings. The Board shall hold no fewer than four regular meetings a year, with the date and time fixed in accordance with the provisions of Article II, Section 2.

Section 2. Special Meetings. Special meetings may be held upon the call of the Chairman, or upon the written request to the Secretary of three Board members.

Section 3. Notice of Meetings. The Secretary shall notify all Board members and the President at least five days in advance of all regular and special meetings and at least one day in advance of all emergency meetings. The policy designated "Notification Procedures for Meetings," which has been adopted by the Board pursuant to Section 121.22 (F) Ohio Revised Code is hereby incorporated by reference into this section, and the Secretary shall carry out his responsibilities under that policy in accordance with its provisions for all meetings.

Section 4. Attendance. It shall be the policy of the Board to require full attendance at all meetings of the Board and Committees. Excuses for absence from meetings shall be communicated to the Secretary of the Board at least two days before meetings. The Board reserves the right to pass on the reasonableness of excuses for absence. Persistent unreasonable absences shall be cause, at the pleasure of the Chairman, for reporting such delinquency to the appointive authority of the State.

Section 5. Quorum. For the purpose of doing business, a majority of the Board membership shall constitute a quorum; however, a vote of two-thirds of the Board membership shall be necessary to elect or remove a president.

Section 6. Order of Business. The order of business at all meetings shall be as follows:

- (a) Roll call
- (b) Action on preceding minutes
- (c) Communications, petitions, memorials
- (d) Accounts
- (e) Comments and reports by the President
- (f) Reports of committees
- (g) Unfinished business
- (h) New business
- (i) General discussion--roll call of members
- (j) Election of officers
- (k) Adjournment

Section 7. Agenda. The Chairman of the Board, or the President of the University, except in emergencies shall prepare and place in the hands of the Secretary a suggested agenda of each Board meeting in time for the Secretary to include it in the notice provided for in Section 3 of this Article.

Article VI.

Committees

Section 1. (a) Standing committees of the Board, consisting of no fewer than three members each, shall be appointed yearly by the Chairman of the Board as follows:

- (1) Budget, Finance and Physical Plant
- (2) Educational Policies
- (3) Board-Administration

(b) Each standing committee shall consider and make recommendations for action by the Board on the various policy matters enumerated below:

(1) Budget, Finance and Physical Plant Committee --

(a) The University's budgets, schedule of student fees, financial operations, business organization and practices, borrowing of funds, investment of funds, and submission of appropriation requests; (b) solicitation of funds, relations with local, state, and federal legislative and administrative agencies, and promotion of alumni activities; (c) siting, location, planning, construction, and maintenance of the University's plant and grounds, and the purchase and sale of lands and buildings.

(2) Educational Policies Committee -- (a) Academic appointment, promotion, and tenure policies and procedures; (b) areas of instruction; (c) awarding of degrees; (d) student financial aids; (e) inter-collegiate athletics; (f) student life and student services; (g) student admissions and enrollment.

(3) Board-Administration Committee -- (a) Salary, wage, and benefit policies; (b) appointment of senior administrative officers; (c) general University policies and business not specifically assigned to another committee.

Section 2. The Chairman of the Board and the President of the University shall be ex-officio members of all committees; however, neither is eligible to serve as a voting member of a committee in his ex-officio capacity.

Section 3. The Board-Administration Committee shall have broad powers to act in all matters not deemed by the Chairman of the Board and the President of the University as of sufficient importance to command the immediate attention of the whole Board. All actions of the Board-Administration Committee shall be subject to approval by the Board, except those wherein the Board has delegated to the Board-Administration Committee full power to act for the Board.

Article VII.

Parliamentary Authority

Section 1. When not in conflict with any of the provisions of these by-laws, the Robert's Rules of Order Revised shall govern the proceedings of the Board.

NEW BUSINESS RESUMED

Chairman Spencer stated that Board committees as constituted for 1979-80, but with the changes he had announced for this meeting, had, at their respective meetings, discussed those matters now being presented to the Board. Chairmen, or committee members designated by them, were invited to present the matters for action.

A. BUDGET, FINANCE AND PHYSICAL PLANT COMMITTEE MATTERS

1. UNIVERSITY OPERATING BUDGET FOR 1980-81

Mr. Baumholtz read the resolution and moved its approval. Mr. Rohr seconded the motion.

President Ping stated that the budget had been mailed to Board members three days prior to the announcement of the State's planned mandated 3 per cent spending cut. He stated that there was still no official notice on the cut, and still uncertainty on how it would affect us. He said the University had begun to identify certain areas where expenditures could be reduced and income expanded. Pre-payment of computer lease, deferring maintenance projects, and a position review system will reduce expenditures. Admission figures suggest an increase in enrollment beyond budget of several hundred students. A revised budget reflecting actual income and expenditure reduction will be presented to the Board at a later meeting.

Approval of the motion to adopt the budget was unanimous.

RESOLUTION 1980--531

BUDGET RESOLUTION 1980-81

RESOLVED: That the 1980-81 budgets of expected income and expenditures as presented in Exhibits I, II, III, IV, V and VI are hereby appropriated subject to the following provisions;

1. The Provost, with the approval of the President, may make adjustments in instructional and general operating expense allocations, providing the total of such expenditures does not exceed available unrestricted income.

2. Expenditures for designated and restricted funds estimated on Exhibit I shall be limited to the income generated.
3. The Treasurer shall report to the Chairman of the Budget, Finance and Physical Plant Committee on a regular basis changes to the expected unrestricted income and allocations of that income.

OHIO UNIVERSITY
1980-81 BUDGET
INCOME AND EXPENSE SUMMARY
TOTAL UNIVERSITY

	<u>Unrestricted</u>	Designated and <u>Restricted (A)</u>	<u>Total</u>
Income			
Instructional and General	\$69,240,000	\$ 4,921,000	\$74,161,000
Organized Research	-0-	1,800,000	1,800,000
Public Service	440,000	2,617,000	3,057,000
Auxiliary Enterprises	-0-	1,181,000	1,181,000(B)
Student Aid	-0-	4,956,000	4,956,000
	<u>69,680,000</u>	<u>15,475,000</u>	<u>85,155,000</u>
Total Income			
Expense			
Instructional and General	69,240,000	4,921,000	74,161,000
Organized Research	-0-	1,800,000	1,800,000
Public Service	440,000	2,617,000	3,057,000
Auxiliary Enterprises	-0-	1,181,000	1,181,000(B)
Student Aid	-0-	4,956,000	4,956,000
	<u>69,680,000</u>	<u>15,475,000</u>	<u>85,155,000</u>
Total Expense			
Ending Balance	<u>\$ -0-</u>	<u>\$ -0-</u>	<u>\$ -0-</u>

NOTES:

- (A) Included are funds received for specific purposes (Restricted) and funds generated by departments for goods and services rendered which have been designated by the administration to offset expenditures applicable to those goods and services.
- (B) Excludes Residence and Dining Halls.

OHIO UNIVERSITY
1980-81 BUDGET
INCOME SUMMARY
GENERAL UNIVERSITY PROGRAMS AND COLLEGE OF MEDICINE

	<u>Unrestricted</u>	<u>Designated and Restricted (A)</u>	<u>Total</u>
Instructional and General			
State Appropriation	\$33,842,000	\$ -0-	\$33,842,000
Student Fees	22,740,000	283,000	23,023,000
Other Income	4,073,000	4,493,000	8,566,000
Total Instructional and General	<u>60,655,000</u>	<u>4,776,000</u>	<u>65,431,000</u>
Organized Research			
Private Gifts and Grants	-0-	200,000	200,000
Governmental Gifts and Grants	-0-	1,600,000	1,600,000
Total Organized Research	<u>-0-</u>	<u>1,800,000</u>	<u>1,800,000</u>
Public Service			
Private Gifts and Grants	-0-	64,000	64,000
Governmental Gifts and Grants	-0-	1,713,000	1,713,000
Other Sources	440,000	800,000	1,240,000
Total Public Service	<u>440,000</u>	<u>2,577,000</u>	<u>3,017,000</u>
Auxiliary Enterprises	-0-	1,181,000	1,181,000 (B)
Student Aid			
Endowment	-0-	100,000	100,000
Private Gifts and Grants	-0-	13,000	13,000
Governmental Grants	-0-	4,276,000	4,276,000
Total Student Aid	<u>-0-</u>	<u>4,389,000</u>	<u>4,389,000</u>
Total Income	<u>\$61,095,000</u>	<u>\$14,723,000</u>	<u>\$75,818,000</u>

NOTES:

(A) Included are funds received for specific purposes (Restricted) and funds generated by departments for goods and services rendered which have been designated by the administration to offset expenditures applicable to those goods and services.

(B) Excludes Residence and Dining Halls.

OHIO UNIVERSITY
1980-81 BUDGET
INCOME SUMMARY
REGIONAL HIGHER EDUCATION

	<u>Unrestricted</u>	<u>Restricted</u>	<u>Total</u>
Instructional and General			
State Appropriation	\$4,948,000	\$ -0-	\$4,948,000
Student Fees	3,563,000	-0-	3,563,000
Other Income	<u>74,000</u>	<u>145,000</u>	<u>219,000</u>
Total Instructional and General	8,585,000	145,000	8,730,000
Public Service			
Governmental Grants	<u>-0-</u>	<u>40,000</u>	<u>40,000</u>
Total Public Service	-0-	40,000	40,000
Student Aid			
Governmental Grants	<u>-0-</u>	<u>567,000</u>	<u>567,000</u>
Total Student Aid	-0-	567,000	567,000
Total Income	<u>\$8,585,000</u>	<u>\$752,000</u>	<u>\$9,337,000</u>

OHIO UNIVERSITY
1980-81 BUDGET
UNRESTRICTED INCOME
GENERAL UNIVERSITY PROGRAMS AND COLLEGE OF MEDICINE

	<u>Revised</u> <u>1978-79</u>	<u>Revised</u> <u>1979-80</u>	<u>1980-81</u>	<u>Increase/</u> <u>(Decrease)</u>
Income				
State Appropriations				
Subsidy	\$22,542,000	\$25,715,000	\$27,650,000	\$1,935,000
Civil Service Pay Bill	665,000	757,000	952,000	195,000
Total Appropriations	<u>23,207,000</u>	<u>26,472,000</u>	<u>28,602,000</u>	<u>2,130,000</u>
Student Fees	16,811,000	18,211,000	20,970,000	2,759,000
Lifelong Learning	2,324,000	1,338,000	1,640,000	302,000
Other Income	<u>3,111,000</u>	<u>3,561,000</u>	<u>3,800,000</u>	<u>239,000</u>
Total General Programs	45,453,000	49,582,000	55,012,000	5,430,000
College of Medicine				
State Appropriation	4,687,000	5,202,000	5,187,000	(15,000)
Civil Service Pay Bill	-0-	28,000	53,000	25,000
Student Fees	239,000	350,000	570,000	220,000
Other Income	<u>6,000</u>	<u>135,000</u>	<u>273,000</u>	<u>138,000</u>
Total College of Medicine	4,932,000	5,715,000	6,083,000	368,000
Beginning Balance				
Allocated				
General Programs	283,000	577,000	-0-	(577,000)
College of Medicine	170,000	451,000	-0-	(451,000)
Total Allocated	<u>453,000</u>	<u>1,028,000</u>	<u>-0-</u>	<u>(1,028,000)</u>
Unallocated	<u>14,000</u>	<u>20,000</u>	<u>-0-</u>	<u>(20,000)</u>
Total Income and Resources	<u>\$50,852,000</u>	<u>\$56,345,000</u>	<u>\$61,095,000</u>	<u>\$4,750,000</u>

OHIO UNIVERSITY
1980-81 BUDGET
UNRESTRICTED INCOME
REGIONAL HIGHER EDUCATION

	<u>Revised 1978-79</u>	<u>Revised 1979-80</u>	<u>1980-81</u>	<u>Increase/ (Decrease)</u>
Income				
State Appropriations				
Subsidy	\$4,014,000	\$4,524,000	\$4,871,000	\$347,000
Civil Servie Pay Bill	<u>32,000</u>	<u>62,000</u>	<u>77,000</u>	<u>15,000</u>
Total Appropriations	4,046,000	4,586,000	4,948,000	362,000
Student Fees	2,855,000	3,010,000	3,563,000	553,000
Other Income	<u>88,000</u>	<u>74,000</u>	<u>74,000</u>	<u>-0-</u>
Total Income	6,989,000	7,670,000	8,585,000	915,000
Beginning Balance				
Allocated	<u>61,000</u>	<u>11,000</u>	<u>-0-</u>	<u>(11,000)</u>
Total Income and Resources	<u>\$7,050,000</u>	<u>\$7,681,000</u>	<u>\$8,585,000</u>	<u>\$904,000</u>

OHIO UNIVERSITY
1980-81 BUDGET
UNRESTRICTED EXPENDITURES
ALL PROGRAMS

I. President		
A. Office of the President		\$ 402,000
Board of Trustees		
University Memberships		
Affirmative Action Office		
Legal Counsel		
Legislative Liaison		
B. Institutional Contingency Fund		457,000
President Total		<u>859,000</u>
II. Provost		
A. General		760,000
Office of Provost		
Summer Session Office		
Faculty Senate		
Ohio University Press		
Ohio Review		
Legal Affairs		
Ombudsman		
B. Academic Programs		
1. Arts and Sciences		13,765,000
2. Business Administration		1,888,000
3. Communications		1,965,000
4. Education		2,458,000
5. Engineering		2,078,000
6. Fine Arts		3,705,000
7. Graduate College		888,000
8. Health and Human Services		2,526,000
9. Honors Tutorial		166,000
10. International Studies		436,000
11. Medicine		6,083,000
12. University College		376,000
Sub-Total		<u>36,334,000</u>
C. Support and Services		
1. Library		2,182,000
2. Learning Resources		194,000
3. Information Systems, Analytical Research and Computer Services		1,728,000
Sub-Total		<u>4,104,000</u>
D. Regional Higher Education		
1. Office of Vice Provost		167,000
2. Belmont Campus		1,225,000
3. Chillicothe Campus		1,570,000
4. Ironton Academic Center		620,000
5. Lancaster Campus		2,080,000
6. Zanesville Campus		1,641,000

II. Provost, Continued

D. Regional Higher Education, Continued	
7. Portsmouth Resident Credit Center	\$ 219,000
8. Campus Services	1,063,000
9. Telecommunications	567,000
10. Lifelong Learning	2,073,000
Sub-Total	<u>11,225,000</u>
E. Intercollegiate Athletics	1,277,000
Provost Total	<u>53,700,000</u>

III. Vice President and Dean of Students

A. General	168,000
Office of the Vice President and Dean of Students	
B. Resident and Dining Halls Auxiliary	
Resident and Dining Halls (Reported Separately)	
Baker Center Food and Beverage	53,000
C. Student Services	
1. Admissions	469,000
2. Registration, Records and Scheduling	613,000
3. Financial Aid	1,090,000
4. Placement	207,000
Sub-Total	<u>2,379,000</u>
D. Unified Health Service	1,102,000
E. Student Organizations and Activities	605,000
Student Life	
Student Senate	
<u>The Post</u>	
Baker Center	
Cultural Activities	
Student Activities Support	
Vice President and Dean of Students Total	<u>4,307,000</u>

IV. Vice President for Operations

A. General	280,000
Office of Vice President for Operations	
Facilities Planning	
Administrative Senate	
B. Fiscal Management	
1. Treasurer and Controller	932,000
Bureau of Inspection	
Insurance	
2. Purchasing	198,000
3. Stores Receiving	216,000
4. Debt Service (Convo Center; Lindley Hall Rental)	460,000
Sub-Total	<u>1,806,000</u>

IV. Vice President for Operations, Continued

C. Physical Plant	
1. Physical Plant Operations	\$ 4,109,000
Administration	
Maintenance	
Housekeeping	
Utilities	
Grounds	
2. Capital Improvements	69,000
3. Rental Properties	41,000
4. Purchased Utilities	<u>2,075,000</u>
Sub-Total	6,294,000
D. Personnel	
1. Administration	269,000
President 1699	
Supplemental Retirement	
Medicare	
Retirees Sick Pay	
2. Unemployment Compensation	50,000
3. Faculty & Staff Educational Benefits	<u>382,000</u>
Sub-Total	701,000
E. Support and Services	
1. Security	580,000
2. Other Services	330,000
Airport	
Garage	
Mail Service	
Sub-Total	<u>910,000</u>
Vice President for Operations Total	<u>9,991,000</u>

V. Vice President for University Relations

A. Office of Vice President for University Relations	79,000
B. Development	398,000
Alumni Affairs	
C. Publications	234,000
Graphics	
Cutler Service Bureau	
D. Public Information	<u>112,000</u>
Vice President for University Relations Total	823,000

Total University \$69,680,000

2. BELMONT COUNTY UTILITIES EASEMENT

Mr. Bush moved approval of the resolution, explaining that the easements were for gas disbursement rights. Their location on a hill away from the campus proper, he said, assured that the campus would not be defaced. Mr. Lavelle seconded the motion. Approval was unanimous.

RESOLUTION 1980--532

WHEREAS, The East Ohio Gas Company, whose services cross the Ohio University Belmont Regional Campus and vicinity, presently has five (5) perpetual easements for pipelines over the lands of the Ohio University Belmont Campus, and

WHEREAS, certain of those easements and pipelines are very old and the East Ohio Gas Company wishes to provide services to the community and region with new facilities, and

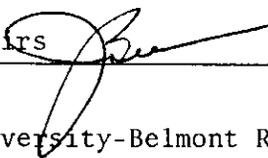
WHEREAS, The East Ohio Gas Company has proposed an exchange of three of the old easements, allowing for their cancellation, for a new easement for a pipeline right-of-way;

NOW THEREFORE, BE IT RESOLVED by the Ohio University Board of Trustees that in consideration for the cancellation of the three (3) easements for pipeline right-of-way the University hereby agrees to grant one permanent easement for pipeline right-of-way to the East Ohio Gas Company, pursuant to the terms of the draft easement; and the President or his designee is hereby authorized to enter into such an easement.

MAY 22 1980

OHIO UNIVERSITY
INTER-OFFICE COMMUNICATIONDATE May 22, 1980

TO The President and Board of Trustees of Ohio University

FROM John F. Burns, Director/Legal Affairs 

SUBJECT Pipe-Line easement at the Ohio University-Belmont Regional Campus

In the early part of the 20th century the forerunner of the East Ohio Gas Company obtained perpetual easements for certain pipelines over the lands which presently constitute the University's Regional Campus in Belmont County. Recently the East Ohio Gas Company contacted the University to arrange for an exchange of three of their present perpetual easements for a new easement for right-of-way. This was based on the fact they wished to renovate their pipeline and were willing to exchange an easement for one new pipeline for easements for three older outmoded pipelines.

After some review and discussion the University staff agreed that such an exchange was in the best interests of the University, particularly as to potential future development of the Belmont Regional Campus and to enhance service to its local community.

Attached is the Pipeline Right-of-Way Easement that has been prepared for your review and a draft resolution to accomplish this purpose. Further, a map designating the area and one easement centerline will be available at the Trustees' meeting.

It is the recommendation of the University staff that this easement be granted pursuant to its terms and conditions; and if there are any questions please contact me.

xc: Mr. Gene Peebles, Vice President/Operations
Dr. James Bryant, Vice Provost/Regional Higher Education
Mr. Alan Geiger, University Planner
Mr. Rober Bovenizer, Dean/Belmont County

PIPE LINE RIGHT OF WAY EASEMENT

THE PRESIDENT AND BOARD OF TRUSTEES OF OHIO UNIVERSITY (Grantor) grants to the EAST OHIO GAS COMPANY, of Cleveland, Ohio (Grantee) the right of way to lay, maintain, operate, inspect, replace, relocate, change the size of, and remove pipe lines for the transportation of natural gas and other gaseous products, with drips, valves, cathodic protection, and other necessary appurtenances thereto on, over and through the following described strips of land situated in Sections 27, 28, (T7-R4), Richland Township, Belmont County, Ohio. Together with ingress and egress to and from the pipe lines and appurtenances at all times over and through Grantor's lands in the vicinity of the described strips of land. The strips of land so described consist of three (3) separate strips crossing two (2) separate parcels of Grantor's land, Part B and Part C, resulting in six (6) separate descriptions more accurately described by Exhibits A, B and C attached hereto and generally defined as follows:

1. Exhibit A - Proposed TPL #3-30" - (Part B and C)
2. Exhibit B - Existing TPL #9-20" - (Part B and C)
3. Exhibit C - Existing TPL #15-30" - (Part B and C)

Grantor agrees that no facility shall be constructed or maintained that would interfere with the right of way easement for the strips of land, and no macadam, concrete or other impermeable surfacing shall be placed, constructed or maintained by Grantor within the described strips of land, excepting, however, that Grantor may construct and maintain roadways of reasonable width across the strips of land.

Grantee shall pay for any physical damages to the Grantor's land which might arise from the exercise of any of the rights herein granted to it; and said damages, if not mutually agreed upon, to be ascertained and determined by three disinterested persons, one thereof to be appointed by Grantor, one by Grantee, and the third by the two so appointed, and the award of these three persons shall be final and conclusive.

Grantor shall use and enjoy the land subject to the conditions and provisions of this right of way easement, express and implied, and provided always that such use and enjoyment shall not interfere or be inconsistent in any way with rights, privileges and uses herein granted to Grantee. Grantor understands that Grantee's operations hereunder may from time to time restrict Grantor's use of the described strips of land.

This easement shall be considered permanent and extend to and be binding upon Grantor and Grantee, their respective successors and assigns.

This easement modifies, replaces and supercedes the following rights of way to the extent that such rights of way affect premises owned by Grantor as of the date of this grant, and cancels Grantee's pipe line rights on such premises, except on the herein described strips of land; particularly, the following pipe line right of way grants are hereby partially cancelled:

<u>EOG No.</u>	<u>Grantor</u>	<u>Vol.</u>	<u>Page</u>
012-82 (1083)	G. Caldwell	33	117
012-83 (1085)	G. Lentz	32	595
012-83 (1086)	G. Lentz	36	389
012-83 (1087)	G. Lentz	40	157

Grantee shall within a reasonable time from the date hereof remove or abandon any pipe lines on Grantor's premises other than on those strips of land described herein.

IN WITNESS WHEREOF the grantors have hereunto set their signature this _____ day of _____, 1980.

Witnesses:

THE PRESIDENT AND BOARD OF TRUSTEES
OF OHIO UNIVERSITY

By _____
Charles J. Ping, President

By _____
Robert E. Mahn, Secretary

STATE OF OHIO)
) SS
COUNTY OF ATHENS)

BEFORE ME, a Notary Public in and for said County in said State,
personally appeared Charles J. Ping, President of Ohio University and Robert
E. Mahn, Secretary to the Board, who acknowledged that they did sign the
foregoing instrument and that it is the free act and deed.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal
at _____, Ohio, this _____ day of _____, 1980.

Notary Public

THE EAST OHIO GAS COMPANY

By _____
Vice President

By _____
Assistant Secretary

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

BEFORE ME, A Notary Public in and for said County in said State,
personally appeared _____ and
_____, Vice President and Assistant
Secretary, respectively, of The East Ohio Gas Company, who acknowledged that they
did sign the foregoing instrument and that it is the free act and deed of said
Company and of themselves as such officers.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal at
Cleveland, Ohio, this _____ day of _____, 1980.

Notary Public

This Instrument Prepared by
John F. Burns
100 McGuffey Hall
Athens, Ohio 45701

Bennett Engineering & Surveying

231 W. Main Street
St. Clairsville, Ohio 43950

EASEMENT CENTER-LINE DESCRIPTION THE EAST OHIO GAS COMPANY

Proposed TPL #3-30"

Ohio University Property (Part B)

Situated in Richland Township, Belmont County, Ohio, and further known as being located in the Northwest Quarter of Section 27, Township 7, and Range 4.

The easement herein described crosses a 17.327 acre tract of land owned by the Board of Trustees of Ohio University as recorded in Volume 485, page 527 of the Belmont County Record of Deeds, said easement being a strip of land sixty(60) feet in width, being thirty (30) feet in width on each side, measured at right angles, of the center-line and described as follows:

Beginning at a point on the south line of said 17.327 acre tract, said point also being in the north right-of-way line of Interstate Route No. 70, said point bears S. 27° 50' 19" E. 3175.45 feet to the southwest corner of said tract, S. 85° 38' 50" E. 25.16 feet, N. 51° 41' 40" E. 342.58 feet, N. 62° 59' 40" E. 255.97 feet, and N. 52° 27' 50" E. 42.53 feet from a stone located at the northwest corner of Section 27 (the bearing of the north line of Section 27 being S. 84° 19' 50" E.).

Thence from said point of beginning the following bearings and distances:

N. 25° 36' W.	50.36 feet
N. 25° 29' W.	296.00 feet
N. 29° 30' 20" W.	598.00 feet
N 31° 59' 20" W.	20.76 feet

to a point on the west line of said 17.327 acre tract, said point being the ending of said easement, from which point the northwest corner of said tract bears N. 4° 54' 50" E. 393.48 feet.

Survey by: Fred F. Bennett, P.E.



Registered Surveyor #5477

March 30, 1980

Bennett Engineering & Surveying

231 W. Main Street
St. Clairsville, Ohio 43950

Easement Center-Line Description
The East Ohio Gas Company
Proposed TPL # 3 - 30"
Ohio University Property (Part C)

Situated in Richland Township, Belmont County, Ohio and further known as being located in the Northwest Quarter of Section 27 and the Southwest Quarter of Section 28, Township 7, and Range 4.

The easement herein described crosses a 275.456 acre tract of land as owned by the Board of Trustees of Ohio University as recorded in Volume 478, Page 739 of the Belmont County Record of Deeds, said easement being a strip of land sixty (60) feet in width, being thirty (30) feet in width on ease side, measured at right angles, of the center-line described as follows:

Beginning at a point in the center of State Route 40, said point bears S84° 19' 50" E 1715.80, S. 4° 54' 50" W. 1046.91 and N. 81° 26' 02" W. 311.01 feet from a stone located at the Northwest corner of Section 27 (the bearing of the North line of Section 27 being S 84° 19' 50" E).

Thence from said point of beginning the following bearings and distances:

N. 31° 59' 20" W	160. 74'
N. 24° 02' 40" W	39. 95'
N. 14° 57' 30" W	1018. 60'
N. 12° 54' 40" W	1348. 00'
N. 16° 42' 30" W	552. 24'

To a point on the North Line of said 275.456 acre tract, said point being the ending of said easement from which said point a stone at the Northwest corner of said 275.456 acre tract bears N. 85° 04' 40" W. 316.15 feet.

Survey by: Fred F. Bennett, P.E.

Fred F. Bennett
Registered Surveyor N. 5477
March 30, 1980

Fred F. Bennett, P.E.
Registered Engineer & Surveyor

Bennett Engineering & Surveying

231 W. Main Street
St. Clairsville, Ohio 43950

EASEMENT CENTER-LINE DESCRIPTION
THE EAST OHIO GAS COMPANY

Existing TPL #9-20"

Ohio University Property (Part B)

Situated in Richland Township, Belmont County, Ohio, and further known as being located in the Northwest Quarter of Section 27, Township 7, and Range 4.

The easement herein described crosses a 17.327 acre tract of land owned by the Board of Trustees of Ohio University as recorded in Volume 485, page 527 of the Belmont County Record of Deeds, said easement being a strip of land sixty (60) feet in width, being thirty (30) feet in width on each side, measured at right angles, of the center-line and described as follows:

Beginning at a point on the south line of said 17.327 acre tract, said point also being on the north right-of-way line of Interstate Route No. 70, said point bears S. 27° 50' 19" E. 3175.45 feet to the southwest corner of said tract, S. 85° 38' 50" E. 25.16 feet, N. 51° 41' 40" E. 342.58 feet, N. 62° 59' 40" E. 255.97 feet, and N. 52° 27' 50" E. 21.69 feet from a stone located at the northwest corner of Section 27 (the bearing of the north line of Section 27 being S. 84° 19' 50" E.).

Thence from said point of beginning the following bearings and distances:

N. 22° 25' W.	150.93 feet
N. 26° 27' W.	148.00 feet
N. 29° 41' W.	641.05 feet

to a point on the west line of said 17.327 acre tract, said point being the ending of said easement, from which point the northwest corner of said tract bears N. 4° 54' 50" E. 428.09 feet.

Survey by: Fred F. Bennett, P.E.

Fred F. Bennett
Registered Surveyor No. 5477

March 30, 1980

Bennett Engineering & Surveying

231 W. Main Street
St. Clairsville, Ohio 43950

Easement Center-Line Description
The East Ohio Gas Company
Existing TPL #9 - 20"
Ohio University Property (Part C)

Situated in Richland Township, Belmont County, Ohio and further known as being located in the Northwest Quarter of Section 27 and the Southwest Quarter of Section 28, Township 7, and Range 4.

The easement herein described crosses a 275.456 acre tract of land as owned by the Board of Trustees of Ohio University as recorded in Volume 478, Page 739 of the Belmont County Record of Deeds, said easement being a strip of land sixty (60) feet in width, being thirty (30) feet in width on each side, measured at right angles, of the center-line described as follows:

Beginning at a point in the center of State Route 40, said point bears S. 84° 19' 50" E. 1715.81 S. 4° 54' 50" W. 1046.91 and N. 81° 46' 20" W. 221.00 feet from a stone located at the Northwest corner of Section 27 (the bearing of the North line of Section 27 being S. 84° 19' 50"E).

Thence from said point of beginning the following bearings and distances:

N. 4° 42' 50' E.	185.80
N. 6° 41' W.	308.50
N. 24° 11' 40" W.	295.00
N. 26° 11' W.	386.00
N. 54° 50' W.	141.30
N. 38° 10' W.	68.00
N. 20° 20' 36" W.	111.00
N. 14° 05' 40" W.	844.00
N. 14° 30' W.	241.00
N. 17° 22' W.	496.50
N. 19° 50' W.	157.64

feet to a point on the North-line of said 275.456 acre tract, said point being the ending of said easement, from which said point a stone at the Northwest corner of said 275.456 acre tract bears N. 85° 04' 40" W. 253.04 feet.

Survey by: Fred F. Bennett, P.E.

Fred F. Bennett
Registered Surveyor N. 5477
March 30, 1980

26020

Fred F. Bennett, P.E.
Registered Engineer & Surveyor

(614) 695-0896

Bennett Engineering & Surveying

231 W. Main Street
St. Clairsville, Ohio 43950

EASEMENT CENTER-LINE DESCRIPTION THE EAST OHIO GAS COMPANY

Existing TPL #15-30"

Ohio University Property (Part B)

Situated in Richland Township, Belmont County, Ohio, and further known as being located in the Northwest Quarter of Section 27, Township 7, and Range 4.

The easement herein described crosses a 17.327 acre tract of land owned by the Board of Trustees of Ohio University as recorded in Volume 485, page 527 of the Belmont County Record of Deeds, said easement being a strip of land sixty (60) feet in width, being thirty (30) feet in width on each side, Measured at right angles, of the center-line and described as follows:

Beginning at a point on the south line of said 17.327 acre tract, said point also being on the north right-of-way line of Interstate Route No. 70, said point bears S. 27° 50' 19" E. 3175.45 feet to the southwest corner of said tract, S. 85° 38' 50" E. 25.16 feet, N. 51° 41' 40" E. 342.58 feet, and N. 62° 59' 40" E. 253.64 feet from a stone located at the northwest corner of Section 27 (the bearing of the north line of Section 27 being S. 84° 19' 50" E.).

Thence from said point of beginning the following bearings and distances:

N. 21° 58' 30" W. 155.59 feet
N. 28° 20' 40" W. 148.00 feet
N. 30° 19' 30" W. 590.65 feet

to a point on the west line of said 17.327 acre tract, said point being the ending of said easement, from which point the northwest corner of said tract bears N. 4° 54' 50" E. 487.17 feet.

Survey by: Fred F. Bennett, P.E.

Fred F. Bennett
Registered Surveyor No. 5477

March 30, 1980

261 (2)

Bennett Engineering & Surveying

231 W. Main Street
St. Clairsville, Ohio 43950

Easement Center-Line Description
The East Ohio Gas Company
Existing TPL #15 - 30"
Ohio University Property (Part C)

Situated in Richland Township, Belmont County, Ohio and further known as being located in the Northwest Quarter of Section 27 and the Southwest Quarter of Section 28, Township 7, and Range 4.

The easement herein described crosses a 275.456 acre tract of land as owned by the Board of Trustees of Ohio University as recorded in Volume 478, Page 739 of the Belmont County Record of Deeds, said easement being a strip of land sixty (60) feet in width, being thirty (30) feet in width on each side, measured at right angles, of the center-line described as follows:

Beginning at a point in the center of State Route 40, said point bears S.84° 19' 50" E. 1715.80 S.4° 54' 50" W. 1046.91 and N. 81° 15' 45" W. 356.60 feet from a stone located at the Northwest corner of Section 27 (the bearing of the North line of Section 27 being S.84° 19' 50" E.).

Thence from said point of beginning the following bearings and distances:

N. 29° 40' 50" W.	38.35 feet
N. 19° 38' W.	393.00
N. 14° 47' 20" W.	277.50
N. 15° 06' W.	492.00
N. 16° 01' 20" W.	177.60
N. 14° 15' W.	494.00
N. 13° 46' W.	591.00
N. 20° 00' W.	77.00
N. 16° 54' W.	418.00
N. 20° 23' W.	167.18

feet to a point on the North line of said 275.456 acre tract, said point being the ending of said easement from which said point a stone at the Northwest corner of said 275.456 acre tract bears N. 85° 04' 40" W. 228.26 feet.

Survey by: Fred F. Bennett, P.E.

Fred F. Bennett
Registered Surveyor N. 5477
March 30, 1980

3. FEE INCREASE FOR MBA FOR EXECUTIVES PROGRAM

Mr. Lavelle moved approval of the resolution. Mr. Baumholtz seconded the motion. Approval was unanimous.

RESOLUTION 1980--533

WHEREAS, costs incurred for the MBA for Executives Program have increased due to inflation, and

WHEREAS, Graduate Student fees were increased approximately 12 per cent effective Summer Quarter 1980,

THEREFORE, BE IT RESOLVED that the Board of Trustees changes the tuition for the MBA for Executives Program from \$3,400 to \$3,800 annually effective Fall Quarter 1980.

EXECUTIVE MBA PROGRAM
AT OHIO UNIVERSITY

The M.B.A. for Executives Program is offered by the Ohio University College of Business Administration which is fully accredited by The American Assembly of Collegiate Schools of Business. This program is designed for experienced business executives and offered at the University's Lancaster campus. The M.B.A. for Executives Program is structured so that all academic requirements can be completed within two years, even while the executive continues to handle his or her professional responsibilities full time. This is accomplished by offering courses on three Saturdays and one Friday a month during each of two academic years, with an independent research project completed during the intervening summer.

The program benefits both the companies and the executives. The organizations have the opportunity to strengthen management resources; executives are able to upgrade their managerial skills and improve their opportunities for advancement into higher management.

Two classes have graduated from the program. A new class of 30 students will enter this Fall. There have been over 300 applicants since the program began in 1977.

4. SCOTT QUADRANGLE LEASE

Mr. Taylor stated that he wished to present a matter not listed in the agenda. He offered the following resolution:

WHEREAS, the Board of Trustees approved at the meeting on April 12, 1980, a resolution authorizing the President or his representatives to enter into a lease agreement with JEMO Associates for conversion of Scott Quadrangle to housing for the elderly, and

WHEREAS, since that date many modifications have been discussed which were not contemplated by the Board at the time the resolution was passed,

THEREFORE, BE IT RESOLVED that the President present the final terms of the lease agreement to the Board at a regular or special meeting for approval prior to the signing of any documents pertaining thereto.

Chairman Spencer expressed puzzlement over the intent of the motion, stating that in any long-term project no one could foresee each condition. His hope, he said, was that the Board had put this matter to rest on April 12. He ruled that the matter was not open to reconsideration, citing Robert's Rule 36 as the basis for his ruling.

Mr. Taylor questioned the validity of the Chairman's ruling. Mr. Bush joined the discussion by stating that the proposed resolution was not for reconsideration of the resolution approved on April 12, but for amending that resolution to assure that the Board would have an opportunity to see and approve the document before it was signed. He registered his support of Mr. Taylor's proposal. Mr. Baumholtz stated that he agreed with the position expressed by Mr. Taylor and Mr. Bush.

Mr. Jeffers suggested that the proposed amendment be looked at from the President's point of view. As the executive officer of the University, he said, he felt that the President should bring to the Board the exact terms of the lease in light of their long-range effects. He said that, regardless of past action, it seemed a sensible approach to have the final lease proposal brought to the Board for its final stamp of approval.

Mr. Lavelle cited the long-term lease of the old airport property as an example of a beneficial lease whose final provisions had not been subjected to Board review. Action on the Scott Quadrangle lease, he said, had been detailed enough. The Governor, not the Board, he said, would sign the lease. Therefore, for those reasons, he would vote against Mr. Taylor's proposal.

President Ping stated that, apart from the issue of the proposed amendment, the concern appeared to be over specifics of the lease -- that when the attorneys had finished their work the proposed lease could be brought to the Board for review and approval. Answers to questions directed to University Attorney John Burns confirmed that development of the lease was nearing completion; that an agreement might be reached in mid-July, and that, therefore, it was reasonable to assume that a document could be before the Board within the next two or three weeks.

The President summarized by stating that the concern appeared to be over specifics. One issue was whether the buy-out option extended the obligation of the University. The Board, he said, was concerned with what kind of burden the Board in the year 2000 would be assuming.

Mr. Rohr said he viewed the proposed amendment as not changing the intent of the resolution approved on April 12, but only adding the requirement of final Board approval of the financial commitment. He asked whether this aspect of the lease had been considered at the April 12 meeting which he had been unable to attend. Chairman Spencer said that it had not, that it was being introduced as a new consideration.

Mr. Spencer suggested substituting "perusal" for "approval" in the resolution, stating, in response to questions, that perusal meant to relate and understand the details involved. Mr. Taylor stated that he wished his motion to stand without change. Chairman Spencer then ruled the motion out of order.

Mr. Baumholtz stated that he had been unable to attend the April 12 meeting, and that he did not understand all the details. He expressed the feeling that all trustees should have been notified that a matter that had already been turned down would be considered again and that all members should have been present for the vote on the issue. Mr. Spencer responded that he had served on the Board for six years and had faith in the Board's ability to act appropriately, and that to proceed with action on April 12 had been mandated by a groundswell of opinion from many areas that had brought it back to the Board's attention.

Mr. Taylor noting the presence of University Director of Legal Affairs John Burns, asked permission to request his opinion on whether his motion was in order. Chairman Spencer responded that it was his prerogative to rule on whether motions were in order. Mr. Taylor repeated his request, but was ruled out of order.

Mr. Jeffers questioned the wisdom of the Chairman's ruling, stating it made the whole procedure suspect. Chairman Spencer replied that a motion to change or to reconsider was out of order.

Mr. Bush asked why, in view of the present ruling, the motion in April had not been declared out of order. The Chairman stated that a Board meeting had intervened prior to the April 12 action, which was not the case now, and that, therefore, the April 12 action was new business (Scott Quadrangle actions were taken on July 6, 1979, and April 12, 1980, with an October 6, 1979 and a February 2, 1980, meeting intervening). He declared that his ruling would stand.

Mr. Bush requested that the minutes reflect his objections to the Chairman's ruling. He joined with Mr. Taylor in requesting an interpretation of Robert's Rules on the matter from Mr. Burns. Chairman Spencer denied the request.

Chairman Spencer, in response to Mr. Rohr's question of whether he would feel uncomfortable about his ruling if it was determined to be in error, said he would, but that he took full responsibility for his decision.

President Ping said that he was being put in an impossible position in respect to his negotiating posture, and that he needed clarification in respect to whose mandate he was operating under. He read the resolution approved on April 12, stating that he sensed strong sentiment that the resolution should be changed to provide for Board approval of the lease, rather than his approval.

The April 12 resolution follows:

RESOLUTION 1980--523
(Approved April 12, 1980)

WHEREAS, the City of Athens has authorized JEMO Associates to pursue acquisition of Scott Quadrangle on Ohio University property in order to submit an application to the Department of Housing and Urban Development (H.U.D.) to construct up to 145 units of elderly housing under federal law and H.U.D. regulations; and

WHEREAS, JEMO Associates, a developer, submitted a proposal to the City of Athens on February 19, 1979, to construct such facilities, and was authorized to seek acquisition of the Scott Quadrangle location by letter of May 22, 1979; and the University has entered into negotiations for a long-term lease under the provisions of Section 123.09 of the Ohio Revised Code authorizing such leases,

THEREFORE, BE IT RESOLVED that the Board of Trustees has determined that the long-term lease of Scott Quadrangle to JEMO Associates for the above described purposes is compatible with the present and planned uses of University facilities; and the particular use of Scott Quadrangle for elderly housing is a use fully supported and approved by the Board of Trustees of Ohio University.

BE IT FURTHER RESOLVED that the Board of Trustees hereby authorizes the President or his designee to enter into a long-term lease for an advance rental of not less than \$825,000 and according to final terms and provisions approved by the President, with JEMO Associates for conversion of Scott Quadrangle to elderly housing, and approve the final plans and specifications for renovation of the facility, and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the President or his designee to develop a proposal for a long-term lease of Scott Quadrangle which will include the following considerations:

1. That the lease terminate at the end of 25 years, unless two years prior to that date the lessee wishes to request consideration of an extension; that no commitment for extension or intention to extend is given or is implied in the lease.
2. That Ohio University's Board of Trustees have final authority to approve all exterior architectural considerations, such as, for example, graphics, lighting, painting, landscaping and parking.
3. That an adequate advance monetary reserve be required of the lessee for maintaining the facility according to University standards and specifications.
4. That a time schedule for relocating present occupants to suitable quarters be agreed to and that the lessee provide adequate funding for the renovation of facilities for the accommodation of present occupants.

5. That the program of accommodating present occupants be in accordance with the principles of the Space Utilization and Management Plan.
6. That lease buy-out provisions be incorporated in the lease agreement.
7. That the lease define the programs and services to be provided the elderly occupants.
8. That the University be provided a description of all waivers required by the Federal government and under the State Code to make Scott Quad-rangle an acceptable facility for renovation.

Mr. Taylor moved that Mr. Spencer relinquish the Chair. Mr. Jeffers stated that he would not support the motion, asking that members consider their status as trustees for the University operating with a chairman and the chairman's authority. He urged Mr. Taylor to withdraw his motion, which Mr. Taylor did.

Mr. Bush, recognizing the difficult position the President faced, suggested that it would be in the best interest of the University and the Board to conclude this matter on the basis of what came back from Washington.

Chairman Spencer reminded members that it had been agreed to move ahead on the basis of the April 12, 1980, action. He asked whether the proposed resolution changed this. Would we still move ahead?

Mr. Jeffers stated that he stood on what he had stated before, that the President had been authorized to negotiate the terms of the lease, but that if he saw something he felt was wrong with the lease, he would ask for its removal, but that negotiations would proceed. Mr. Bush stated that his views were the same.

Mr. Lavelle stated that, as he had indicated before, each had his ideas of merit, and that he truly felt that the Board had some on this basic issue, and that the balance was for the Administration to work out. Therefore, he had faith in the President to negotiate the lease.

Mr. Rohr said that his feelings were the same as those expressed by Mr. Jeffers, and that he would like to see this matter concluded. Mr. Taylor concurred in that view.

Returning discussion to the proposed motion, Chairman Spencer said that he would want the minutes to reflect that the motion, if approved, would not provide a means of eliminating the project. Mr. Jeffers said that to do that would be misleading, that there could be something that should prevent approval, but that he would stand by what he had said, that he had lost Scott and had committed himself to move ahead on the housing project.

Chairman S pencer stated that he wanted to move ahead, and, from experience, he knew the President would bring the lease to the Board for final review. He wished that Mr. Taylor would withdraw his motion. This Mr. Taylor refused to do.

Assured that the consensus of the Board was to proceed with the good faith negotiations for the project, and that approval of the motion would in no way change that, Chairman Spencer withdrew his out-of-order ruling. In response to further questions, the motion was declared to be a motion to amend. This prompted Mrs. D'Angelo to suggest the addition of the phrase "to amend the original resolution." This was accepted so that the motion presented by Mr. Taylor, and moved for approval by him, read as follows:

RESOLUTION 1980--534

WHEREAS, the Board of Trustees approved at the meeting on April 12, 1980, a resolution authorizing the President or his representatives to enter into a lease agreement with JEMO Associates for conversion of Scott Quadrangle to housing for the elderly; and

WHEREAS, since that date many modifications have been discussed which were not contemplated by the Board at the time the resolution was passed,

THEREFORE, BE IT RESOLVED to amend the original resolution to have the President present the final terms of the lease agreement to the Board at a regular or special meeting for approval prior to the signing of any documents pertaining thereto.

Mr. Rohr seconded the motion.

Mr. Lavelle stated that he could appreciate the uncomfortable position in which the several points of view of Board members placed the President. He also expressed concern for the future of the Board, stating that in his view Chairman Spencer had ruled fairly. He urged members to refrain from voting on the motion.

Mr. Rohr called the question, and on roll call, these votes were cast:

Mr. Baumholtz	Yes	Mr. Lavelle	No
Mr. Bush	Yes	Mr. Rohr	Yes
Mrs. D'Angelo	No	Mr. Spencer	No
Mr. Jeffers	Yes	Mr. Taylor	Yes

With five positive and three negative votes, the motion was declared approved.

B. EDUCATIONAL POLICIES COMMITTEE MATTERS

1. POLICY ON ESTABLISHMENT AND REGULAR REVIEW OF CENTERS AND INSTITUTES

Mr. Rohr presented the resolution and moved its approval. Mr. Baumholtz seconded the motion. Approval was unanimous.

RESOLUTION 1980--535

WHEREAS, Ohio University is committed to a wide range of education, research and service activities, and

WHEREAS, it is necessary to establish special centers or institutes to effectively accomplish these activities, and

WHEREAS, it is appropriate to assure the orderly establishment and review of these centers and institutes.

THEREFORE, BE IT RESOLVED that the Board of Trustees approves this Policy for the Establishment and Regular Review of Centers and Institutes and directs the President to implement this policy on an orderly schedule.

PRESIDENTS OFFICE

MAY 7 1980

OHIO UNIVERSITY
INTER-OFFICE COMMUNICATION

DATE May 7, 1980

TO Dr. Charles Ping, President

FROM Neil S. Bucklew, Provost NSB

SUBJECT Policy for the Establishment and Regular Review of Centers and
Institutes at Ohio University

The attached policy and resolution are recommended for review and approval by the Board of Trustees. This policy was reviewed with the Faculty Senate Executive Committee and the Council of Deans. There is full concurrence with its adoption.

I also briefed the Educational Policy Committee of the Board of Trustees at their April meeting regarding this matter. They appeared to be supportive of this proposed policy.

Let me know if I can provide additional information.

jm

Attachment

POLICY FOR THE ESTABLISHMENT AND REGULAR REVIEW OF
CENTERS AND INSTITUTES AT OHIO UNIVERSITY

Purpose

To effectively address specific societal needs in education, research or service, it is sometimes necessary to establish centers and institutes within the University. This policy indicates the process to insure their orderly establishment and provides for a periodic review for their continuation.

Establishment

1. The establishment of a center or institute requires the review and approval of the appropriate college Dean and Provost. It may then be recommended to the President, and with his support be submitted to the Board of Trustees for final approval.
2. A request for the establishment of a center or institute will be in the form of a prospectus that addresses the following items:
 - a. a statement of need specifying the particular role to be accomplished.
 - b. a description of the manner in which the center or institute will effectively meet this need in a way existing units cannot.
 - c. the unique value of the program to the University.
 - d. identification of personnel and departments to be involved initially and a projection for such involvement over a five year period.
 - e. estimated fiscal resources and sources of funding for a five year period.
 - f. space and equipment needs and a description of how they will be met.
 - g. description of administrative control and lines of authority for the center.

Continuation

1. A center or institute will be formally reviewed five years after its creation. This review will be accomplished under the direction of the Provost and Dean. They will establish an appropriate committee to carry out the review of the program and to evaluate its accomplishments. A report will be submitted through the Dean to the Provost. The Provost will recommend to the President whether the center or institute should be continued. If the President approves, the recommendation for continuation is submitted to the Board of Trustees for final action.
2. The review process is normally repeated at five year intervals unless a different review schedule is established for a particular case.
3. Centers or institutes in existence at the time this policy is implemented will undergo a review according to a schedule to be established by the Provost.

C. BOARD-ADMINISTRATION COMMITTEE MATTERS

1. ELECTION OF CHAIRMAN

RESOLUTION 1980--536

RESOLVED that William A. Lavelle be elected Chairman of the Board of Trustees for the year beginning July 1, 1980, and ending June 30, 1981.

Mr. Rohr moved approval of the resolution. Mr. Baumholtz seconded the motion. Approval was unanimous.

2. ELECTION OF VICE CHAIRMAN

RESOLUTION 1980--537

RESOLVED that Milton J. Taylor be elected Vice Chairman of the Board of Trustees for the year beginning July 1, 1980, and ending June 30, 1981.

Mr. Lavelle moved approval of the resolution. Mr. Jeffers seconded the motion. Approval was unanimous.

3. ELECTION OF SECRETARY

RESOLUTION 1980--538

RESOLVED that Robert E. Mahn be elected Secretary of the Board of Trustees for the year beginning July 1, 1980, and ending June 30, 1981.

Mr. Lavelle moved approval of the resolution. Mr. Baumholtz seconded the motion. Approval was unanimous.

4. ELECTION OF TREASURER

RESOLUTION 1980--539

RESOLVED that William L. Kennard be elected Treasurer of Ohio University for the year beginning July 1, 1980, and ending June 30, 1981.

Mr. Lavelle moved approval of the resolution. Mrs. D'Angelo seconded the motion. Approval was unanimous.

5. ELECTION OF PRESIDENT

RESOLUTION 1980--540

RESOLVED that Charles J. Ping be elected President of Ohio University for the year beginning July 1, 1980, and ending June 30, 1981.

Mr. Lavelle moved approval of the resolution. Mr. Bush seconded the motion. Approval was unanimous.

6. COMPENSATION FOR PRESIDENT AND EXECUTIVE OFFICERS

RESOLUTION 1980--541

RESOLVED that the Board of Trustees authorizes the Board-Administration Committee to review with the President the salaries of the President and the executive officers of the University and to determine the compensation for the President and the executive officers for 1980-81.

Mr. Lavelle moved approval of the resolution. Mr. Baumholtz seconded the motion. Approval was unanimous.

7. STATED MEETING DATES FOR 1980-81

RESOLUTION 1980--542

RESOLVED that the following dates, which are Saturdays, be designated the stated meeting dates for the year beginning July 1, 1980, and ending June 30, 1981, with committee meetings and study sessions incident to each stated meeting being scheduled the preceding Friday.

RESOLVED further that, if circumstances dictate, the Board-Administration Committee be authorized to change the date of a stated meeting.

September 20, 1980	April 11, 1981
January 31, 1981	June 27, 1981

Mr. Bush moved approval of the resolution. Mr. Lavelle seconded the motion. Approval was unanimous.

IX. ANNOUNCEMENT OF NEXT STATED
MEETING DATE AND SITE

Chairman Spencer asked members to note the date and plan to attend. The date is September 20 on the Belmont campus, with committee/study sessions scheduled for September 19 on the Zanesville Campus.

* * *

Before calling for the roll call of members for comment, Chairman Spencer invited Senator Bowen and Representative Mallory to comment.

Mr. Bowen said he regretted that it had been four years since he last visited Ohio University. He characterized as wholesome the discussions at the meeting. He continued: "This institution has a very unique history in terms of pioneering and in terms of being dedicated and conducive to higher education. Senator Meshel, Chairman of the Finance Committee, and I feel strongly about your contributions to the State of Ohio. We had to cut back in some of our own operating expenses; we are all taking a cut; we in the legislature are included in that cut. I

appreciate Mr. Spencer and recommended to Governor Rhodes his appointment, and, to my recollection, he is the first black to preside over the Board. Although he is not an alumnus, he refers to this University as his University, and to his love for this institution. He speaks in those personal terms. You have my support and my appreciation to your commitment in the administration of this institution."

Representative Mallory stated that the weekend had been good for him. He said that he had enjoyed meeting members of the institution, and that he would spend additional time visiting University facilities. He complimented Mr. Spencer on his leadership of the Board.

X. GENERAL DISCUSSION--ROLL CALL OF MEMBERS

Mr. Baumholtz extended his personal welcome to Mrs. D'Angelo as the new member of the Board. He also extended a warm welcome to Senator Bowen and Representative Mallory.

Each member, in turn, concurred in Mr. Baumholtz's greetings, expressing pleasure at the prospect of working with Mrs. D'Angelo. Each added his welcome to Senator Bowen and Representative Mallory and appreciation for their presence. Mr. Bush added that it was important that an ongoing connection between the legislative halls and the campus be maintained in the years ahead.

Mr. Jeffers expressed appreciation to Chairman Spencer for his support of the institution as member and Chairman of the Board. Mr. Rohr seconded Mr. Jeffers' remarks about Mr. Spencer, adding that intensive debates on issues illustrated that all had the best interests of the University at heart. Mr. Taylor added his concurrence.

Mr. Lavelle, after stating that he echoed the comments of other members, announced that it was his pleasure to present to outgoing Chairman Spencer a Certificate of Appreciation. He read the citation and moved endorsement of it by the Board. Mr. Bush seconded this. Concurrence was unanimous. (A copy of the Certificate is appended to the minutes for record.)

Mrs. D'Angelo thanked members for their welcome and expressed pleasure at being named to succeed Dr. Holzer on the Board. She expressed gratitude to President Ping for plans to take time to orient her to University and Board activities. (Mrs. D'Angelo's Letter of Appointment and Oath of Office are included in the minutes for record.)

On behalf of Alumni, Mr. Axline expressed pleasure at the opportunity of being party to the deliberations of the Board.

Mr. Spencer thanked members and Senator Bowen and Representative Mallory for their support. He expressed special thanks to President Ping for his assistance during his term as chairman. He acknowledged that there had been differences of opinion between him and the President and members, but stated that while he was not likely to forget his experiences as member and chairman of the Board, his concerns were for the future good fortune of the University.

Dr. Ping thanked Senator Bowen and Representative Mallory for joining the Board for its meeting. Mr. Spencer, he said, had worked patiently as an advocate with public officers and with various industries and corporations in the State. He had also this year been an ambassador to many schools overseas. He expressed gratitude to Mr. Spencer for his dedication.

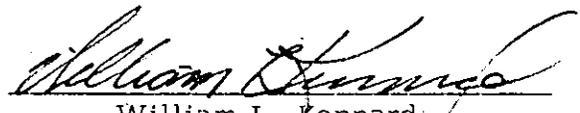
XI. ADJOURNMENT

At 11:45 A.M., Chairman Spencer, determining that there was no further business to come before the Board, asked for a motion to adjourn. Mr. Lavelle so moved and Mr. Bush seconded the motion. Approval was unanimous.

XI. 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 15, 1975, in accordance with Section 121.22(F) of the Ohio Revised Code and of the State Administrative Procedures Act.


Donald A. Spencer
Chairman


William L. Kennard
Acting Secretary

OHIO UNIVERSITY
ATHENS, OHIO 45701

BOARD OF TRUSTEES

BOARD OF TRUSTEES DIRECTORY, 1980-81

<u>NAME</u>	<u>BUSINESS ADDRESS</u>	<u>HOME ADDRESS</u>
LAVELLE, William A. <u>CHAIRMAN</u> (Marion)	Lavelle and Goldsberry Attorneys at Law 8 North Court Street P.O. Box 661 Athens, Ohio 45701 Tel: 614/593-3347	*39 Cable Lane Athens, Ohio 45701 Tel: 614/592-1776
TAYLOR, Milton J. <u>VICE CHAIRMAN</u>	Taylor Chevrolet, Inc. P. O. Box 10 Lancaster, Ohio 43130 Tel: 614/653-2091	*1628 Williamsberg Lane Lancaster, Ohio 43130 Tel: 614/687-0550
BAUMHOLTZ, Frank C.	Vice President Marquardt Bros. & Co., Inc. 1300 W. 54th St. Cleveland, Ohio 44102 Tel: 216/631-1330	*4327 Jennings Rd. Cleveland, Ohio 44109 Tel: 216/741-6751
BUSH, G. Kenner (Margene)	*Publisher The Athens Messenger U.S. Route 33 North Athens, Ohio 45701 Tel: 614/592-6612	54 Utah Place Athens, Ohio 45701 Tel: 614/593-3413
D'ANGELO, Priscilla S. (Eugene)		*1385 Fountaine Dr. Columbus, Ohio 43221 Tel: 614/457-8592
JEFFERS, Dean W. (Ruthe)	*Gen. Chairman Nationwide One Nationwide Plaza Columbus, Ohio 43216 Tel: 614/227-7523	2600 Clairmont Court Columbus, Ohio 43220 Tel: 614/451-2987

KEYS, J. Grant
(Mary)

Treasurer, Lorain County
County Court House
Elyria, Ohio 44035
Tel: 216/323-5776

*409 Washington Ave.
Elyria, Ohio 44035
Tel: 216/322-4822

ROHR, William D.
(Mary Ellen)

Agent-The Equitable Life
Assurance Society
3900 Carew Tower
5th and Vine Streets
Cincinnati, Ohio 45202
Tel: 513/621-6062

*812 White Oak Dr.
Oxford, Ohio 45056
Tel: 513/523-1188

SPENCER, Donald A.
(Marian)

Donald A. Spencer Associates
3569 Reading Road
Cincinnati, Ohio 45229
Tel: 513/221-5656

*940 Lexington Ave.
Cincinnati, Ohio 45229
Tel: 513/961-1377

* * * * *

JOHNSON, Fred H.
TRUSTEE EMERITUS

*2078 Yorkshire Road
Columbus, Ohio 43221
Tel: 614/488-0429

* * * * *

PING, Charles J.
(Claire)

*President, Ohio University
Cutler Hall 108
Athens, Ohio 45701
Tel: 614/594-5461

29 Park Place
Athens, Ohio 54701
Tel: 614/594-5308

MAHN, Robert E.
(Anabel)

*Secretary, Board of Trustees
Assistant to the President
Cutler Hall 108
Athens, Ohio 45701
Tel: 614/594-5461

17 Second Street
Athens, Ohio 45701
Tel: 614/593-7089

* * * * *

AXLINE, JR., Robert P.
(Jean)

Vice President
Dymo Business Systems
Randolph Industrial Park
Randolph, Mass. 02368
Tel: 617/963-8500, Ext. 2456

*Ten Cherlyn Drive
Northboro, Mass. 01532
617/393-6347

NOTE: When sending trustees mail, please use the address marked with asterisk.

* * * * *

1980-81 COMMITTEES

Board-Administration

Lavelle, Chairman
Spencer
Taylor

Budget, Finance and Physical Plant

Jeffers, Chairman
Baumholtz
Bush
Spencer

Educational Policies

Taylor, Chairman
Keys
Rohr
D'Angelo

OHIO UNIVERSITY

June 21, 1980



CERTIFICATE OF APPRECIATION

presented to

DONALD A. SPENCER

Chairman of the Board, 1979-80

- FOR *your dedication to the responsibilities of Board Chairman,*
- FOR *your promotion of the University's interests at home and abroad,*
- FOR *your promotion of equal opportunity and educational justice for all people, and*
- FOR *those personal qualities which have brought you our respect,*
- WE *affirm our appreciation.*

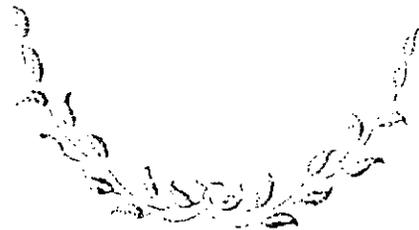
*Conferred as a Mark of Esteem by the
President and the Board of Trustees of Ohio University.*

PRESIDENT

SECRETARY

FRANK C. BAUMHOLTZ
G. KENNER BUSH
CHARLES E. HOLZER, JR.
DEAN W. JEFFERS

J. GRANT KEYS
WILLIAM A. LAVELLE
WILLIAM D. ROHR
MILTON J. TAYLOR



STATE OF OHIO
Executive Department

OFFICE OF THE GOVERNOR

Columbus

I, James A. Rhodes, Governor of the State of Ohio, do hereby appoint Priscilla S. D'Angelo, Republican, Upper Arlington, Franklin County, Ohio, as a Member, Ohio University, Board of Trustees, for a term beginning May 14, 1980 and ending at the close of business May 13, 1989, vice Charles Holzer, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus, this 3rd day of June, in the year of our Lord, one thousand nine hundred and eighty.

S/JAMES A. RHODES

Governor

OATH OF OFFICE

I, Priscilla S. D'Angelo, Promise and swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the Office of Member, Ohio University, Board of Trustees,

to which I have been appointed by Governor James A. Rhodes for the term designated. This I shall do as I shall answer unto God.

Priscilla S. D'Angelo

STATE OF OHIO

County of _____, ss:

Personally sworn to before me, a Notary Public in and for said County, and subscribed to in my presence this 10 day of June, 1980.

Paula G. Craft

PAULA G. CRAFT
NOTARY PUBLIC, FRANKLIN COUNTY, OHIO
MY COMMISSION EXPIRES MARCH 8, 1982

The Board of Trustees of Ohio University
Meeting - Saturday, June 21, 1980, 9:00 A.M.
Room 319, Alden Library, Athens, Ohio

KENNARD
Base for minutes

Chairman Spencer called the meeting to order and announced the appointment of William Kennard, Acting Secretary, in the absence of Mr. Mahn who was ill. He also appointed Mr. Taylor as temporary chairman of the Educational Policies Committee to replace Dr. Holzer who had completed his term as of the April meeting. Also appointed was Mrs. D'Angelo as a member of that committee.

ROLL CALL

The chairman asked the secretary to call the roll.

Eight members were present, namely, Donald A. Spencer, Chairman, William A. Lavelle, Vice Chairman, Frank C. Baumholtz, G. Kenner Bush, Priscilla S. D'Angelo, Dean W. Jeffers, William D. Rohr and Milton J. Taylor. This constituted a quorum. J. Grant Keys was unable to attend.

President Charles J. Ping ^{was present} and Acting-Secretary William-Kennard- also were present. Trustee Emeritus Fred H. Johnson ^{did not} was not in attendance. ^{an} Mr. Robert P. Axline, Jr., ^{was} who sits with the Board by invitation as President of the Ohio University Alumni Board of Directors was present for his first meeting.

APPROVAL OF MINUTES OF THE MEETING OF APRIL 12, 1980

Mr. Jeffers moved that the minutes be approved as distributed.

Mr. Taylor seconded the motion. Approval was unanimous.

COMMUNICATIONS, PETITIONS AND MEMORIALS

There were no communications, petitions or memorials.

FOR EXECUTIVES

The third item for action by the board was the Fee Increase for the MBA Program. Mr. Lavelle read the resolution stating that the fee would be raised from \$3,400 to \$3,800, ^{EFFECTIVE} Fall Quarter. He also stated that this was left out of the General Fee Budget acted on in the Spring. Mr. Lavelle moved approval of the resolution. Mr. Baumholtz seconded the motion. Approval was unanimous.

MR. LAVELLE INFORMED THE BOARD THE THIRD PARAGRAPH OF THE RESOLUTION WAS IN ERROR AND SHOULD BE DELETED

This concluded the Report of the Budget, Finance and Physical Plant Committee Matters said Chairman of the Committee Jeffers.

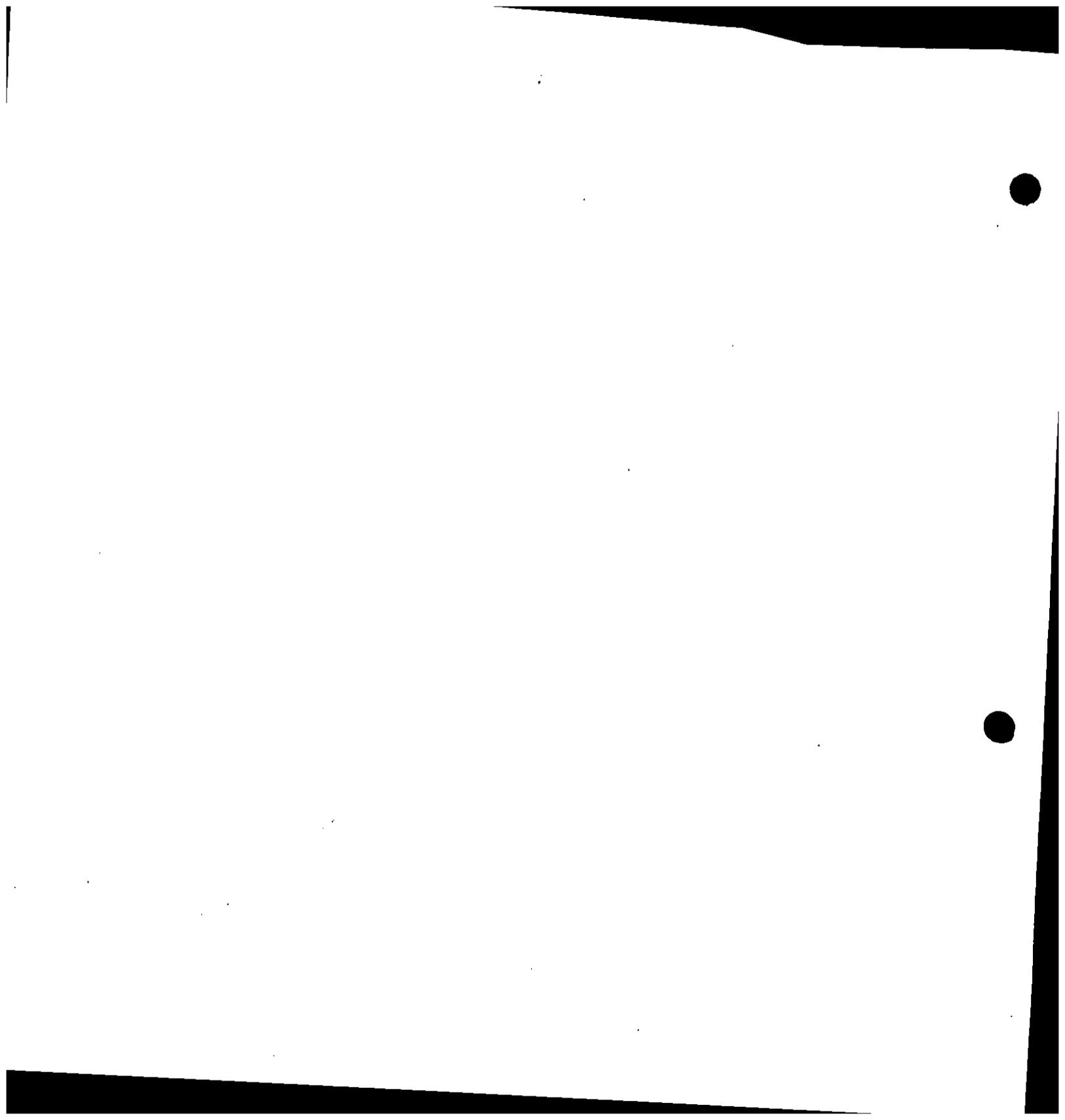
EDUCATIONAL POLICIES COMMITTEE MATTERS:

MY NOTES:
REFLECT ROHR
MOVED & FRANK
B. SECONDED

Mr. Taylor, acting chairman of this committee read the resolution for action on the Policy on Establishment and Regular Review of Centers and Institutes. Mr. Taylor moved approval of the resolution and moved its adoption. Mr. Lavelle seconded the motion. Approval was unanimous.

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At this time Mr. Taylor offered an ammendment to a resolution made in April that authorized the university to negotiate a long-term lease for Scott Quad to a Columbus developer who hoped to arrange federal support to convert the building for housing for the elderly. His ammendment called for final terms of any proposed agreement to be approved by the board before any documents were signed. Mr. Taylor introduced the ammendment claiming that specifics couldn't be answered. I don't think any of us know where we are going to end up. Mr. Taylor said that it was important for the Board to review and understand the agreement.



Mr. Spencer said I have to be concerned as to what this means. Will we have to go over this again. Mr. Taylor, the Board must understand the final terms and conditions of this lease. We are talking about a 40 year commitment. No board has done this before. I think this should be very carefully evaluated.

Mr. Spencer - I appreciate your concern but being in real estate myself, I have been in negotiations for leases this long, and this is not unusual. To reconsider would be out of order at this time. I have been involved in many projects, in fact, now in a 5 million dollar project of 130 units. We have been 2 years getting it on the road, no one knows the conditions for sure until it is wrapped up. We hope that everything falls in place. There are so many different kinds of problems to be considered. I had hoped we had put this ^{THING} ting to bed and are ready to go ahead and have the university go ahead. In all fairness, according to Robert Rules of Order (on page 36) we cannot consider this now. Mr. Taylor - Are you an authority on Roberts Rules, Mr. Spencer? Mr. Spencer said he had read Roberts Rules and had it in front of him now. He interpreted it to say that this was out of order and he so stands.

Mr. Bush at this time said this is not a motion for reconsideration, and we really have not put it to bed, the details none ^{US} of know at this point, Mr. Taylor is saying here, that the board review the idea before it is committed. Rarely does this board financially commit the university and the state of Ohio for 40 years and I don't think as a board we want to just give a blank check to an idea. I would hope as a board member I would have an opportunity to see the document and approve it before it is signed. I support Mr. Taylor's resolution wholeheartedly, I see nothing wrong with the financial matter being brought back to the governing body for final approval. Mr. Baumholtz said he

15 in total agreement with Milt and Kenner. Mr. Jeffers - I would like to
 look at it ^{FROM THE PRESIDENTS POINT OF VIEW} for a moment. As the executive officer for the university it would
 seem to me the President ^{SHOULD} could bring back to the board the exact terms of
 the lease ^{IN LIGHT OF THE LONG RANGE EFFECTS.} Regardless of the past, it seems the sensible approach is for
 the final lease to be brought back to the board for a final stamp of approval.

Mr. Lavelle said that although it had been stated that the University
 had not entered into a long-term lease before was not true. He had represented
 a client having to do with the lease of the old Ohio University Airport. That
 process took two years ^{AND IT WAS CONCLUDED AT THE BENEFIT OF THE UNIVERSITY.} They are still negotiating long-term leases, like
 the Kroger lease for 40 years, and those leases were not brought back to the
 board. ^{LONG TERM LEASES TAKE TIME,} The action we took ^{HAS DETAILED ENOUGH.} gave the president the authority to sign, not the Board.
^{THE GOVERNOR SIGNS THE LEASE}
 Therefore I will vote against this proposal.

President Ping asked to speak. One alternate concern is regardless of
 the outcome of the adoption of this motion, that when the attorneys have finished
 their work, that it would be brought to the board for a special meeting to review
 the terms of the lease. We are nearing the very end of that process. The
 University attorney, John Burns is here, is that correct Mr. Burns, the terms are
 nearing conclusion? John Burns, Yes. Next week I will be going to Washington
 to discuss this matter with Jemo attorneys and HUD officials, adding an agreement
 may be reached in mid-July. President Ping - it is reasonable to assume then
 that within the next 2 or 3 weeks a document could be before the board. Mr. Burns
 Yes, Dr. Ping, if we do not reach that point and if HUD does not approve it then
 we do not have a lease. The concern then, said the president, is over specifics.
 The issue is whether the buy-out option extends the obligation of the university.
 The board is concerned with what kind of burden the board ^{IN} of the year 2000 will
 be taking on.

MR. ROHR - STATED THAT HE UNDERSTANDS THE RESOLUTION DOES NOT CHANGE PREVIOUS RESOLUTION - ONLY REQUIRES BOARD APPROVAL OF FINANCIAL COMMITMENT

Mr. Rohr asked was this on the agenda for our last meeting? Mr.

Spencer - was not on for action, it was introduced as new business. Mr.

Spencer said in light of discussion, why not change the word (in the resolution) approval to persual. Some discussion continued as to what persual means.

Mr. Spencer said persual means to relate and understand the details involved.

Mr. Taylor said he would like the motion to stand and that it was not acceptable to change it. Mr. Spencer moved this motion out of order.

Mr. Baumholtz stated that he was unable to attend the last board meeting, he said he did not understand all the details and he felt that all trustees should have been present for a meeting when this came for a vote. Mr. Spencer: I have been on this board for six years and I have good faith in this board, we did not anticipate what occurred, we had to know. We had to take some action.

Mr. Taylor said - the university attorney is present, I would like to ask his opinion as to whether this motion is in order? Mr. Spencer: I think that is for me to determine. Mr. Taylor again requested the opinion of the university

attorney; ~~it was refused.~~ THE CHAIR RULED MR. TAYLOR OUT OF ORDER

INSERT #1 HERE

Mr. Bush: If this motion is ruled out of order, why was the motion in

April so not moved? Mr. Spencer: The difference was that it was a matter of

new business. (There was one or two thousand dollars involved.) I don't want to say that my opinion is better than any one else, but my ruling stands.

INSERT #2

Mr. Rohr to Mr. Spencer - aren't you going to feel very uncomfortable about this SHOULD YOU DISCOVER THAT YOUR RULING WAS IN ERROR?

Mr. Spencer. Yes I would, I will take full responsibility.

INSERT #3

Dr. Ping: I feel ~~that~~ ^{that I am} put in an impossible ^{POSITION} situation, of a major

negotiation for a long period of time in the name of the University, and I sense nothing but confusion, and I turn to the board for guidance.

INTERVIEWED PAVONE TO LAST ACTION. THERE HAVE BEEN NO MEETINGS SINCE LAST ACTION

MR. TAYLOR MOVED THAT ⁸THE CHAIRMAN REMOVE HIMSELF.

At this time Mr. Taylor called for the removal of the chairman from office and that the president or secretary take his place.

Mr. Jeffers: I would not support that motion. I would like for us to consider again that we are trustees for this university and we have to operate with the chairman and the chairman's authority. I ask Mr. Taylor to withdraw his motion. Mr. Taylor: I will withdraw my motion.

Mr. Bush: I would like to echo your sentiments (Bill) this does put the president in a very difficult position. It would seem to me for the best interest of the university and the board that whatever comes back from Washington we should conclude this matter, it seems to ^{me} say that the president will be damned if he does and damned if he doesn't.

INSERT #4

Mr. Jeffers: Yes, I stand as I did before, we authorized the president to negotiate the terms of the lease, but if I saw something ^{WRONG} in the lease I would ask for its removal. Mr. Bush. My opinion would be the same.

Mr. Lavelle: As I indicated before, all of us have to have our ideas of merit, and I truly feel the board has some on the basic issue, the rest is for the administration to work out. Therefore, I continue to say I have faith in the president to negotiate this item.

Mr. Rohr: Mr. Jeffers has expressed my feeling. I would like to see it concluded. Mr. Taylor, I concur with Rohr.

Mr. Kennard, acting secretary, to chairman Spencer: In my notes - is this a motion to reconsider or is it an amendment. Mr. Taylor: It is an amendment.

INSERT 5

Mrs. D'Angelo wanted to insert in the resolution after)THEREFORE, BE IT RESOLVED,) ["]To amend the original resolution: "that the President present the final terms of the lease agreement to the Board at a regular or special meeting for approval prior to the signing of any documents pertaining thereto."

Mr. Lavelle: I can appreciate that Dr. Ping is in an uncomfortable position on the respective points of view, and it puts him in an awkward position. I am concerned also about the future of the board. I think Mr. Spencer has ruled fair and I urge members of the board not to vote.

Mr. Rohr called for the question:

Roll call by acting secretary:

- Mr. Baumholtz - Yes
- Mr. Bush - Yes
- Mrs. D'Angelo - No
- Mr. Jeffers - Yes
- Mr. Lavelle - No
- Mr. Rohr - Yes
- Mr. Spencer - No
- Mr. Taylor - Yes.

The motion ~~is~~ passed.

Mr. Taylor asked Mr. Rohr to present the next item for action. Policy on Establishment and Regular Review of Centers and Institutes: As no questions were asked, Mr. Rohr read the resolution and moved its adoption. Mr. Baumholtz seconded the motion. Approval was unanimous.

BOARD-ADMINISTRATION COMMITTEE

Mr. ^{ROHR} read and moved the adoption of the resolution to elect Mr. William A. Lavelle as Chairman beginning July 1, 1980, and ending June 30, 1981. Mr. Baumholtz seconded the motion. Approval was unanimous.

Mr. Lavelle read and moved the adoption of the resolution to elect Mr. Milton J. Taylor as Vice Chairman beginning July 1, 1980 and ending June 30, 1981. Mr. Jeffers seconded the motion. Approval was unanimous.

Mr. Lavelle read and moved the adoption of the resolution to elect Mr. Robert E. Mahn as Secretary beginning July 1, 1980 and ending June 30, 1981. Mr. Baumholtz seconded. Approval was unanimous.

Mr. Lavelle read and moved the adoption of the resolution to elect Mr. William Kennard as Treasurer beginning July 1, 1980 and ending June 30, 1981. Mrs. D'Angelo seconded. Approval was unanimous

GENERAL DISCUSSION - Roll call of members

Mr. Baumholtz - My personal welcome to Priscilla to the Board. And a warm welcome to Senator Bowen and Representative Mallory.

Mr. Bush - I echo welcoming Priscilla and Senator Bowen and Rep. Mallory. It is really important that we have an ongoing connection between the legislative halls in the years ahead, we appreciate your being here.

Mrs. D'Angelo - (I could not hear her) Except - She acknowledged in a very special way her gratitude for President Ping's efforts to spend some time with her and that she was glad to be a member of this board.

Mr. Jeffers - Don we have given you a bad time and I am sure that you will remember your term as chairman. We appreciate your efforts to support this institution. I like the seating arrangements as I too welcome Priscilla to this Board of Trustees.

Mr. Lavelle: I too echo the comments of welcome to Priscilla as a new member of this board. Mr. Chairman, on behalf of the Board I wish to present you with this Certificate of Appreciation. (Read certificate), I move this be adopted, seconded by Bush.

Mr. Rohr: I too would like to welcome Priscilla and will be pleased to work with her. Don I think you have done a tremendous job. As I used to tell my players, the day I get off your tail is the time that it means I am no longer interested. I am interested in this university, and certain you have the best interest of the university at heart.

Mr. Taylor: I too would like to welcome Priscilla to the Board of Ohio University. Don you and I have certainly had our differences of opinion and I respect and admire you. We are going to continue to benefit from your knowledge.

Mr. Axline - Thank you, I am happy to sit in on the deliberations of your board on behalf of the alumni.

Mr. Spencer: Thank you all, and Senator Bowen and Representative Mallory. I want to thank President Ping for his assistance during my term. We have had difference of opinions. I am not likely to forget about this board. I am more concerned about what the coming years and interests are.

Dr. Ping: Senator Bowen and Representative Mallory, thank you for joining us today. Don has worked patiently as an advocate with public officers, with various industries and corporations in the State of Ohio, He has also this year been an ambassador to many schools over seas. He also brought back from the Minister of Education a document - A Memorandum of Understanding. Don we are grateful for this dedication.

Mr. Spencer - if there is no more business before the board I ask for an adjournment. Mr. Lavelle moved for adjournment, seconded by Mr. Bush. Approval was unanimous.

INSERT # 1 PRIOR TO MR. BUSH

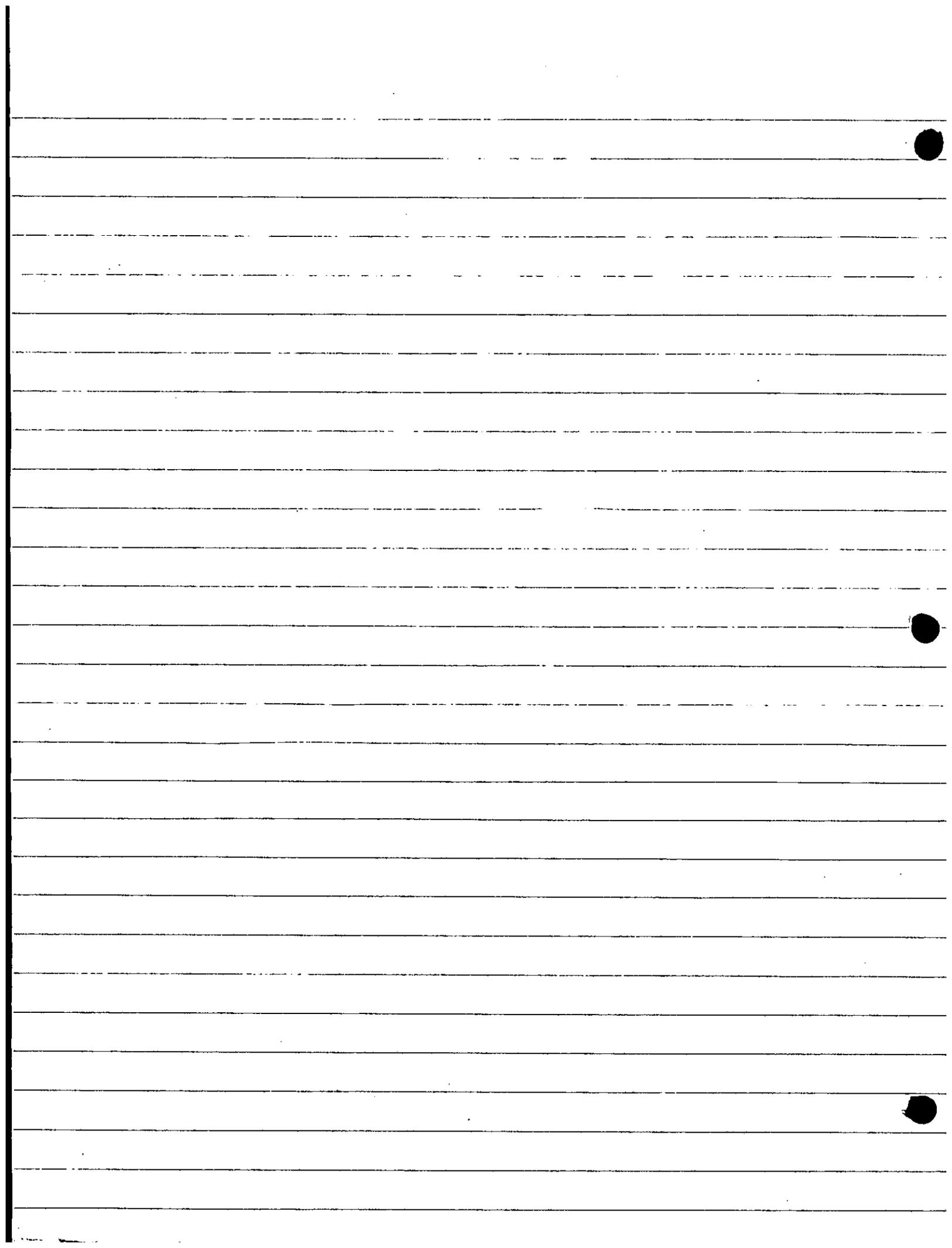
MR. JEFFERS STATED THAT IF THE MOTION IS REJECTED IT MAKES THE WHOLE THING SUSPECT. MR. SPENCER REPLIED HE THINKS THE MOTION CHANGES THINGS OR TO RECONSIDER AND IT IS OUT OF ORDER.

INSERT # 2 PRIOR TO MR. BOHR.

MR. BUSH REQUESTED THAT THE MINUTES REFLECT HIS OBJECTIONS. HE ASKED HOW ARE ^{WE} TO WORK ROBERT RULES? HE ALSO REQUESTED LEGAL OPINION ON THE RULES NOTING THAT UNIVERSITY COUNCIL WAS PRESENT. MR. SPENCER DENIED BUSH'S REQUEST FOR LEGAL OPINION.

INSERT # 3

DR. PING: I FEEL THAT I AM ^{BEING} PUT IN AN IMPOSSIBLE POSITION BASED ON THE DISCUSSION OF A LONG RANGE COMMITMENT. I NEED GUIDANCE AS A RESULT. PRESIDENT READ RESOLUTION PASSED AT APRIL MEETING. HE STATED HE SENSES STRONG SENTIMENT FROM THE BOARD THAT THE RESOLUTION NEEDS TO BE CHANGED FOR BOARD APPROVAL RATHER THAN HIS APPROVAL.



INSERT # 4 PRIOR TO MR. JEFFERS'

MR. SPENCER: EVERYONE STATED AFTER ^{THE} LAST MEETING WE WOULD MOVE AHEAD. IS THIS RESOLUTION DIFFERENT? WOULD WE STILL MOVE AHEAD?

INSERT # 5 PRIOR TO MRS. D'ANGELO

MR. SPENCER WANTS MINUTES TO REFLECT THAT THIS MOTION WILL NOT ELIMINATE THE PROJECT. MR. JEFFERS STATED THIS WOULD BE MISLEADING - PERHAPS SOMETHING SHOULD PREVENT APPROVAL - HE STANDS ON WHAT HE SAID - HE LOST SCOTT AND HE IS MOVING AHEAD

MR. SPENCER STATED THAT HE WANTS TO MOVE AHEAD, AND BASED ON PAST PRACTICE, THE PRESIDENT WILL BRING THE LEASE BACK AS HE HAS ALWAYS DONE. HE WISHES THAT MILT WOULD REMOVE HIS MOTION, MILT REJECTED THE REQUEST.

MR. SPENCER ALLOWED THE MOTION.

MR. LAVELLE ASKED WHETHER OR NOT THE MOTION WAS AN AMENDMENT.

