

**Minutes of the Quarterly Meeting of the Board of Regents
Murray State University
August 25, 2023**

Call to Order/Roll Call

The Murray State University (MSU) Board of Regents met on Friday, August 25, 2023, in Quarterly and Committee Session in the Pogue Library Jesse Stuart Room on the Murray State University campus. Chair Leon Owens called the meeting to order at 8:30 a.m. and welcomed those joining the meeting in person and via livestream. He also welcomed the Board's two new members – Mr. G. L. Ovey and Dr. Matthew Price. All look forward to working with them and appreciate their willingness to serve.

- 1) **Racer Athletics Update (For Information Only)**
 - 2) **Governing Board Certifications**
 - a. **Missouri Valley Conference – Academic Year 2023-24***
 - b. **Ohio Valley Conference – Academic Year 2023-24***
 - 3) **The Inside Track: National Collegiate Athletic Association Rules for Alumni, Fans and Friends of Racer Athletics (For Information Only)**
- C. Audit and Compliance** **Regent Waldrop**
- 1) **Office of Internal Audit – Internal Audit Charter Reaffirmation***
- D. Buildings and Grounds** **Regent Roark**
- 1) **Facilities Management Projects Update (For Information Only)**
 - 2) **School of Nursing and Health Professions Building – Project Overview Update (For Information Only)**
 - 3) **Project Program Statements**
 - a. **Price Doyle Fine Arts Building Boiler and HVAC Renovation***
 - b. **Hancock Biological Station HVAC Replacement***
 - c. **Old Fine Arts Building Boiler Replacement and HVAC System Upgrades***
 - d. **Pogue Library HVAC and Electrical Renovations***
 - e. **New School of Nursing and Health Professions Building***
 - f. **Mason Hall ADA and Mechanical Upgrades***
 - g. **Biology Building (Science Complex) Mechanical Equipment and Roof Replacement***
 - h. **Oakley Applied Science Building ADA and Mechanical Upgrades***
- 12 noon (approx.) Break for Lunch (Group Photo on Front Steps of Pogue Library)**
- 1 p.m. (approx.) Reconvene**
- E. Enrollment Management and Student Success** **Regents Meinschein/McGowan**
- F. Finance** **Regent Fitch**
- 1) **Projects***
 - 2) **Personal Services Contracts***
 - 3) **Surplus Property Disposition***
 - 4) **Surplus Property Disposition Request – Bucket Truck***
- G. Legislative and Economic Development** **Vice Chair Gray**
- 1) **Legislative Update (For Information Only)**
- H. Marketing and Community Engagement** **Regent Evans**
- 1)

- D.** *Association Constitution (second reading)**
Personnel Policies and Procedures

- Ø Three new faculty members joined the Hutson School of Agriculture this fall. Blake Kennedy is an Instructor in Unmanned Aerial Systems – a program that has grown significantly. He is teaching four classes this semester and all have high enrollment. Appreciation was expressed to the Board for establishing this program a few years ago. Dr. Nick Lancaster, a recent Purdue University graduate, is an Assistant Professor in Agribusiness Economics which is another flagship program with large enrollment within the Hutson School of Agriculture. Dr. Trent Wells is an Assistant Professor of Agricultural Education and is leading the teacher education program for the Hutson School of Agriculture.
- Ø Landon Wicker is now in place as the Operations Manager for Eagle Rest Farm. He is living on site and has made many improvements since his arrival to move toward the vision for that particular asset.
- Ø The new Swine/North Farm Manager position is currently vacant.
- Ø A new Endowed Professorship has been established in the Hutson School of Agriculture – the *Ray and Jewel Thomas Futrell Endowed Professorship*. This represents the first Endowed Professorship for the school and will support attracting new and qualified faculty into the agricultural science departments

Ø The landscaping plan for the house on Eagle Rest Farm was developed by the University's Horticulture students and much has already been put

Hutson School of Agriculture Resolution of Support, approved

President Jackson stated that as Dean Parr just noted, discussions have taken place regarding a School of Veterinary Medicine at Murray State University for many years. Fifty years ago – on May 3, 1973 – this Board passed a Resolution of Support for a School of Veterinary Medicine to help the Commonwealth of Kentucky and

In response to whether the makeup of the Task Force has been decided, President Jackson indicated this is currently being considered. It is expected membership will include current Veterinarians, state officials, producers and any group that would be affected by a School of Veterinary Medicine. In response to when the Feasibility Study will be completed, President Jackson indicate the work would be conducted this fall, subject to Board approval, so it can be discussed in greater detail at the highest levels in the Commonwealth.

The motion carried.

Full Board Action – Hutson School of Agriculture Resolution of Support, approved

On behalf of the Academic Excellence and Scholarly Activities Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the Resolution of Support for the Hutson School of Agriculture, School of Veterinary Medicine, as read aloud. Regent Fitch seconded and the motion carried. Chair Owens added that Regent Waldrop asked it be noted for the record his vote would have been yes as well.

Adjournment

The Academic Excellence and Scholarly Activities Committee adjourned at 9:22 a.m.

Athletics Committee

Leon Owens – Chair
Robbie Fitch
Matthew Price
Emily Roark
Tom Waldrop

Chair Owens

been known since the outset. This does not represent a one-year transition, especially with the move this year to the Missouri Valley Football Conference.

- Ø Work that has been undertaken included establishing the leadership structure for Athletics over the past year. A photo of the leadership team was provided and members were highlighted, illustrating the roles they will play within Racer Athletics.
- Ø Appreciation was expressed to Chair Owens and President Jackson for their leadership, support and advice relative to the establishment of the Dennis Jackson Leadership Program. This program focuses on key components of student-athlete development, including career readiness, civic and leadership engagement, brand management and innovation and financial literacy (in partnership with Community and Financial Services Bank) and mental health resources and educational opportunities. This work will help transform the lives of student-athletes.
- Ø Student-athletes have reached the 38th straight semester with a 3.0 grade point average (GPA). This is a testament to the quality of the students and staff, especially Coaches who believe in the Mission for Athletics. The highest GPA in Racer history – 3.27 – was achieved in the 2023 Spring Semester. Deans and their respective faculty and staff also play a key role in this process and their work is very much appreciated.
- Ø In terms of community service and impact, the Dennis Jackson Leadership Program has led to higher quality and directed participation in community service in all 15 sports programs. This year set a record as the highest ever for community service hours of impact and more than doubled 2021-22 numbers. Nearly \$2,000 has been raised and over 2,000 items were donated during the Racer Day of Service. The program was able to impact and service 22 different organizations in the region as a result of this effort which illustrates the servant-leadership mentality that is embraced in Racer Athletics.
- Ø Sports program performance during the first year in the Missouri Valley Conference was strong. All expect these programs will continue to accelerate as resources are expanded and programs are evaluated. Every team made it to either the Ohio Valley Conference (OVC) or Missouri Valley Conference Tournaments but continued investment in this area will be crucial to success. Soccer was MVC Championship Runner-Up; Baseball won two games in the MVC Tournament; Men's Basketball won a game in the MVC Arch Madness Tournament; Women's Basketball won a game in the MVC Hoops in the Heartland Tournament and Track and Field earned MVC Indoor Runner-Up and MVC Outdoor Runner-Up honors. Two Track student-athletes competed at the national level in Austin, Texas. The Rifle team finished 8th in Final National Rankings and were OVC Rifle Conference Champions and went on to compete for a national championship. Football had its top recruiting class in program history based on rankings. Track and Field had a record year of participants for the National Collegiate Athletic Association Qualifier with five student-athletes and Nationals with two players. Sports programs had one Coach of the Year, five All-Americans, 40 All-Conference student-athletes and three Players of the Year. All are proud of the Coaches and staff for helping position these student-athletes for success both on the field and off.
- Ø In terms of the well-being of student-athletes, one year ago the ratio of Certified Athletic Trainers was 117 to 1 which was deemed to be unacceptable. The ratio is now 43 to 1 which is much more manageable and the same is true for Certified Strength and Conditioning staff which were at a ratio of 177 to 1 but are now 69 to 1. Work that has been undertaken represented a massive overhaul in order to reach the place where the program is currently and all are proud of the direction Athletics is heading. Efforts must continue to lean into this space, particularly due to the important roles these individuals play in student-athlete well-being. The ideal ratio is 30 to 1 for both categories.
- Ø Due to work that has been undertaken with regard to brand awareness, there has been an

Ø With regard to major gifts, in the past month two individuals – one from Los Angeles, California, and one from Mayfield, Kentucky, have agreed to \$1 million commitments. There was a \$250,000 donor from Paducah and 26 major gifts were received for \$25,000 or more. One year ago, there were no

Ohio Valley Conference Academic Year 2023-24 Certification, approved

Confirmation was provided that this Certification applies to the Rifle program which remained in the Ohio Valley Conference.

On behalf of the Athletics Committee, Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, consent to the Ohio Valley Conference Governing Board Certification for Academic Year 2023-24. Regent Roark seconded and the motion carried.

Full Board Action – Ohio Valley Conference Academic Year 2023-24 Certification, approved

On behalf of the Athletics Committee, Chair Owens moved that the Board of Regents, upon the

- Ø The Internal Audit Charter outlines the Board's responsibilities which include the Audit Charter and the Annual Audit Plan. The Charter also outlines the Internal Auditor's responsibilities such as maintaining independence and objectivity and reporting results of the Audit.
- Ø The Board of Regents reaffirms the Internal Audit Charter every year. The Charter is instrumental to ensuring Internal Audit has access to all data and individuals needed to be able to perform audits across the University.

On behalf of the Audit and Compliance Committee, Chair Owens moved that the Board of Regents, upon the recommendation of the President of the University, reaffirm the Internal Audit Charter for Murray State University as submitted and in compliance with Standards for the internal audit profession established by ISACA. Regent Roark seconded and the motion carried.

- Ø The linear fencing along the border of campus on Highways 121 and 641 has been repaired and repainted. Protection devices were also added to the bottom of the posts.
- Ø Landscaping work has been undertaken on campus to repair damage which occurred as a result of the freeze this year, recent storms and the drought last summer. Before and after photographs of these improvements were provided. SSC is the University's contract partner for custodial and grounds work. SSC offered a scholarship as part of a competition for Horticulture students to develop a landscape design for the Sorority Suites Courtyard. Sarah Jordan was selected as the recipient of that scholarship award based on her design for the Sorority Suites Courtyard. Phase I of this work is underway and will be enhanced over time.
- Ø Projects in progress include Curris Center renovations and the terrazzo Shield is now in place. Most of the acoustic ceiling and lighting work has been completed. The major focus at this time is completing the Welcome Center by November. Work must be completed on the upper areas of this space before the flooring can be installed. The handrails on the main stairs will be replaced beginning in September and the epoxy coating will be applied over Fall Break. The eSports Lounge is nearing completion and only lacks the wall coverings and installation of computers. The new horses running art pieces have been installed in the Atrium and all are pleased with the results, especially the backlighting.
- Ø The fiber ring project is ongoing and Phase I work is complete with Phase II expected to begin soon. The Board received a report during the Retreat regarding network vulnerabilities and the fiber ring will provide flexibility in the event it is cut or damaged. Information Systems staff will be able to quickly redirect network traffic to another path should this occur.
- Ø In terms of the new School of Nursing and Health Professions, the facility is expected to open for the January 2026 semester. The Board will be asked to approve a Program Statement for this facility later today and will receive a project scope report.
- Ø Mason Hall renovations are following suit with the new nursing building. There is not a great deal of work that can be undertaken in this facility until the new School of Nursing and Health Professions building is completed.
- Ø Waterfield Library HVAC Phase II work has been on the projects list for some time. The project was awarded over one year ago but the University is still waiting on equipment to arrive before physical work can begin.
- Ø Work is underway on an outdoor seating area at Winslow Dining Hall.
- Ø A Program Statement will be presented to the Board for approval later today for the Hancock Biological Station. This project was bid but came in significantly over budget. Work continues to determine how this project can be completed or what additional scope may be needed to ensure it moves forward.
- Ø With regard to Applied Science building renovations, meetings have been held with the architects and consultants relative to design work for this project so it can be started. The schematic phase of this project is moving rapidly and potential floor plans for this facility are expected to be determined in the next few weeks. This is a large building and a plan must be developed for moving workers around while renovations are undertaken. The primary projects for this facility include ADA restroom upgrades, corridor improvements and a refresh of interior spaces. Once the Exercise Science programs are moved to their new location on campus, those vacated spaces can be renovated and turned over to the Hutson School of Agriculture.
- Ø Program Statements have also been provided today for Pogue Library HVAC and electrical upgrades and the Old Fine Arts building boiler replacement, HVAC upgrades and interior stairwell repairs and require Board approval.
- Ø The University is working closely with Ross Tarrant Architects, Ayers Saint Gross, Marcum Engineering and BFW Engineers on the nursing building project. Discussions are ongoing to develop the appropriate programming to be housed in this facility, its size and how it will fit into the University's budget. The goal is to be able to house all nursing program

new facility. A diagram was provided illustrating those connections while also taking into consideration green spaces.

- Ø As the building footprint was defined, it was determined that the setback from 16th Street should be the same as that for Wells and Faculty halls. It was also decided there should be adjacency to the Science Complex in a straight line to create an internal Quad. The footprint that was identified is almost on top of where the old training school used to sit.
- Ø Development schemes have also been discussed relative to what the building will look like for the new facility as well as for Phase II. This included where the mechanical yard would be located, as well as parking and outdoor space. Maintaining the 16th Street frontage and landscape area was a priority, as well as minimizing asphalt space adjacent to the building. Blocking and stacking models were further defined and various schematic diagrams were provided.
- Ø A full campus parking map was provided showing the location for the new facility. Discussions are underway on how to keep some parking adjacent to the building for ADA parking spots. The University owns a house located at 503 North 16th Street that will be razed soon and work is currently underway with BFW Engineers to reimagine a parking area in this location. The goal is to have a net zero offset in terms of parking. There are currently several parking lots on the perimeter of campus and these will be utilized during construction and beyond. The number of offset parking spaces that will be needed has not yet been determined but any decision made will be based on the potential of the University receiving Phase II funding for an addition to the facility. It was indicated with regard to ADA parking that the issue is not distance from the building but providing an accessible path to inside the facility and surrounding buildings. Confirmation was provided that the required number of accessible parking spaces is based on a percentage of spaces in the total parking count as a whole but those spaces must be scattered throughout campus. There is currently a concentration of ADA parking in the Faculty Hall lot because it is located at the core of campus.
- Ø

(Science Complex) Mechanical Equipment and Roof Replacement and Oakley Applied Science Building ADA and Mechanical Upgrades. Regent Fitch seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Ovey, yes; Dr. Price, yes; Mrs. Roark, yes; Dr. Shemberger, yes and Mr. Owens, yes. The motion carried.

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Personal Services Contracts, approved

Regent Fitch reported that Item #11 of the Delegation of Authority stipulates that the Board “...approve all Personal Services Contracts totaling more than \$50,000. The Board will be notified of all Personal Services Contracts between \$10,000 and \$50,000 before they are submitted to the Legislative Research Commission. Upon review, individual Board members may request that these be held for approval at the next Board meeting.” The contracts on the listing provided require approval by the Board of Regents and involve General Fund monies.

On behalf of the Finance Committee, Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the contracts as presented per requirements of the Delegation of Authority (Item #11). Regent Meinschein seconded and the motion carried.

Full Board Action – Personal Services Contracts, approved

On behalf of the Finance Committee, Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, approve the contracts as listed in the attached document per requirements of the Delegation of Authority (Item #11). Regent Ovey seconded. In response to a question, Senior Vice President Dudley provided clarification that the Health and Wellness Personal Services Contract is to put services out for bid but the current consultant would be eligible to submit a bid. The roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Ovey, yes; Dr. Price, yes; Mrs. Roark, yes; Dr. Shemberger, yes and Mr. Owens, yes. The motion carried.

(See Attachment #14)

Surplus Property Disposition, approved

Regent Fitch reported that Kentucky Revised Statute 164A.575 requires that the Board of Regents approve disposition of equipment and other property. The proposed plan will provide an efficient and timely process for the disposition of such property having a value of less than \$25,000. Non-routine dispositions require specific approval of the Board of Regents.

Surplus Property Disposition Request – Bucket Truck, approved

Regent Fitch reported that Murray State University owns a 1989 Ford Aerial Bucket Truck for use in the Facilities Management Electric Shop. The truck was originally used for high voltage

- Ø Cybersecurity efforts include working throughout the interim to educate lawmakers about Murray State's Cybersecurity program – the Program of Distinction for Kentucky. Murray State has led this effort in Kentucky since before 9-11. A bill is being drafted in the interim that the CPE, Murray State and other universities are partnering on. This is not only a hot topic in Kentucky but also nationwide due to the increase in cyberattacks and Murray State and the University of Louisville are taking the lead in this effort.
- Ø The Board recently approved conducting a feasibility study for a School of Veterinary Medicine at Murray State. The University has paid close attention to the work the Veterinary Shortage Work Group has been undertaking. Dean Parr and Provost Todd have been monitoring this work closely. Dr. Debbie Reed, Director of the Breathitt Veterinary Center, serves on the Large Animal Veterinary Shortage Work Group that the Department of Agriculture has established in the interim. The Work Group held meetings to examine the shortage of large animal veterinarians, as well as veterinarian retirements and other issues. Murray State is actively engaged on this topic and staff and others are meeting with agricultural stakeholders across the state. A final report will be delivered in November. A Murray State alumnus and Calloway County native also serves on the Large Animal Veterinary Shortage Work Group and is keeping the University updated

Full Board Action – Naming Opportunity – *Doran Arboretum at Murray State University*, approved

On behalf of the Marketing and Community Engagement Committee, Regent Evans moved that the Board of Regents, upon the recommendation of the President of the University and the Committee on Naming of Campus Facilities, Programs and Activities, approve the naming of the *Doran Arboretum at Murray State University* in appreciation of the generations of support to the University and new commitment to support the Arboretum at Murray State. Regent Shemberger seconded and the motion carried.

Naming Opportunity – *Tommy and Sandy Draffen Performance Level* – Roy Stewart Stadium, approved

Executive Director Bernot reported that the naming proposal for consideration is to name the _____ within Roy Stewart Stadium. Originally from Mayfield, Kentucky, Tommy and Sandy Draffen reside in Rancho Palos Verdes, California, and are proud graduates of Murray State University. Tommy graduated in 1987 with a Bachelor of Science in Applied Mathematics and Sandy graduated two years later in 1989, with a Bachelor of Science in Occupational Safety and Health. The Draffen's come back to the region often throughout the year to visit family and campus and to attend athletic events. Through these visits, they have developed a love for investing in the success and overall experience of Murray State student-athletes.

Recent financial investments from the Draffen's include the Racer Fuel and Nutrition Area in Roy Stewart Stadium, support for Racer Football and Men's Basketball, unrestricted funding and additional contributions to Murray State University, totaling over \$250,000. Tommy is also an investor of his time and talent to Murray State University by serving as a member of the National Campaign Council for the Be Bold: Forever Blue and Gold Campaign and was recently named to the MSU Foundation Board of Trustees. The Draffen Family has recently committed \$1 million to Racer Athletics to directly impact the student-athlete population through facility improvements in Roy Stewart Stadium, a facility that opened in 1973. Stewart Stadium serves as the central hub for day-to-day operations of the Athletics Department and houses over two-thirds of Murray State student-

to Board approval. His annual salary will be \$199,000 and there are additional incentives contained within the contract that represent changes from the initial contract and those were noted accordingly in the redlined version provided to the Board. Chair Owens reported that he was fortunate to have the opportunity to serve on the Search Committee for a new Director of Athletics. Director Yantko has not only lived up to but has exceeded expectations in the short period of time he has been at the University. In terms of salary, Murray State is not able to pay as much as some of the larger schools but he believes the revision to the base salary being recommended is appropriate, as are the incentives.

Regent Fitch moved that the Board of Regents, upon the recommendation of the President of the University, approve the attached Contract of Employment amendment for Mr. Nico Yantko, Director of Athletics, effective September 1, 2023, through June 30, 2027. Regent McGowan seconded and the roll was called with the following voting: Dr. Evans, yes; Dr. Fitch, yes; Mrs. Gray, yes; Ms. McGowan, yes; Dr. Meinschein, yes; Mr. Ovey, yes; Dr. Price, yes; Mrs. Roark,

Salary Roster, approved

Board of Regents Policy Manual – Section 6.4 – Staff Congress as outlined in the attached document.

Regent Shemberger moved that the Board of Regents, upon the recommendation of the President of the University, approve the revised *Board of Regents Policy Manual – Section 6.4 – Staff Congress* as presented in this second reading. Regent Fitch seconded and the motion carried.

(See Attachment #21)

Revised Board of Regents Policy Manual – Section 6.9 – Student Government Association Constitution (second reading), approved

Regent McGowan reported that the current Constitution of the MSU Student Government Association allocates two “freshman Senator” classified positions. Currently, students are only eligible to run for office based on their academic classification entering college. A freshman classification requires a student to have no more than thirty (30) credit hours; therefore, current constitutional statutes limit the population of students eligible to run and vote for these positions. More and more students are bringing in college dual credit (50 percent at Murray State). If these students enter college with too much dual credit where they are classified as a sophomore, current Board policy will automatically not allow these students to hold freshman Senator positions. A great deal of discussion occurred on what it means to be a freshman and also considered was maintaining a focus on the overall freshman experience. The number of students who apply for freshman Senator positions has decreased significantly since the pandemic. Of those few who did apply, many had dual credit. The proposed changes, if adopted, would enable student eligibility to be based off of both academic classification and how many credit hours the student has earned after high school graduation; allowing for students who have completed dual-credit courses in high school the opportunity to participate in freshman Senator elections. The Board of Regents approved the first reading of this policy at its June 2, 2023, Quarterly Meeting.

Vice Chair Gray moved that the Board of Regents, upon the recommendation of the President of the University, approve the changes to the Student Government Association Constitution as outlined in the attached document and approve the revision of the *Board of Regents Policy Manual – Section 6.9 – Student Government Association Constitution* (second reading) – to reflect those changes. Regent Shemberger seconded and the motion carried.

(See Attachment #22)

Personnel Policies and Procedures Manual – Policy III L – Flexible Work Arrangements (first reading), approved

President Jackson reported that Murray State University’s Insurance and Benefits Committee recommended a policy with regard to flexible work arrangements be developed and provided input into the policy development process. At its June 2, 2023, Quarterly Meeting, the Board of Regents was provided with an update regarding the status of the policy development process for a Flexible Work Arrangements Policy for the University and this topic was discussed in detail during the Retreat yesterday.

Other Business

Chair Owens reminded Board members to return their Conflict of Interest Statements to Secretary Hunt if they have not already done so. He also thanked fellow Board members for their preparedness and participation. Their service is very much appreciated.

Adjournment

There being no further business to come before the Board, Chair Owens requested a motion to adjourn. Regent Shemberger so moved, seconded by Regent Fitch, and the motion carried.

The Board of Regents Quarterly Meeting and Committee Meetings adjourned at 12:45 p.m.


Secretary Jill Hunt


Chair Leon Owens

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