

Schedule
Fairmont State University Board of Governors
December 11, 2008

Falcon Center Board Room
Fairmont State University

12:30 p.m. Luncheon Room 302 Falcon Center
1:30 p.m. Full Board Meeting..... Board Room

Fairmont State University Board of Governors
Meeting of December 11, 2008
Falcon Center Board Room
1:30 p.m.

AGENDA

Call to Order

1. Opening Comments
2. Last Call for Public Comment Sign-up
3. Approval of Minutes (October 9, 2008)

Tab 1 Action Item

Operations Reports

1. Faculty Senate Report (*Chuck Shields*)
2. Classified Staff Report (*Harriet Bower*)
3. Student Government Report (*Kelley Bronson*)
4. Foundation Report (*Jean Ahwesh*)
5. Alumni Association Report (*Devanna Corley*)
6. Athletic Association Report (*Rusty Elliott*)
7. President's Report
8. Chairman's Report

Committee of the Whole

1. Financial Report
2. Approval of Revised 2009 Capital Project
3. Approval of the Feaster Center Bid
4. Capital Project Update
5. Presentation on Field Exams
6. Staff Development Report
7. Approval – Folk Life Center
8. Faculty Development Award Winners
9. Emergency Response Campus Plan
10. Memorandum of Understanding with Foundation

Tab 2 FYI
Tab 3 Action Item
Tab 4 Action Item
Tab 5 FYI

Tab 6 FYI
Tab 7 Action Item
Tab 8 FYI
Tab 9 FYI
Tab 10 Action Item

Old Business

New Business

Public Comment

Possible Executive Session

_____ moved pursuant to 6-9A-4(b)2A of the WV Code that the Board shall go to into Executive Session to discuss personnel and personnel matters, which if discussed in public might adversely affect the reputation of any person.

Next meeting date is Thursday, January 8, 2009 in the Board Room – Falcon Center

Fairmont State University
BOARD OF GOVERNORS
MINUTES
October 9, 2008

1. Call to Order

A meeting of the Fairmont State University Board of Governors was held on October 9, 2008 beginning at 1:30 p.m. in the Board Room of the Falcon Center. Present at the meeting were Board Members: Galen Hansen, James Kettering, Andy Kniceley, Rocco Muriale, Mark Pallotta, Shawn Ragsdale, Shirley Stanton, Skip Tarasuk and Donna Trickett. Those Board members not in attendance were: Janet Crescenzi, Robert Kittle and Ron Tucker. Also in attendance were: FSU Interim President Charles J. McClain, PC&TC President Blair Montgomery, Jean Ahwesh, Michael Belmear, Michael Bestul, Dale Bradley, Jim Decker, Sarah Hensley, Phil Mason, Rick Porto and Maria Rose.

2. Approval of Minutes

Rocco Muriale moved the minutes of September 11, 2008 meeting be approved. Shirley Stanton seconded. Motion carried.

3. Operation Reports

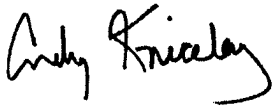
- 1) Chuck Shields reported for Faculty Senate
- 2) Harriet Bower reported for Classified Staff Council
- 3) Kelley Bronson reported for Student Government
- 4) Jean Ahwesh reported for Foundation
- 5) Devanna Corley reported for Alumni Association
- 6) Rusty Elliott reported for Athletic Association
- 7) Charles J. McClain gave the President's Report
- 8) Andy Kniceley gave the Chairman's Report

4. Committee of the Whole

- 1) Jim Kettering made a motion to pass a resolution to approve both the BOG Scholarship and the Combined Ability Scholarship. Skip Tarasuk seconded. Motion carried.
- 2) Galen Hansen made a motion to accept the changes in the operating budget updates. Rocco Muriale seconded. Motion carried.
- 3) Jim Kettering made a motion to approve the 2009 Capital Budget updates. Rocco Muriale seconded. Motion carried.
- 4) Galen Hansen made a motion to approve the amended Fund Managers Balance Sheet. Skip Tarasuk seconded. Motion carried.
- 5) Galen Hansen made a motion to approve the revised Salary Policy 25. Rocco Muriale seconded. Motion carried.
- 6) Rocco Muriale made a motion to approve the Salary Increase proposal. Jim Kettering seconded. Motion carried.

- 7) Rocco Muriale made a motion to accept the amended version of the Presidential Search Procedure. Shirley Stanton seconded. Motion carried.
- 8) Galen Hansen made a second amendment to state that the Search Committee will approve the statement of characteristics and position announcement for the search. Rocco Muriale seconded. Motion carried.

There being no further business, Rocco Muriale moved the meeting be adjourned. Galen Hansen seconded. Motion carried.

A handwritten signature in black ink, reading "Andy Kniceley". The signature is written in a cursive, slightly slanted style.

Andy Kniceley, Chair

**Board of Governors
Financial Report
Fairmont State University
Unrestricted Fund
for the Period as of November 17, 2008**

The Projected affect on Net Assets at June 30, 2008 as of November 17, 2008 is \$-364,059.

This projection includes budget increases allowed based on the October 9, 2008 approval of the Governing Board to spend down fund balances in Fund Manager's Funds in the amount of \$582,004 (This includes \$132,004 of indirect cost budget carried forward from fiscal year 2008 and \$450,000 of course fee net assets). This is the first step in a two year plan to have Fund Managers utilize the revenues collected for course fees and other revenues.

The projection also includes all approved budget changes reviewed and approved at the October 9, 2008 meeting of the Board of Governors. Student Fee revenue budgets have been adjusted, pay raises implemented effective November 1st, and adjustments to the chargeback budgets due to enrollment shifts between the University and Community and Technical College.

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
 Current Year 2009 November Current Unrestricted
 LEVEL 2

		Budgeted Current Year	Actual Current Year	Actual to Budgeted Current Year
OPERATING REVENUES	Tuition & Fees	20,294,097.00	9,800,610.72	48.29
	Tuition and Fees Support Services Revenue	524,506.00	248,242.00	47.33
	Faculty Services Revenue	1,157,896.00	590,432.00	50.99
	Federal Grants and Contracts	0.00	0.00	-
	State/Local Grant and Contracts	0.00	0.00	-
	Private Grants and Contracts	0.00	32,972.78	-
	Auxiliary enterprises revenue	0.00	0.00	-
	Operating Costs Revenue	2,529,584.10	818,507.26	32.36
	Support Services Revenue	3,580,984.32	1,076,563.71	30.06
	Other Operating Revenue	398,791.00	138,804.20	15.99
Sub Total		28,485,858.42	12,706,132.67	44.61
OPERATING EXPENSES	Salaries	21,473,526.31	7,378,129.40	34.36
	Benefits	5,613,166.16	1,840,376.73	32.79
	OPEB Expense	0.00	26,210.75	-
	Student Financial Aid-Scholarships	1,344,425.00	648,430.95	48.23
	Utilities	1,452,600.00	425,435.68	29.29
	Supplies and Other Services	7,277,976.94	2,540,459.47	34.91
	Equipment Expense	941,236.56	479,871.27	50.98
	Loan Cancellations and write-off	0.00	0.00	-
	Fees retained by the Commission	167,829.00	83,914.50	50.00
	Assessment for Faculty Services	1,566,798.00	788,645.00	50.33
	Assessment for Support Services	190,613.73	50,892.03	26.70
	Assessment for Tuition, Aux, & Capital Costs	2,884,959.00	1,356,139.00	47.01
	Assessment for Operating Costs	232,953.72	91,774.79	39.40
Sub Total		43,146,084.42	15,710,279.57	36.41
NONOPERATING REVENUES (EXPENSES)	State Appropriations	13,769,754.00	5,783,296.00	42.00
	Gifts	25,000.00	12,500.00	50.00
	Investment Income	458,998.00	70,465.41	15.35
	Interest on capital asset related debt	0.00	0.00	-
Sub Total:		14,253,752.00	5,866,261.41	41.16
EXCLUDE OPERATING	Exclude - Assets	(641,455.46)	(26,845.76)	4.19
	Exclude - Construction	0.00	(238.50)	-
	Exclude - Transfers for Debt Service	0.00	0.00	-
	Exclude - Transfers for Fin Aid Match	(170,107.00)	(85,053.50)	50.00
	Exclude - Indirect Cost Recoveries	758,907.08	191,477.32	25.23
	Exclude - Transfers for Capital Projects	96,978.00	96,978.00	100.00
	Exclude - Transfers - Other	(1,908.00)	(1,908.00)	100.00
Sub Total:		42,414.62	174,409.56	411.20
OPERATING INCOME/LOSS		(14,660,226.00)	(3,004,146.90)	20.49
Projected affect on Net Assets at June 30 (Includes \$496,898 spend down of fund manager funds)		(364,059.38)	3,036,524.07	(834.07)
NET ASSETS - Beginning of Year		6,045,284.27		
PROJECTED NET ASSETS - End of Year		5,681,224.89		

NOTE: At the October 9, 2008 meeting, the Board of Governors approved a spend down plan of \$582,004 of fund manager net assets. This includes \$132,004 of indirect cost budget carried forward from fiscal year 2008 and \$450,000 of course fee net assets.

**Board of Governors
Financial Report
Fairmont State University
Restricted Fund
For the period as of November 18, 2008**

Revenues:

Revenues increased by approximately	\$297,137.00
ACCELERATE	\$149,915.00
Imagination Library grant	19,000.00
NASA Space Grant 2009	17,000.00
Educational Resource Ctr. Grant	484.26
Teacher Education Partnership Grant	120,000.00
Knowledge Works Grant	45,000.00
Appalachian Teacher Project Grant	4,000.00
National Institute of Health Grant	(56,867.91)
NASA Space Grant 2008	(1,394.47)

Expenditures:

Expenditures increased approximately	\$297,137.00
ACCELERATE	\$149,915.00
Imagination Library grant	19,000.00
NASA Space Grant 2009	17,000.00
Educational Resource Ctr. Grant	484.26
Teacher Education Partnership Grant	120,000.00
Knowledge Works Grant	45,000.00
Appalachian Teacher Project Grant	4,000.00
National Institute of Health Grant	(56,867.91)
NASA Space Grant 2008	(1,394.47)
Indirect Cost Gear Up	(59,161.00)

The budget balane of \$-696,279.29 is covered by the restricted fund cash balance of \$722,543.34 on June 30, 2008.

Fairmont State University
Actual vs Budget Statement of Revenues and Expenses
 Current Year 2009 Prior Year 2008 November Current Restricted
LEVEL 2

		Budgeted Current Year	Actual Current Year	Actual to Budgeted Current Year
OPERATING REVENUES	Federal Grants and Contracts	33,008,876.35	13,200,921.71	39.99%
	State/Local Grants and Contracts	6,599,486.44	2,635,691.36	39.94%
	Private Grants and Contracts	3,344,783.79	1,054,879.34	31.54%
	Other Operating Revenue	835.00	0.00	0.00%
Sub Total		42,953,981.58	16,891,492.41	39.32%
OPERATING EXPENSES	Salaries	2,205,948.51	541,940.61	24.57%
	Benefits	363,895.17	99,600.92	27.37%
	Student Financial Aid-Scholarships	33,396,417.00	15,492,228.04	46.39%
	Utilities	19,857.00	2,676.00	13.48%
	Supplies and Other Services	5,245,237.39	486,907.20	9.28%
	Equipment Expense	1,588,434.96	166,011.50	10.45%
	Assessment for Support Services	0.00	0.00	0.00%
Sub Total		42,819,790.03	16,789,364.27	39.21%
NONOPERATING REVENUES (EXPENSES)	Investment Income	0.00	0.00	
Sub Total:		0.00	0.00	0.00%
EXCLUDE OPERATING	Exclude - Assets	-190,207.79	-19,989.99	10.51%
	Exclude - Transfers for Fin Aid Match	118,644.00	36,785.20	31.00%
	Exclude - Indirect Cost Recoveries	-758,907.05	-175,112.83	23.07%
	Exclude - Transfers - Other	0.00	0.00	0.00%
Sub Total:		-830,470.84	-158,317.62	19.06%
OPERATING INCOME/LOSS		134,191.55	102,128.14	76.11%
BALANCE		-696,279.29	-56,189.48	8.07%
GRANT INCOME RECEIVED IN PRIOR FISCAL YEAR		722,543.34		
Adjusted Year End Balance		26,264.05		

**Board of Governors
Financial Report
Fairmont State University
Auxiliary Fund
for the Period as of November 17, 2008**

The Auxiliary Fund budget balance as of November 17, 2008 is \$0.00 with a planned transfer to plant on June 30, 2009 of \$658,517. Since all balances in the Auxiliary Funds are transferred to Plant Reserves at the end of the fiscal year, the Auxiliary budget will have no balance after the estimated \$658,517 is transferred on June 30, 2009.

Pay raises effective for November 1st are included in this updated budget plan.

FSU Auxiliary Support
Actual vs Budget Statement of Revenues and Expenses

Current Year 2009 November Auxiliary
Auxiliary - Bd. Of Governors

		Budgeted	Actual Current	Actual to
		Current Year	Year	Budgeted
				Current Year
OPERATING REVENUES				
	Tuition and Fees	0.00	0.00	-
	Tuition and Fees Support Services Revenue	0.00	0.00	-
	Auxiliary enterprises revenue	7,762,678.94	3,843,139.57	49.51
	Auxiliary Support Services Revenue	4,761,817.00	2,264,480.00	47.55
	Other Operating Revenue	302,588.60	112,518.56	37.19
Sub Total		12,827,084.54	6,220,138.13	48.49
OPERATING EXPENSES				
	Salaries	1,952,171.00	700,774.60	35.90
	Benefits	573,516.72	145,865.37	25.43
	OPEB Expense	0.00	2,348.76	
	Student Financial Aid-Scholarships	450,400.00	173,331.78	38.48
	Utilities	729,920.00	164,257.81	22.50
	Supplies and Other Services	4,698,496.90	2,417,812.69	51.46
	Equipment Expense	80,332.00	37,907.92	47.19
	Loan Cancellations and write-off	1,131.00	0.00	-
	Assessment for Support Services	0.00	0.00	
Sub Total		8,485,967.62	3,642,298.93	42.92
NONOPERATING REVENUES (EXPENSES)				
	Investment Income	0.00	0.00	-
	Interest on capital asset related debt	-100,472.60	-50,236.30	50.00
Sub Total:		-100,472.60	-50,236.30	50.00
EXCLUDE OPERATING				
	Exclude - Assets	-28,500.00	-7,210.00	25.30
	Exclude - Construction	0.00	0.00	-
	Exclude - Transfers for Debt Service	-3,550,202.00	-1,756,566.36	49.48
	Exclude - Transfers for Fin Aid Match	-3,425.00	-1,712.50	50.00
	Exclude - Transfers to Plant Reserves	-658,517.32	0.00	-
	Exclude - Transfers for Scholarships	0.00	0.00	
	Exclude - Transfers - Other	0.00	0.00	
Sub Total:		-4,240,644.32	-1,765,488.86	41.63
OPERATING INCOME/LOSS		4,341,116.92	2,577,839.20	59.38
BALANCE		0.00	762,114.04	0.00

**Fairmont State University Board of Governors
Meeting of December 11, 2008**

ITEM: 2009 Capital Project Budget Update

COMMITTEE: Committee of the Whole

WHEREAS, it is necessary to approve a 2009 Capital Budget update because of the funding for Feaster Center alternates.

WHEREAS, there are \$312,866.13 available for these projects and additional funds of \$49,474.59 are needed, whereas the \$49,474.59 funds can be funded by taking unused funds from completed projects as follows:

Feaster Pool Painting	\$7,415.10
Feaster Scoreboard	15,157.30
Athletic Vehicles	20,808.00
Feaster Classroom Walls	<u>6,094.19</u>
Subtotal	\$49,474.59

NOW, therefore, be it resolved that the revised 2009 capital project summary budget be approved.

STAFF MEMBER: Rick Porto

BACKGROUND: Capital Project Budget revision is being requested in the following areas:

- Move excess (unused) budget from athletics vehicles for \$20,808.00, Feaster Center – Classroom walls for \$6,094.19, Feaster Center – Pool painting for \$7,415.10, and Feaster Center scoreboard of \$16,157.30 for a total of \$49,474.59 to the Feaster Center HVAC Phase II Project.
- Making the above adjustment to the HVAC Phase II project will allow for available funds for this project to be \$362,340.72. Note: Please see the attached before and after picture of the capital projects FY 2009 summary.

CAPITAL PROJECTS FY 2009 SUMMARY

Project	Budget		Total Budget	Expenses	Encumbrances	Available Budget
	Original Budget	Adjustments				
ATHLETIC FIELD - UPPER PRACTICE FIELD EXPANSION	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 991.01	\$ 2,500.00	\$ 16,508.99
ATHLETIC FIELD - TENNIS COURTS RESURFACE	\$ 60,000.00	\$ -	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00
ATHLETICS - VEHICLES	\$ 52,000.00	\$ -	\$ 52,000.00	\$ 31,192.00	\$ -	\$ 20,808.00
EDUCATION BUILDING - EXTERIOR WATERPROOFING	\$ 185,000.00	\$ -	\$ 185,000.00	\$ -	\$ -	\$ 185,000.00
EDUCATION BUILDING - ROOF REPLACEMENT	\$ 320,000.00	\$ -	\$ 320,000.00	\$ -	\$ -	\$ 320,000.00
ENGINEERING TECHNOLOGY ADDITIONS	\$ 258,861.75	\$ 22,779.21	\$ 281,640.96	\$ 281,640.96	\$ -	\$ 0.00
FEASTER CENTER - CLASSROOM WALLS	\$ 40,000.00	\$ (22,779.21)	\$ 17,220.79	\$ 11,126.60	\$ -	\$ 6,094.19
FEASTER CENTER - ELEVATOR & STEPS	\$ 1,388,155.24	\$ -	\$ 1,388,155.24	\$ 206,108.86	\$ 1,182,046.38	\$ 0.00
FEASTER CENTER - HVAC PHASE II	\$ 312,866.13	\$ -	\$ 312,866.13	\$ -	\$ -	\$ 312,866.13
FEASTER CENTER - POOL PAINTING	\$ 30,000.00	\$ -	\$ 30,000.00	\$ 22,584.90	\$ -	\$ 7,415.10
FEASTER CENTER SCOREBOARD	\$ 45,000.00	\$ -	\$ 45,000.00	\$ 2,500.00	\$ 27,342.70	\$ 15,157.30
IT INFRASTRUCTURE - IT EMERGENCY BACK-UP	\$ 200,000.00	\$ -	\$ 200,000.00	\$ -	\$ -	\$ 200,000.00
KENNEDY BARN - FOLKLIFE	\$ 500,000.00	\$ 176,228.00	\$ 676,228.00	\$ 269,994.10	\$ 305,724.90	\$ 100,509.00
LOCUST AVENUE	\$ 429,828.00	\$ (108,114.00)	\$ 321,714.00	\$ -	\$ -	\$ 321,714.00
PUBLIC SAFETY VEHICLE	\$ 26,000.00	\$ -	\$ 26,000.00	\$ -	\$ 22,892.00	\$ 3,108.00
PUBLIC SAFETY ATV	\$ 12,000.00	\$ -	\$ 12,000.00	\$ -	\$ 11,600.00	\$ 400.00
RESIDENCE HALLS - COLLEGE APARTMENTS C/D ROOF	\$ 55,000.00	\$ 16,632.00	\$ 71,632.00	\$ 71,632.00	\$ -	\$ -
RESIDENCE HALLS - COLLEGE APARTMENTS "G" WATERPROOFING	\$ -	\$ 23,400.00	\$ 23,400.00	\$ -	\$ 23,400.00	\$ -
RESIDENCE HALLS - COLLEGE APARTMENTS RETAINING WALL	\$ 45,000.00	\$ -	\$ 45,000.00	\$ -	\$ 19,187.28	\$ 25,812.72
RESIDENCE HALLS - FURNITURE	\$ 39,262.90	\$ -	\$ 39,262.90	\$ 39,262.90	\$ -	\$ -
RESIDENCE HALLS - MORROW HALL BOILER REPAIR	\$ 14,894.00	\$ 11,955.00	\$ 26,849.00	\$ -	\$ 26,849.00	\$ -
RESIDENCE HALLS - DELAYED EGRESS EXITS	\$ 42,000.00	\$ -	\$ 42,000.00	\$ -	\$ 40,972.00	\$ 1,028.00
RESIDENCE HALL - PENCE HALL ASBESTOS ABATEMENT & CARPET	\$ 44,893.44	\$ 774.04	\$ 45,667.48	\$ 45,667.48	\$ -	\$ -
ACADEMIC FUND FY 2009	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 88,815.00	\$ -	\$ 11,185.00
PHYSICAL PLANT SMALL PROJECTS FY 2009	\$ 137,760.26	\$ -	\$ 137,760.26	\$ 51,807.94	\$ 30,173.80	\$ 55,778.52
LANDSCAPING FY 2009	\$ 80,000.00	\$ -	\$ 80,000.00	\$ 43,376.73	\$ 7,500.00	\$ 29,123.27

NOTE: Residence Halls Projects are Auxiliary Budgets

Projects Completed

Projects Identified as Funding Possibilities for Feaster Center HVAC Phase II & Women's Locker Room Renovations

CIP FY 2009

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CAPITAL PROJECTS FY 2009 SUMMARY

after Feaster Center Changes

Project	Budget		Total Budget	Expenses	Encumbrances	Available Budget
	Original Budget	Adjustments				
ATHLETIC FIELD - UPPER PRACTICE FIELD EXPANSION	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 991.01	\$ 2,500.00	\$ 16,508.99
ATHLETIC FIELD - TENNIS COURTS RESURFACE	\$ 60,000.00	\$ -	\$ 60,000.00	\$ -	\$ -	\$ 60,000.00
ATHLETICS - VEHICLES	\$ 52,000.00	\$ (20,808.00)	\$ 31,192.00	\$ 31,192.00	\$ -	\$ -
EDUCATION BUILDING - EXTERIOR WATERPROOFING	\$ 185,000.00	\$ -	\$ 185,000.00	\$ -	\$ -	\$ 185,000.00
EDUCATION BUILDING - ROOF REPLACEMENT	\$ 320,000.00	\$ -	\$ 320,000.00	\$ -	\$ -	\$ 320,000.00
ENGINEERING TECHNOLOGY ADDITIONS	\$ 258,861.75	\$ 22,779.21	\$ 281,640.96	\$ 281,640.96	\$ -	\$ 0.00
FEASTER CENTER - CLASSROOM WALLS	\$ 40,000.00	\$ (28,873.40)	\$ 11,126.60	\$ 11,126.60	\$ -	\$ -
FEASTER CENTER - ELEVATOR & STEPS	\$ 1,388,155.24	\$ -	\$ 1,388,155.24	\$ 206,108.86	\$ 1,182,046.38	\$ 0.00
FEASTER CENTER - HVAC PHASE II	\$ 342,866.13	\$ 49,474.59	\$ 392,340.72	\$ -	\$ -	\$ 392,340.72
FEASTER CENTER - POOL PAINTING	\$ 30,000.00	\$ (7,415.10)	\$ 22,584.90	\$ 22,584.90	\$ -	\$ -
FEASTER CENTER SCOREBOARD	\$ 45,000.00	\$ (15,157.30)	\$ 29,842.70	\$ 2,500.00	\$ 27,342.70	\$ -
IT INFRASTRUCTURE - IT EMERGENCY BACK-UP	\$ 200,000.00	\$ -	\$ 200,000.00	\$ -	\$ -	\$ 200,000.00
KENNEDY BARN - FOLKLIFE	\$ 500,000.00	\$ 176,228.00	\$ 676,228.00	\$ 269,994.10	\$ 305,724.90	\$ 100,509.00
LOCUST AVENUE	\$ 429,828.00	\$ (108,114.00)	\$ 321,714.00	\$ -	\$ -	\$ 321,714.00
PUBLIC SAFETY VEHICLE	\$ 26,000.00	\$ -	\$ 26,000.00	\$ -	\$ 22,892.00	\$ 3,108.00
PUBLIC SAFETY ATV	\$ 12,000.00	\$ -	\$ 12,000.00	\$ -	\$ 11,600.00	\$ 400.00
RESIDENCE HALLS - COLLEGE APARTMENTS E/D ROOF	\$ 55,000.00	\$ 16,632.00	\$ 71,632.00	\$ 71,632.00	\$ -	\$ -
RESIDENCE HALLS - COLLEGE APARTMENTS "G" WATERPROOFING	\$ -	\$ 23,400.00	\$ 23,400.00	\$ -	\$ 23,400.00	\$ -
RESIDENCE HALLS - COLLEGE APARTMENTS RETAINING WALL	\$ 45,000.00	\$ -	\$ 45,000.00	\$ -	\$ 19,187.28	\$ 25,812.72
RESIDENCE HALLS - FURNITURE	\$ 39,262.90	\$ -	\$ 39,262.90	\$ 39,262.90	\$ -	\$ -
RESIDENCE HALLS - MORROW HALL BOILER REPAIR	\$ 14,894.00	\$ 11,955.00	\$ 26,849.00	\$ -	\$ 26,849.00	\$ -
RESIDENCE HALLS - DELAYED EGRESS EXITS	\$ 42,000.00	\$ -	\$ 42,000.00	\$ -	\$ 40,972.00	\$ 1,028.00
RESIDENCE HALL - PENCE HALL ASBESTOS ABATEMENT & CARPET	\$ 44,893.44	\$ 774.04	\$ 45,667.48	\$ 45,667.48	\$ -	\$ -
ACADEMIC FUND FY 2009	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 88,815.00	\$ -	\$ 11,185.00
PHYSICAL PLANT SMALL PROJECTS FY 2009	\$ 137,760.26	\$ -	\$ 137,760.26	\$ 51,807.94	\$ 30,173.80	\$ 55,778.52
LANDSCAPING FY 2009	\$ 80,000.00	\$ -	\$ 80,000.00	\$ 43,376.73	\$ 7,500.00	\$ 29,123.27

NOTE: Residence Halls Projects are Auxiliary Budgets

Projects Completed

Projects Identified as Funding Possibilities for Feaster Center HVAC Phase II & Women's Locker Room Renovations

CIP FY 2009

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Feaster Center

Available Budget

Project	E&G Capital 449800	Athletics 330000	FS Bond 907312	HEPC	Total
Elevator & Steps	\$ 399,887.50	\$ 100,000.00	\$ 468,382.50	\$ 450,000.00	\$ 1,418,270.00
HVAC Phase II			\$ 150,251.37	\$ 132,500.00	\$ 282,751.37
	\$ 399,887.50	\$ 100,000.00	\$ 618,633.87	\$ 582,500.00	\$ 1,701,021.37

Expenses/Encumbrances

Vendor	E&G Capital 449800	Athletics 330000	FS Bond 907312	HEPC	Total
George L Wilson			\$ 4,372.00		\$ 4,372.00
Landau Building			\$ 9,940.00		\$ 9,940.00
Omni Associates	\$ 2,887.50		\$ 129,671.80		\$ 132,559.30
CTL Engineering			\$ 841.25		\$ 841.25
Times WV		\$ 42.69			\$ 42.69
Fire Marshall		\$ 1,400.00			\$ 1,400.00
Lombardi Dev	\$ 397,000.00	\$ 98,557.31	\$ 323,557.45	\$ 375,885.24	\$ 1,195,000.00
Elevator & Step Contingency				\$ 44,000.00	\$ 44,000.00
	\$ 399,887.50	\$ 100,000.00	\$ 468,382.50	\$ 419,885.24	\$ 1,388,155.24

Available Budget for HVAC Phase II

	\$ -	\$ -	\$ 150,251.37	\$ 162,614.76	\$ 312,866.13
Alternate 1	1st & 2nd Lobby HVAC		\$ 121,766.00		
Alternate 2	Offices & Classroom HVAC		\$ 145,945.00		
Alternate 3	Ft BI, Bktbl, Locker Room HVAC		\$ 151,113.00		
Alternate 4	Women's Locker Renovation		\$ 65,000.00		
			\$ 483,824.00		

Priorities - Alt 2, 3, & 4

\$ 362,058.00 \$ (49,191.87)

Funding Possibilities

Project	E&G Capital 449800	Athletics 330000	FS Bond 907312	HEPC	Total
Feaster Pool Painting		\$ 7,415.10			\$ 7,415.10
Feaster Scoreboard	\$ 15,157.30				\$ 15,157.30
Athletic Vehicles		\$ 20,808.00			\$ 20,808.00
Feaster Classroom Walls	\$ 6,094.19				\$ 6,094.19
	\$ 21,251.49	\$ 28,223.10	\$ -	\$ -	\$ 49,474.59

Excess Budget

\$ 282.72

**Fairmont State University Board of Governors
Meeting of December 11, 2008**

ITEM: Feaster Center Bid Approval for HVAC Alternates #2 and #3 and the Women's Locker Room.

COMMITTEE: Committee of the Whole

WHEREAS, a contract with Lombardi Construction was signed on September 8, 2008 for the base bid of \$1,195,000.00 for the Feaster Center project.

WHEREAS, only one set of bids for alternates 1, 2, 3, & 4 were received and the bids for alternates 1, 2, & 3 were over budget.

WHEREAS, a decision was made to re-bid alternates 1, 2, & 3.

WHEREAS, those bids are as follows (see exhibits A and B):

WHEREAS, Lombardi had earlier posted a bid for the alternate 4 for the women's locker room in the amount of \$65,000 which was within the budget estimate for the project.

WHEREAS, \$362,340.72 are available in capital projects for the alternates,

WHEREAS, Athletic Director (Rusty Elliott) in a meeting in the president's office indicated that alternates 2, 3, & 4 are his recommendations for projects to be funded.

WHEREAS, alternates 2, & 3 in the amount of \$297,058.00 were submitted by WR Drake Company, Inc.,

WHEREAS, alternate 4 in the amount of \$65,000 for the women's locker room renovations was submitted by Lombardi Development.

NOW, therefore, be it resolved that the WR Drake Company, Inc. be awarded a contract for alternates 2 & 3 in the amount of \$297,058.00.

NOW, therefore, it further resolved that Lombardi Development be awarded a contract for alternate 4 in the amount of \$65,000.00.

STAFF MEMBER: Rick Porto

BACKGROUND: Approval of Bids for Feaster Center HVAC Alternates #2 and #3, and Women's Locker Room – Alternate #4

- The base bid for the Feaster Center elevators and steps project was approved in September 2008. At this time alternate bid proposal #4 for the Women's Locker

Room was requested from Lombardi Development Company to allow 90 days to respond to this bid.

- It was necessary to re-bid alternates #1, #2, & #3 since most contractors did not bid these alternates originally (see attached bid opening report dated August 6, 2008).
- The results of the re-bid on Alternates #1, #2, & #3 are attached (see bid opening report dated November 6, 2008).
- Since budget for these alternates will only allow funding for Alternates #2, #3, & #4, it is recommended that the Board of Governors award the bids as indicated in the above resolution statements.

Exhibit B

**BID OPENING
FEASTER CENTER - HVAC PROJECT PHASE II
November 6, 2008 - 2:00 pm - Physical Plant Room 20**

VENDOR	Date & Time Received	Bid Bond	Affidavit	Alternate 1 AHU-5	Alternate 2 AHU-6	Alternate 3 AHU-7	TOTAL
Michel Inc	11/6/2008 13:22	X		\$ 123,000.00	\$ 168,000.00	\$ 158,000.00	\$ 449,000.00
Lombardi Development	11/6/2008 13:53	X	X	\$ 138,400.00	\$ 177,200.00	\$ 176,900.00	\$ 492,500.00
W R Drake Co Inc	11/6/2008 13:54	X	X	\$ 121,766.00	\$ 145,945.00	\$ 151,113.00	\$ 418,824.00

Feaster Center

Available Budget

Project	E&G Capital 449800	Athletics 330000	FS Bond 907312	HEPC	Total
Elevator & Steps	\$ 399,887.50	\$ 100,000.00	\$ 468,382.50	\$ 435,885.24	\$ 1,404,155.24
HVAC Phase II			\$ 150,251.37	\$ 146,614.76	\$ 296,866.13
	\$ 399,887.50	\$ 100,000.00	\$ 618,633.87	\$ 582,500.00	\$ 1,701,021.37

Expenses/Encumbrances

Vendor	E&G Capital 449800	Athletics 330000	FS Bond 907312	HEPC	Total
George L Wilson			\$ 4,372.00		\$ 4,372.00
Landau Building			\$ 9,940.00		\$ 9,940.00
Omni Associates	\$ 2,887.50		\$ 129,671.80		\$ 132,559.30
CTL Engineering			\$ 841.25		\$ 841.25
Times WV		\$ 42.69			\$ 42.69
Fire Marshall		\$ 1,400.00			\$ 1,400.00
Lombardi Dev	\$ 397,000.00	\$ 98,557.31	\$ 323,557.45	\$ 375,885.24	\$ 1,195,000.00
Elevator & Step Contingency				\$ 44,000.00	\$ 44,000.00
	\$ 399,887.50	\$ 100,000.00	\$ 468,382.50	\$ 419,885.24	\$ 1,388,155.24

Available Budget for HVAC Phase II

\$ - \$ - \$ 150,251.37 \$ 162,614.76 \$ 312,866.13

Alternate 1	1st & 2nd Lobby HVAC	\$ 121,766.00
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Alternate 4	Women's Locker Renovation	\$ 65,000.00
		\$ 483,824.00

Priorities - Alt 2, 3, & 4

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Funding Possibilities

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Feaster Pool Painting		\$ 7,415.10			\$ 7,415.10
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Athletic Vehicles		\$ 20,808.00			\$ 20,808.00
Feaster Classroom Walls	\$ 6,094.19				\$ 6,094.19
	\$ 21,251.49	\$ 28,223.10	\$ -	\$ -	\$ 49,474.59

Excess Budget

\$ 282.72

Capital Project Update: November 24, 2008

Upper practice field – Two sections of field have now been seeded. Remainder will be completed in the spring

Tennis Courts – This project will be advertised in Feb/March 2009 for a late May 2009 time frame for completion. Work scope has been prepared and project was ready to advertise for bids, but team schedules would not allow work to take place this fall.

Education Building roof and waterproofing – Physical plant is putting together information for Expression of Interests for architects.

Feaster Center classroom walls – Project is complete.

Feaster Center Elevator – Construction has begun and bulk earthwork has been completed. Pyrite and coal have been encountered requiring additional work in order to prevent problems in the future.

Feaster Center HVAC – Bids have been received and results reviewed. Alternates 2, 3, and 4 are desired. Budgets have been reviewed for funding these alternates.

Feaster Center pool painting – Project is complete

Feaster Center Scoreboard – Scoreboard is installed.

Folk Life Center – New doors and windows are being installed. Masonry patching is being completed around new door frames. Budget has been reviewed for completion of next phase of construction.

Locust Avenue – FSU and WVDOH are waiting for Allegheny Power to confirm final routing and associated costs.

College apt roof replacement – Project is complete.

College apt wall replacement – Designs of the walls are complete. Several Physical Plant members went to training for wall installation. Wall installation is anticipated to start first week of December.

Residence halls furniture, boiler, egress exits and floor covering– Furniture and floor covering are complete. Delayed egress exists are complete at Pence Hall and Pritchard Hall, and Morrow Hall is started. Boiler work is underway at Morrow Hall.

Academic Fund - Hunt Haught Hall painting – project is complete.

Physical Plant small projects – Several projects have been completed. There will be many throughout the year.



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TO: The Board of Governors

FROM: Deborah Woods, Project Coordinator,
Internal Professional Development

DATE: July 30, 2008

SUBJECT: FY 2007-08 Report on Internal Professional Development (IPD)

I. COURSE OFFERINGS and STATISTICS

This past year the following professional development courses or workshops were offered to the staff of FSU and PC&TC. Staff members self-selected and self-assessed themselves and enrolled in the courses they felt best served their professional needs. I have included the course names, the number of employees who registered, the number of employees who actually attended, and the percent of attendance for courses individually and altogether. In addition, this year I have included statistics for the training workshops that were offered by the Human Resources Department and the Brown Bag Lunches that were held.

Fiscal Year 2007-08				
A. Internal Professional Development Courses				
Class	Registered	Attended	% Attended	Dates Class Offered
2003 MS Access Intermed.	34	17	50%	07-10 to 07-12-2007
2003 MS Access Advanced AM	28	10	36%	08-07 to 08-09-2008
Communication in the Wrkplc.	22	17	77%	09-25-2007
Putting the "Super" in Sprvsr.	17	10	59%	10-17-2007
2003 MS Word Productivity	11	9	82%	10-26-2007
2003 MS Excel Productivity	20	15	75%	11-09-2007

2003 MS Access Productivity	17	6	35%	11-30-2007
Managing Multiple Priorities	20	16	80%	02-05-2008
PC Safety & Data Info Security	29	21	72%	03-13 & 04-10-2008
Essentials of Project Mgmt.	18	14	78%	03-27 to 03-28-2008
*2007 MS Word Basics	27	35	130%	04-18 to 04-30-2008
Advanced Supervisory Training	27	20	74%	04-30-2008
2007 MS Excel Basics	41	27	66%	05-16-2008
2007 MS Word Basics	36	33	92%	05-20 to 05-22-2008
*2007 MS Excel Intermediate	38	42	111%	06-03 to 06-05-2008
*2007 MS Word Intermediate	34	36	106%	06-17 to 06-19-2008
*2007 MS Excel Basics	33	36	109%	06-24 to 06-25-2008
*Participants were allowed to attend the day of the workshop so some did not pre-register				
Average	37.5	22.0	78.35%	
Total Classes=17				
Total Registered - All Classes	452			
Total Attended - All Classes	364			
Total % All Classes	80.53%			
Total Registered per Class	26.58			
Total Attended per Class	21.41			
Total % per Class	80.54%			
Total Unduplicated	143			

B. Human Resources Training Workshops		
<u>Training Workshop</u>	<u>Date</u>	<u>Number Attended</u>
Non-classified Online Position Description Training	Feb. 12, 19, & 26	81
Harassment Training – All Employees	March 11	40
Harassment Training – Supervisors	March 11	24
Online Staff Evaluation – Employees	March 24, 25, 26	204
Online Staff Evaluation – Supervisor/Hiring Manager	March 26	74
TOTAL PARTICIPANTS		423

C. Brown Bag Lunches		
<u>Topic</u>	<u>Date</u>	<u>Number Attended</u>
Brown Bag Brainstorming Session	September 14	5
Fundamentals of Estate Planning	October 3	11
Genealogy	October 9	6
Stories of Coming Out	October 10	4
Technology Tips	October 19	4
Email Etiquette	November 2	5
Adjunct Faculty w/out Benefits	November 6	7
Dealing with Aging Parents	December 2	3
Healthy Eating During the Holidays	December 5	5
Determining Your Stress Style	January 23	30
Strategic Plan Overview	February 1	13
What in the World is Leadership Fmt. State	February 12	10
Freshening Up on Freshmen	March 4	12
Love Your Heart...Chats for Women	March 6	5
Employee Benefits		10
The Great Educational Divide	April 2	22
Being Green	April 21	15
Research through the London Eye	April 23	10
Experience the Grand Canyon	April 29	40
TOTAL PARTICIPANTS		217

D. Other Staff Development Events		
<u>Event</u>	<u>Date</u>	<u>Number Attended</u>
Webinar: Going Paperless: How to Prepare and Survive the Transition from Print to Digital	June 24	11
Webinar: Paper and Pixels 101	June 25	12
Webinar: The Editor's Guide to the Digital Galaxy: How to Edit a Paperless & Multimedia Magazine	June 26	10
TOTAL PARTICIPANTS		33

This year, in addition to the actual training workshops delivered by the Internal Professional Development office, an effort was made to capture all staff training that took place throughout the campus. This included training workshops that were set up and delivered by the Human Resources department as well as training or webinars that staff members attended within their own departments. This resulted in a total of 1,037 attendees at the various training venues. Of course, this is not an unduplicated number but still gives a picture of the number of employees who are availing themselves of training opportunities.

Looking at just the statistics for the actual workshops delivered by IPD, there were a total of 143 unduplicated participants this year. Last year there were a total of 94 unduplicated participants for a 52% increase this year over last. In addition, last year a total of 13 IPD training workshops were offered while this year a total of 17 were offered for a 30.7 % increase in IPD workshop offerings. Good strides have been made in increasing the offerings of training workshops available and in increasing the number of staff who are taking advantage of these opportunities.

II. GOALS COMPLETED

Strategic Goal 7 of the 2006-2011 Strategic Plan states that the purpose of this goal is to "develop, retain, and recruit high quality people who contribute to a satisfying and productive work environment." Following is a brief overview on the status of the Internal Professional Development Program for fiscal year 2007-08.

- Developed and delivered several training and workshop offerings during FY 2007-08 (see Tables in I. above);
- With the update on campus from the MS 2003 Office Suite to the MS 2007 Office Suite, several training workshops were conducted to train staff and faculty in its use. This update should be totally in force by fall 2008 and training in this will continue throughout the fall and spring to ensure that all campus personnel are trained. In addition, licensing was purchased from Quick Reference Guides that allowed us to share 2-page reference guides with all staff and faculty for easy reference to several MS Office programs;
- Conducted in-depth research project on Banner needs and usage. Interviewed staff and faculty from every major department to determine how each used both the Native Banner and Online (WebFor) Banner. Have collated the results and am in the process of working with various constituencies to design training workshops to meet both the general needs and specific needs of staff and faculty;

- Wrote policies and procedures for the IPD Program and worked with Steve Leach in Human Resources and Sarah Hensley in the President's office to finalize them (attached at the end);
- Have continued to keep the IPD web site updated to keep it fresh and easy to access and use (<http://www.fairmontstate.edu/facstaffresources/hr/InternalProfDev/default.asp>). It continues to include information about training sessions and workshops currently offered, articles of interest covering various workplace topics, and links to our FSU integrated calendar, which includes scheduled Brown Bag Lunches, and links to Microsoft Office Suite 2003 and 2007 tutorials.

III. GOALS FOR FY 2008-09

- Continue to build class and workshop offerings each semester;
- Develop a fall, spring, summer brochure of classes; the first one will be available for Fall 2008;
- Survey supervisors to assess the long-term impact of training on job performance and departmental productivity;
- Identify internal and external resources for delivering the training needed (instructors, books, additional technology such as CD's, DVD's, online training programs and resources, additional access to computer labs, etc.);
- Develop a series of workshops to address the needs of supervisors and managers, both first-time and experienced;
- Create training workshops to both explain and expand the use of our online Banner system known as WebFor.

IV. FY PROGRAM FINANCIAL COSTS

- Half-time cost for Project Coordinator: \$12,684 base salary plus benefits cost;
- Other expenses *

○ Instructors	\$ 3,504.53
○ Contract for Banner Project Consultant	600.00
○ Vehicle rental	173.98
○ Office and printing expenses	488.95
○ Misc.	<u>495.00</u>
Total	\$ 5,262.46

* See attached budget report for complete details

V. LONG-TERM GOALS

- Work with Human Resources and supervisors to identify skill sets needed for individual positions and/or departments to better refine and focus training efforts and to assist in identifying areas of increased proficiency or needed improvement in the employee evaluation process;

- Work with academic constituencies to begin to assign academic credit for appropriate classes that can be applied towards a degree program;
- Identify and recruit a cadre of internal instructors who can facilitate our training workshops;

There has been a positive response to these early efforts of developing and implementing the internal professional development program. There is much to be done, but with the support and encouragement already received, it is a task that will only improve as we go forward, increasing job performance, employee satisfaction, and departmental productivity.

Respectfully submitted,



Deborah S. Woods

**Fairmont State University Board of Governors
Meeting of December 11, 2008**

ITEM: Folklife Center Project

COMMITTEE: Committee of the Whole

Whereas, the first phase of the Frank and Jane Gabor Folklife Center is scheduled to be completed by the end of December 2008; and

Whereas, the next phase needs to be completed for the building to be occupied; and

Whereas, by deferring other capital projects, funds can be made available to complete the next phase according to the cost estimates provided by WYK Architects; and

Whereas, funding the entire project would result in a deficit in capital spending; and

Whereas, the Fairmont State Foundation has raised funds for the project and committed to a \$2 million fund raising campaign;

Now, therefore, be it resolved, that this Board of Governors approves the plan presented by the administration to fund the next phase of the Frank and Jane Gabor Folklife Center in the amount of \$635,000; and

Be it further resolved, that the completion of the last phase of the project will be contingent on the Foundation raising 50 percent of the total funds for the entire project, including funds that will come to the Foundation through estate gifts.

STAFF MEMBER: Sarah Hensley

Faculty Development Award Winners

Faculty Recognition Award

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	O'Connor	John	Fine Arts
	Pagan	Richard	Business, Aviation, and Technology (Pierpont)
2007	Bond	Sharon	(Moved to Arizona)--former Nursing faculty)
	Poland	Jeffrey	Fine Arts
2006	Haynes	Stephen	Science and Technology
	Martin	Ashley	Science and Technology

Foundation Grants Program

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	McClure	Nancy	Education/Center for Teaching
	Stose	Thomas	Business, Aviation, and Technology (Pierpont)
	King	Linda	Academic Studies (Pierpont)
	Bennett	Mary Lynne	Fine Arts
2007	Nestor	Deborah	Language and Literature
	Young	Fran	Nursing
	Turbanic	Judith	Nursing
	Smith	Kevin	Nursing
	O'Dell	Cathy	Fine Arts
2006	Huggins	Pamela	Science and Technology
	Kirk	Francene	Fine Arts
	Jones	Gwendolyn	Education
	Albano	Patrick	Academic Studies (Pierpont)
	Savage	Elizabeth	Language and Literature
	Mazure	Sharon	Librarian

Foundation Fellows Program

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Albano	Patrick	Academic Studies (Pierpont)
2007	Matthews	James	Language and Literature
2006	Romino	Sharon	Language and Literature

Outstanding Adjunct Award

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Wade	Richard	Science and Technology
2007	Lindsley	Elizabeth	Social Sciences

2006 Greenham Jeff Fine Arts

William A. Boram Award for Teaching Excellence (FSU Faculty Only)

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Kirk	Francene	Fine Arts
2007	Sapp	G.H. "Budd"	Education
2006	Haynes	Stephen	Science and Technology
2005	Baker	Warren	Education
2004	Bennett	Gary	Business (Retired)
2003	Crislip-Tacy	Carolyn	Education

Harold and Rosleyn Williamson Straight Award for Teaching Excellence

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Baker	J. Robert	Language and Literature
2007	Hemler	Deb	Science and Technology
2006	Rogers	Tanya	Nursing
	Savage	Elizabeth	Language and Literature
2005	Floyd	Brian	Human Services (Pierpont)

Paul E. Edwards Award for Teaching Excellence (for Pierpont faculty only)

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Romesburg	Rosemarie	Health Careers
2007	Cheshire	Nancy	Human Services
2006	Stose	Thomas	Business, Aviation, and Technology
2005	Lovett	Leslie	Health Careers
2004	Born	Beverly	Health Careers
2003	Boggess	Leslie	Human Services
2002	Bolyard	Jean	Academic Studies

Teaching Professor Conference Award

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Riesen	Joe	Science and Technology
2007	Parks	Nancy	Academic Studies
2006	Pierce	Richard	Education
2005	Sapp	G.H. "Budd"	Education
	Shaver	Anne	Behavioral Sciences

Great Teachers' Seminar

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Khalil	Mohamad	Business
	Riesen	Joe	Science and Technology
	Stewart	Mary	Language and Literature (adjunct)
2007	Parks	Nancy	Academic Studies (Pierpoint)
	Hill	Sue	Health Careers (Pierpont)
2006	Smith	Sharon	Education

Regional Service and Engagement/Economic Development Grant

	<u>Last Name</u>	<u>First Name</u>	<u>School</u>
2008	Savage	Elizabeth	Language and Literature
	Kirby	Jack	Business
	Tenney	Noel	Human Services (Pierpont)
2007	Floyd	Brian	Human Services (Pierpont)
	Schmuck	Matthew	Education

November 24, 2008

The Office of Public Safety has taken the following action steps to respond more quickly to on-campus emergencies:

- **New radios have been purchased, and these radios will be monitored by Office of Public Safety staff, 24 hours a day, seven days a week.**

All Motorola radios shall be kept on channel one or five and scanning. Day shift and afternoon shift staff will keep radios on channel one. Midnight shift staff will be on channel five.

- **Instead of waiting to meet the emergency vehicle, the officer on duty will provide directions to the scene over the radio.**

When a 911 call is generated from a campus telephone, the officer on duty will monitor the portable radio until a Marion County Rescue Squad ambulance is dispatched.

When an officer hears the number of the crew responding, he/she will turn the radio to Marion County (MAREMS channel four) frequency and asked for that number. When EMS makes contact, the officer will request they go to MARTAC 1 (channel 8), and our officer will give them appropriate and best directions to the scene.

If a 911 call is made from a cell phone, the Office of Public Safety will not be alerted to the call until an officer hears it over the scanning radio. Once the officer hears the call, he/she will follow the same procedure.

If the call is from the Fairmont Fire Department, the officer on duty will go to MAREMS channel four in an attempt to relay appropriate directions to the first responders.

If the call is from the City Police Department, the officer on duty will go to channel five and communicate with the City PD directly.

- **The Office of Public Safety has met with Fairmont Fire Department officials and Marion County Rescue Squad officials to discuss and review plans for emergency response. Updated campus maps have been furnished to both crews. Both agencies have agreed to place the maps in responding vehicles and offices.**

**Memorandum of Understanding
Between
Fairmont State University
And
Fairmont State Foundation, Inc.**

This Agreement, entered into this _____ day of _____, 2008, by and between the Fairmont State University and the Fairmont State Foundation, Inc.

WHEREAS, the Fairmont State Foundation, Inc., hereinafter (the "Foundation") was organized and incorporated on December 12, 1960, to aid, strengthen and further in every proper and useful way the work and services of Fairmont State University, (hereinafter the "University"), and to develop and utilize the ties of interest, sympathy and affection existing between the University and its alumni and friends throughout the state and the nation;

WHEREAS, the Foundation's corporate charter has been amended through the years; however, its purpose has remained the same since its incorporation;

WHEREAS, the Foundation exists to raise and manage private resources supporting the mission and priorities of the University and provide opportunities for students and a margin of institutional excellence unavailable solely from state funds;

WHEREAS, the Foundation is dedicated to assisting the University in building its endowment and in addressing through financial support the long-term academic and other priorities of the University; and

WHEREAS, the Foundation is a separately incorporated non-profit organization, is qualified under Section 501(c)(3) of the Internal Revenue Code, and is responsible for identifying and nurturing relationships with potential donors and other friends of the University, soliciting private resources for the support of the University, and acknowledging and stewarding such gifts in accordance with donor intent and its fiduciary responsibilities.

THEREFORE, in consideration of the mutual commitments herein contained, and other good and valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

Use of Name, Seal and Logotype

The University grants to the Foundation a nonexclusive, nontransferable, royalty-free, worldwide license to use, reproduce, make derivative works of or engage in any other activity utilizing the name, trademarks, service marks, trade dress, seals and/or logotypes of the University in furtherance of the mission and priorities of the University with the advance approval of the Office of the President of the University.

University Governance

The Board of Governors is responsible for overseeing the mission, leadership, and operations of the University.

The Board of Governors is responsible for setting priorities and long-term plans for the University.

The Board of Governors is responsible for the performance and oversight of all aspects of Fairmont State University operations.

The Board of Governors is responsible for the employment, compensation, and evaluation of all University employees, including the President and the Vice President for Institutional Advancement.

The Board of Governors is responsible for soliciting and utilizing or expending voluntary support, including financial contributions and support services, for the University. Authority for an entity to do so must be delegated by the President of the University as authorized from the Board of Governors.

The Board of Governors possesses and retains to its self all other powers and duties set forth in State law.

Foundation's Relationship to the University

The Foundation is a separately incorporated non-profit 501(c)(3) organization created to raise, manage, distribute, and steward private resources to support the various missions of the University.

The Foundation's authority to solicit, utilize or expend contributions and resources on behalf of the University is derived from delegation of those powers by the President of the University, as authorized by the Board of Governors.

The Foundation Board of Directors is responsible for the control and management of all assets of the Foundation, including the prudent management of all gifts consistent with donor intent.

The Foundation is responsible for the performance and oversight of all aspects of its operations based upon its bylaws, which clearly address the Board's fiduciary responsibilities, including expectations of individual board members based upon ethical guidelines and policies.

To the extent the Foundation relies on staff other than University employees to fulfill the Foundation's responsibilities, the Foundation is responsible for the employment, compensation and evaluation of such staff.

To the extent permitted by law, the Foundation may earmark a portion of its unrestricted funds to a discretionary fund for the University and will either transfer a percentage of those funds annually to the University in compliance with State law and University policies or reimburse appropriate University expenditures.

University's Relationship to the Foundation

The University is responsible for communicating its priorities and long-term plans, as approved by the Board of Governors, to the Foundation.

The University recognizes that the Foundation is a private corporation with the authority to keep all records and data confidential consistent with the law.

Pursuant to this memorandum, the Vice President for Institutional Advancement also may serve as the Executive Director of the Foundation, reporting directly to the Foundation Board of Directors and not the University President in that capacity.

The University may provide in-kind support to the Foundation, including office space, computer and telephone systems, utilities, office supplies, staff and other such services that may be reasonably necessary or required for the Foundation to fulfill its responsibilities and obligations.

The University is responsible for the employment, compensation, oversight and evaluation of any University staff provided to the Foundation as in-kind support, provided that the University shall consult with the Foundation in the hiring, evaluation and termination of any such staff.

The University shall establish and enforce policies that support the Foundation's ability to respect the privacy and confidentiality of donor records.

Foundation Responsibilities

Fund Raising

The Foundation, having agreed and accepted delegated responsibility for coordinating private fund-raising for the University, shall create an environment conducive to increasing levels of private support for the mission and priorities of the University.

The Foundation, in consultation with the University, is responsible for planning and executing comprehensive fund-raising and donor-acquisition programs in support of

the University's mission. These programs include annual giving, major gifts, planned gifts, special projects, and campaigns as appropriate.

The Foundation will establish, adhere to, and periodically assess its gift-management and acceptance policies, and provides appropriate recognition and stewardship of such gifts.

The University will work in conjunction with the Foundation Board of Directors and Executive Director to identify, cultivate, and solicit prospects for private and public gifts.

The Foundation shall establish and enforce policies to protect donor confidentiality and rights.

Asset Management

The Foundation will establish asset-allocation, disbursement, and spending policies that adhere to applicable federal and state laws including the Uniform Prudent Investor Act (UPIA), the Uniform Prudent Management of Institutional Funds Act (UMIFA) and the Solicitation of Charitable Funds Act.

The Foundation will receive, hold, manage, invest, and disburse contributions of cash, securities and all other forms of property, including immediately vesting gifts and deferred gifts that are contributed in the form of planned and deferred-gift instruments.

The Foundation will engage an independent accounting firm to conduct an audit of the Foundation's financial and operational records and provide the University Board of Governors with a copy of the annual audited financial statements, including management letters.

The Foundation shall have the sole responsibility for managing and administering the assets of the Foundation. The University shall communicate to the Foundation the academic and other priorities of the University.

Institutional Flexibility

The Foundation may explore current opportunities, including acquisition of assets on behalf of the University for future allocation, transfer or use.

When distributing gift funds to the University, the Foundation will disclose any terms, conditions, or limitations imposed by donor or legal determination on the gift. The University will abide by such restrictions and provide appropriate documentation.

Transfer of Funds

The Foundation is the primary depository of private gifts and will transfer funds to the University in compliance with applicable laws, University policies, and gift agreements.

The Foundation's disbursements on behalf of the University must be reasonable business expenses that support the University, are consistent with donor agreements, and do not conflict with applicable law.

Foundation Funding and Administration

The Foundation is responsible for establishing a financial plan/budget to underwrite the cost of Foundation programs, operations, and services.

The Foundation shall maintain, at its own expense, copies of the plans, budgets, and donor and alumni records developed in connection with the performance of its obligations. The alumni and donor data collected by the Foundation, including data developed within all databases, will be shared with the University, and copies of the data will be made available to the University upon reasonable request, so long as consistent with applicable law, gift agreements and donor instructions.

The Foundation will provide the University access to data and records upon reasonable request by the Board of Governors, provided such disclosure is in accordance with applicable laws and Board of Governor and Foundation policies and guidelines. The Foundation shall provide the University copies of its annual report, and other information that may be publicly released.

Terms of the Memorandum of Understanding (MOU)

This Memorandum of Understanding, made this __ of _____, 2008, by and between the University and the Foundation is intended to set forth policies and procedures that will contribute to the coordination of their mutual activities and interests.

To ensure effective achievement of the items of the agreement, representatives of the Board of Governors and the Foundation shall hold periodic meetings to foster and maintain productive relationships and to ensure open and continuing communications and alignment of priorities.

Either party may, upon 90 days prior written notice to the other, terminate this agreement. Notwithstanding the foregoing, either party may terminate this MOU in the event the other party defaults in the performance of its obligations and fails to cure the default within a reasonable time after receiving written show cause notice.

All previous Memoranda of Understanding between the Foundation and the University are hereby terminated as null and void.

Should they so choose, the University Board of Governors and Foundation are hereby authorized to enter into a contract for services with each other at a later date that is consistent with the language and intent of this MOU.

Should the University choose to terminate this agreement, the Foundation may require the University to pay, within 180 days of written notice, all debt incurred by the Foundation on the University's behalf including, but not limited to, lease payments, advanced funds, and funds borrowed for specific initiatives. Should the Foundation choose to terminate this agreement the University may require the Foundation to pay debt it holds on behalf of the Foundation in like manner.

Consistent with provisions appearing in the Foundation's articles of incorporation and applicable law, should the Foundation cease to exist or cease to be qualified as a 501(c)(3) organization, all the business, property and assets of the Foundation not subject to a condition of return in the event of dissolution, shall, after payment of all liabilities, be transferred to non-profit 501(c)(3) charitable organizations, as the Foundation Board of Directors determines. Any such assets not so distributed shall be distributed by order of the Circuit Court of Marion County, West Virginia.

IN WITNESS WHEREOF, the parties have caused this MOU to be executed by their duly authorized officers as of the date first written above.

Chair
Fairmont State University
Board of Governors

President
Fairmont State Foundation, Inc.

Date: _____

Date: _____

President
Fairmont State University

Executive Director
Fairmont State Foundation, Inc.

Date: _____

Date: _____

Fairmont State University Board of Governors
Meeting of December 11, 2008
Falcon Center Board Room
1:30 p.m.

AGENDA

Call to Order

1. Opening Comments
2. Last Call for Public Comment Sign-up
3. Approval of Minutes (October 9, 2008)

Tab 1 Action Item

Operations Reports

1. Faculty Senate Report (*Chuck Shields*)
2. Classified Staff Report (*Harriet Bower*)
3. Student Government Report (*Kelley Bronson*)
4. Foundation Report (*Jean Ahwesh*)
5. Alumni Association Report (*Devanna Corley*)
6. Athletic Association Report (*Rusty Elliott*)
7. President's Report
8. Chairman's Report

Committee of the Whole

1. Financial Report
2. Approval of Revised 2009 Capital Project
3. Approval of the Feaster Center Bid
4. Capital Project Update
5. Presentation on Field Exams
6. Staff Development Report
7. Approval – Folk Life Center
8. Faculty Development Award Winners
9. Emergency Response Campus Plan
10. Memorandum of Understanding with Foundation

Tab 2 FYI

Tab 3 Action Item

Tab 4 Action Item

Tab 5 FYI

Tab 6 FYI

Tab 7 Action Item

Tab 8 FYI

Tab 9 FYI

Tab 10 Action Item

Old Business

New Business

Public Comment

Possible Executive Session

_____ moved pursuant to 6-9A-4(b)2A of the WV Code that the Board shall go to into Executive Session to discuss personnel and personnel matters, which if discussed in public might adversely affect the reputation of any person.

Next meeting date is Thursday, January 8, 2009 in the Board Room – Falcon Center

Notes