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Board of Regents, Murray State University

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MINUTES OF THE SPECIAL MEETING OF THE BOARD OF REGENTS
Murray State University
March 12, 1994

The Board of Regents of Murray State University met March 12, 1994, in special session in the Board Room, Wells Hall, on the campus of Murray State University. The meeting was called to order at 10:05 a.m. Chairman James O. Butts gave the invocation.

Upon call of the roll, the following members answered present: Mr. James O. Butts, Mr. Sid Easley, Mrs. Beverly Ford, Mrs. Arlivia Gamble, Dr. Frank Julian, Mr. Philip Lanier, Mr. Wells T. Lovett, Mr. Robert Matthews, Mrs. Virginia Strohecker, and Mr. Brian Van Horn.

Present for the meeting were Mrs. Sandra Rogers, Secretary of the Board; Dr. James Booth, Provost and Vice President for Academic and Student Affairs; Mr. John Fitzgibbon, Interim Vice President for University Relations and Administrative Services; Mr. James Overby, General Counsel; staff; and members of the news media.

Executive Session

Dr. Julian moved that the Board convene in Executive Session to discuss special personnel matters. Mrs. Gamble seconded and the motion carried.

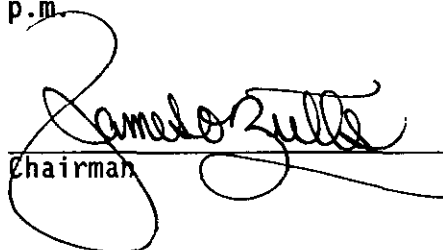
The Executive Session began at 10:06 a.m.

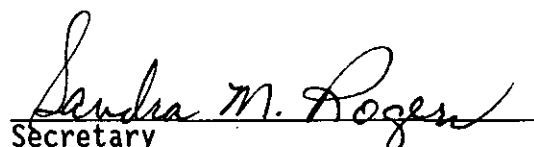
Dr. Julian moved, seconded by Mr. Lovett, that the Board adjourn from Executive Session at 2:40 p.m. Motion carried.

Public Session

Chairman Butts declared the Board in Public Session and no action was required by the Board following the Executive Session.

There being no further business to come before the Board, the meeting be adjourned at 2:41 p.m.


Chairman


Secretary

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF REGENTS
Murray State University
March 29, 1994

The Board of Regents of Murray State University met March 29, 1994, in special session in the Board Room, Wells Hall, on the campus of Murray State University. The meeting was called to order at 8:30 p.m. Regent Wells Lovett gave the invocation.

Upon call of the roll, the following members answered present: Mr. James O. Butts, Mr. Sid Easley, Mrs. Beverly Ford, Mrs. Arlivia Gamble, Dr. Frank Julian, Mr. Philip Lanier, Mr. Wells T. Lovett, Mr. Robert Matthews, and Mr. Brian Van Horn. Absent: Mrs. Virginia Strohecker. The chairman stated a quorum was present to conduct business.

Present for the meeting were President Ronald J. Kurth; Mrs. Sandra Rogers, Secretary of the Board; Mr. Tom Denton, Treasurer; Dr. James Booth, Provost and Vice President for Academic and Student Affairs; Mr. John Fitzgibbon, Interim Vice President for University Relations and Administrative Services; Mr. James Overby, General Counsel; faculty; staff; and members of the news media.

Executive Session

Mr. Matthews moved that the Board convene in Executive Session to discuss personnel matters. Mr. Easley seconded and the motion carried.

The Executive Session began at 8:33 p.m. and ended at 9:36 p.m.

Mr. Lovett left the meeting prior to convening into public session.

Public Session

Chairman Butts declared the Board in Public Session and the following actions were the result of discussions in Executive Session.

Resolution and Agreement for Dr. Kurth

Mr. Lanier stated that the resolution and agreement for Dr. Kurth, referred to an agreement which would bring about Dr. Kurth's relinquishment of the duties and responsibilities of the office of president as of March 31, will grant him a sabbatical for April 1, 1994, to June 30, 1994, and commit to other details relating to that separation.

Mr. Lanier moved the ratification by the Board of Regents of the agreement signed by Chairman Butts on behalf of Murray State University and by Dr. Kurth with the insertion in paragraph A.4. of the word "actual" before the word "moving" so that the university agrees to pay actual moving expenses for Dr. Kurth up to an amount not to exceed \$8,000.

Mr. Easley seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, yes; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Lovett, no (had left the meeting, but left his vote with the chair); Mr. Matthews, yes; Mr. Van Horn, yes; and Mr. Butts, yes. Motion carried.

(See Attachment #1)

Acting President, appointed

Mr. Easley stated that there is a provision in the faculty handbook that states that the acting president shall be the provost; however, it may very well be that the intention of that would be for temporary type positions. Mr. Easley moved that Dr. Jim Booth be named as acting president until July 1, 1994.

Dr. Julian seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, yes; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Matthews, yes; Mr. Van Horn, yes; and Mr. Butts, yes. Motion carried.

Plan of Evaluation of the President, postponed

Mr. Matthews moved, seconded by Mr. Easley, the postponement of any discussion on the Plan of Evaluation of the President because of the lateness of the hour.

Renaming of the Rifle Range, approved

Dr. Kurth stated that the Committee on Naming Facilities has unanimously endorsed the naming of the rifle range the "Pat Spurgin Rifle Range."

Mr. Van Horn moved that the Board of Regents, upon the recommendation of the President of the University, approve naming the rifle range at Stewart Stadium the "Pat Spurgin Rifle Range." Dr. Julian seconded and the motion passed.

Directions to Acting President

Mr. Lanier moved that the Board of Regents, by the adoption of this motion, instruct the acting president to commence immediately a review of all programs -- academic and non-academic -- toward a re-shaping of Murray State University for the future, including a determination of resources available for salary increases when such resources become available. Dr. Julian seconded and the motion carried.

Mr. Easley moved that the acting president be instructed to immediately freeze all administrative positions that become open for the purpose of scrutinizing those positions and filling only those that are most critically needed in an effort to create a pool of dollars that may be reallocated primarily to faculty and staff salaries and that any positions be first filled from within if that be possible at all. Dr. Julian seconded and the motion carried.

FEES:

Room and Board, increased

Mr. Matthews moved that the Board of Regents, upon the recommendation of the President of the University, approve a 3 percent room and board increase, effective 1994 Summer Session and the 1994-95 Academic Year.

RESIDENCE HALLS: 3 percent Increase

| | <u>1994 Summer Sessions - per 5 weeks</u> | |
|--------------|---|-----------------|
| | <u>Current</u> | <u>Proposed</u> |
| Double room | \$162 | \$165 |
| Private room | 246 | 255 |

| | <u>Academic Year 1994-95 - per semester*</u> | |
|--------------|--|-----------------|
| | <u>Current</u> | <u>Proposed</u> |
| Double room | \$626 | \$645 |
| Private room | 945 | 975 |

*This proposed rate increase is for freshmen, sophomore, and transfer students.

College Court Apartments - effective July 1, 1994 per month

| | <u>Current</u> | <u>Proposed</u> |
|-------------|----------------|-----------------|
| One bedroom | \$290 | \$300 |
| Two bedroom | 350 | 360 |

FOOD SERVICES: 3 percent increase

| | <u>1994 Summer Sessions - per 5 weeks</u> | |
|---------|---|-----------------|
| | <u>Current</u> | <u>Proposed</u> |
| Any-5 | \$115 | \$120 |
| Any-15 | 242 | 250 |
| Full-19 | 254 | 260 |

Academic Year 1994-95 - per semester

| | <u>Current</u> | <u>Proposed</u> |
|---------|----------------|-----------------|
| Any-5 | \$385 | \$395 |
| Any-15 | 835 | 860 |
| Full-19 | 885 | 910 |

Cash at Door Rates - 94-95 Academic Year - no change

Meal Cash-in for Board Plans

| | <u>Current</u> | <u>Proposed</u> |
|--------------|----------------|-----------------|
| Breakfast | \$2.20 | \$2.30 |
| Lunch/Brunch | 2.80 | 2.90 |
| Dinner | 3.10 | 3.20 |

Mr. Easley seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, no; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Matthews, yes; Mr. Van Horn, no; and Mr. Butts, yes. Motion carried.

Housing Proposal, approved

Mr. Matthews moved that the Board of Regents, upon the recommendation of the President of the University, approve the following housing proposal, effective for the 1994-95 academic year:

Any upperclass student who has lived in university housing for two consecutive years (beginning with 1992-93) will be guaranteed the current room rate.

Mrs. Gamble seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, yes; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Matthews, yes; Mr. Van Horn, yes; and Mr. Butts, yes. Motion carried.

Housing Proposal for Children of Faculty and Staff, approved

Mr. Easley moved that the Board of Regents, upon the recommendation of the President of the University, approve the following housing proposal on a one-year trial basis, effective for the 1994-95 academic year:

Any student who is a child (18-23 age) of a current Murray State University faculty or staff member will be given a discount of \$100 per semester from the current rate.

Mrs. Gamble seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, yes; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Matthews, yes; Mr. Van Horn, yes; and Mr. Butts, yes. Motion carried.

Room and Board Refund Policy, approved

Dr. Julian moved that the Board of Regents, upon the recommendation of the President of the University, approve the following refund policy:

The room and board refund policy shall follow the current tuition refund policy, effective for the 1994-95 academic year.

Mrs. Ford seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, yes; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Matthews, yes; Mr. Van Horn, yes; and Mr. Butts, yes. Motion carried.

Course Fees, approved

Dr. Julian moved that the Board of Regents, upon the recommendation of the President of the University, approve implementation of the Chemistry 105, 106, 121, 122, 215, 221, 315, and 325 course fees for the 1994-95 academic year.

Mr. Van Horn seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, yes; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Matthews, yes; Mr. Van Horn, yes; and Mr. Butts, yes. Motion carried.

Issuance of Audit Contract, authorized

Mr. Easley moved that the Board of Regents, upon the recommendation of the President of the University, authorize the University to issue a contract to Deloitte & Touche for the performance of the University's financial and compliance audits for the fiscal year ending June 30, 1994, at a cost of \$48,500. The contract shall be in compliance with the terms and conditions set forth in the request for proposal for audit services dated January 13, 1994.

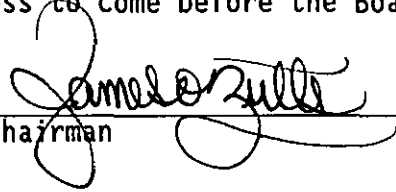
Mrs. Ford seconded and the roll was called with the following voting: Mr. Easley, yes; Mrs. Ford, yes; Mrs. Gamble, yes; Dr. Julian, yes; Mr. Lanier, yes; Mr. Matthews, yes; Mr. Van Horn, yes; and Mr. Butts, yes. Motion carried.

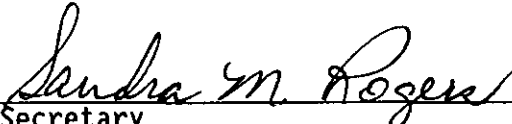
Regent Frank Julian presented concerns from the faculty to the Board concerning the search process for the new president. He presented a resolution stating that "The Faculty Senate of Murray State University recommends that the names and resumes of future presidential candidates should be released and distributed through the departments at least three working days before the scheduled arrival on campus."

Regent Sid Easley, chair of the Presidential Search Committee, responded that he would make a "good faith" effort to honor the request if circumstances permit.

Adjournment

There being no further business to come before the Board, the meeting adjourned at 9:56 p.m.


Chairman


Secretary

This page is left is left blank due to the attachments to the Minutes of the meeting of the Board of Regents held on March 29, 1994.

Sandra M. Rogers
Secretary

RESOLUTION AND AGREEMENT

WHEREAS, the contract term of Dr. Ronald Kurth will expire on June 30, 1994, and

WHEREAS, the Board has previously announced that a search will be commenced to announce Dr. Kurth's successor, and

WHEREAS, the Board of Regents and President Ronald Kurth are desirous of effectuating a smooth transition from Dr. Kurth's tenure to that of his successor, and

WHEREAS, the Board is of the opinion that Dr. Kurth could render meritorious service in Washington, D. C. and other locales of his choice to further the goals and objectives of Murray State University, and

WHEREAS, the parties are desirous of reducing this arrangement to writing,

NOW, THEREFORE, in consideration of the premises, the Board of Regents does hereby adopt this resolution as expressive of its understanding of an arrangement designed to promote a smooth transition from the Kurth Administration to that of his successor, to-wit:

A. MURRAY STATE UNIVERSITY by this resolution promises and agrees:

1. To grant to Dr. Ronald Kurth a special sabbatical for a period of time commencing April 1, 1994 through June 30, 1994.

2. To pay to Dr. Kurth for the period of the sabbatical his regular monthly salary.

3. To provide Dr. Kurth with an automobile for his use during the three (3) months period while on sabbatical.

4. To pay ^{actual} moving expenses for Dr. Kurth up to an amount not to exceed \$8,000.

5. To continue in existence any insurance coverage which he now has pursuant to his employment at Murray State University.

6. To permit Dr. Kurth to retain the title of President while on this special sabbatical leave.

B. DR. RONALD J. KURTH promises and agrees:

1. To serve as consultant to the Interim President for the period of the sabbatical.

2. To undertake special assignments for the period from April 1 through June 30, 1994. These assignments may include:

(a) the furtherance of arrangements for the international exchange of students.

(b) such special assignments as determined by the Chairman of the Board.

3. To cooperate in the resolution of any current litigation in which he is named as a party.

C. IT IS MUTUALLY UNDERSTOOD AND AGREED:

1. That Dr. Ronald Kurth will vacate Oakhurst on or before June 25, 1994.

2. That Dr. Kurth and his family will be free to come and go in the use and occupancy of Oakhurst until such time as he moves out of the home, and should a candidate for the presidency wish to visit Oakhurst, will arrange an absence during such visit.

3. That in the event Dr. Kurth gains other employment prior to June 30, 1994, that this contract shall terminate and any unpaid sums due hereunder shall be canceled forthwith. Further, such employment shall also effectively terminate his position as President of Murray State University.

4. That in the event Ronald Kurth gains other employment prior to June 30, 1994, Dr. Kurth's obligations under this agreement shall also terminate.

5. That in the event this agreement is held to be null and void, then all rights and obligations thereunder shall terminate.

6. That Murray State University, acting through the Board of Regents, agrees to designate someone to fulfill the duties of the President from April 1, 1994 through June 30, 1994.

7. That Dr. Kurth will vacate by April 1, 1994, the President's office in Wells Hall.

Motion Philip Lanier

Second Lid Easley

Disposition of Motion: _____

AGREED:

MURRAY STATE UNIVERSITY

By Samuel Zullo
Chairman Board of Regents

Date: 24 March 94

ATTESTED:

Sandra M. Rogers
Secretary of the Board of Regents

Date: 3-29-94

AGREED:

Ronald J. Kurth
Ronald J. Kurth

Date: 3-24-94

STATE OF KENTUCKY)
 Fulton) ss.
COUNTY OF ~~CALLOWAY~~)

I, MAKEEA WRIGHT, a Notary Public in
and for the County and State aforesaid, do hereby certify that
the foregoing RESOLUTION AND AGREEMENT was duly acknowledged
before me by RONALD J. KURTH as being his act and deed, all of
which is certified to the proper office for record.

Given under my hand and seal on this, the 24th day of
March, 1994.

Makea Wright
NOTARY PUBLIC, KENTUCKY AT LARGE,
WITH COMMISSION FILED IN ~~CALLOWAY~~ Fulton
COUNTY, KENTUCKY

OR

NOTARY PUBLIC
CALLOWAY COUNTY, KENTUCKY

My Commission Expires:

4/3/97

(AFFIX NOTARIAL IMPRESSION SEAL)

STATE OF KENTUCKY)
 Fulton) SS.
COUNTY OF ~~CALLOWAY~~)

I, MARCEENA WRIGHT, a Notary Public in and for the County and State aforesaid, do hereby certify that the foregoing RESOLUTION AND AGREEMENT was duly acknowledged before me in said County by JAMES BUTTS, Chairman, BOARD OF REGENTS, MURRAY STATE UNIVERSITY, to be the act and deed of MURRAY STATE UNIVERSITY, and his act and deed acting in his official capacity as CHAIRMAN of the BOARD OF REGENTS of MURRAY STATE UNIVERSITY, all of which is certified to the proper office for record.

Given under my hand and seal on this, the 24th day of MARCH, 1994.

Marceena Wright
NOTARY PUBLIC, KENTUCKY AT
LARGE, WITH COMMISSION FILED
IN ~~CALLOWAY~~ COUNTY, KENTUCKY
Fulton

OR

NOTARY PUBLIC, CALLOWAY
COUNTY, KENTUCKY

My Commission Expires:

4/6/97

(AFFIX NOTARIAL IMPRESSION SEAL)

K1/RES.2