

Approved at the 4/3/2020 meeting
BOARD OF TRUSTEES OF THE COLORADO SCHOOL OF MINES
MINUTES OF THE BOARD MEETING
Friday, February 7, 2020
COLORADO SCHOOL OF MINES
Ben Parker Student Center, 1200 16th Street, Golden, CO 80401

I. Trustee Breakfast – 8:00 a.m., Ben Parker Student Center, Ballroom B

Executive Session

To discuss legal advice pursuant to §24-6-402 (3)(a)(II), C.R.S.; employee matters pursuant to §24-6-402(3)(b)(I), C.R.S.; administrative actions and investigative reports involving students pursuant to §24-6-402(3)(b)(I), C.R.S.; property purchase pursuant to § 24-6-402(3)(a)(I); and matters required to be kept confidential by federal law or statute statutes, pursuant to §24-6-402(3)(a)(III), C.R.S.

8:00 a.m. Motion to move into executive session by Trustee Haddon; seconded by Trustee McNeil. Motion approved 5-0.

Trustees present: Chairman Jorden, Trustee’s Burgess, Haddon, McNeil, and Salazar.

Mines executives and directors present: President Johnson, Provost Holz, EVP Volpi, VPSL Fox, VP Tompkins, VP Han, VPGC Walker, AVP for HR and Title IX Torres and Mr. Winkelbauer.

8:56 a.m. breakfast concluded

II. Regular Meeting – Ben Parker Student Center, Ballrooms A

9:15 a.m. Regular session called to order by Chairman Jorden.

Trustees present: Chairman Jorden, Trustee’s Burgess, Haddon, McNeil, Salazar, Battalora and Kleeman. Trustees Sanders and Starzer via teleconference.

Mines executives and directors present: President Johnson, Provost Holz, EVP Volpi, VPSL Fox, VPRTT Tompkins, VP Han, VPGC Walker and Mr. Winkelbauer.

a. Consent Agenda

The minutes from the December 9, 2019 meeting were submitted for approval.

Trustee Haddon motioned to approve the minutes as presented; seconded by Trustee McNeil. Motion approved 7-0.

b. Reports and Updates

Board Committee Reports Trustee Haddon reported that the last Finance and Audit committee meeting took place on January 23, 2020. At that meeting the June 30, 2019 audited financial statements were reviewed with representatives from Clifton Larson Allen and the State Auditor’s office. The outcome was a clean audit with no findings and no audit adjustments or material weakness. Trustee Haddon noted the second quarter financial results were reviewed and Ms. Volpi would report on those. The Mines Defined Contribution Plan was reviewed and it was noted that in the three years the plan has been in place, it has saved the university \$2.5 million versus PERA. The internal audit work plan was reviewed.

President’s Report President Johnson provided an overview of two events at Mines this week. First he reported on the Spring Career Fair and thanked the Facilities Management and Student

Life/Career Center teams who enabled Mines to hold the event as planned despite the inclement weather, noting only four companies cancelled due to the weather. While the Spring event is usually a smaller fair than the Fall event with a cap of 250 companies, there was strong demand and the number of students who attended, approximately 400, was up from last year. Dr. Fox shared copies of the new Career Center Annual Report making note of the new format and online access. Dr. Johnson also reported on another event, the #idigmimes Giving Day. He asked Mr. Winkelbauer to provide an update on the event. Mr. Winkelbauer reported on the success of the Corporate Foundation Scholarship Breakfast held the day before during which Provost Holz spoke and students provided testimonials on the impact of giving. He noted that, now in its fourth year, #idigmimes Giving Day has become a lasting tradition. This event helps Mines achieve the goals of Mines@150 and builds campus community. He thanked the Faculty and Staff Giving Committee for raising more money for the Student Emergency Fund. He reported on the new user-friendly giving system and, the more matched dollars this year from Andy and Sherry Swiger, Paul and Elyse Johnson, and CCU of Colorado, to name a few. He thanked everyone for their support.

Financial Report and fiscal year-end audited financial statements Ms. Volpi provided highlights of the results for the second fiscal quarter, noting the addition of new academic programs and strong enrollment through the Fall semester. She reported there is a \$1.1 million reserve prior to the results of Spring census. Ms. Volpi provided an overview of the operating revenue projected to be \$5.8 million greater than planned, due to an increase in tuition revenue and auxiliary revenue, and utility expense rebates. She noted that the Mines Fund unrestricted dollars saw a slight decrease while the restricted annual fund has been experiencing gains in giving, a national trend. She noted that \$250k was set aside for Graduate marketing and Mr. Hughes is leading a group that is assessing the market for graduate programs. The Trustees noted they would like Mr. Hughes to provide a presentation once the plan is determined. There was a brief discussion regarding debt service. Ms. Volpi noted that this is included in various expense line items depending on the nature of the debt proceeds.

Ms. Volpi gave a brief overview of the fiscal year end June 30, 2019 Audited Financial Statements. She reviewed the balance sheet noting capital assets went up to \$444 million due to the construction on campus. She reported on the noncurrent liabilities and noted the net pension liability was reduced to \$293 million, which was a direct result of the PERA legislation that was passed decreasing Mines' share of the PERA unfunded liability. Ms. Volpi reviewed the statement of revenue, noting the PERA adjustment that flows through the income statement. She noted the operating cash flow margin (without PERA) is strong at 13.2%. Ms. Volpi stated though there were no material weakness, deficiency or findings in the audit report, but there were suggestions to pay attention to. She noted that institutional policy was one area that was reflected and noted that documenting the annual monitoring and review of policies is a change that is needed, as well as more clarity. Ms. Volpi noted there were two minor errors found due to system issues, one was \$2100 and one was \$34; both were corrected. She summarized another area requiring attention is the need to monitor institutional processes and procedures to make sure we do what we say we are doing. Ms. Volpi reviewed the Capital Reserves.

c. Presentation and Discussion

Capital Update Ms. Volpi provided an update on the current capital planning and construction projects beginning with the Subsurface Frontiers Building. She reviewed the status of the planning and design phase, and noted that a contractor has been hired and should have final cost projections by the end of March. She noted that anticipated costs for the project have generally increased and management is working to assess and minimize these increases. The Board asked Ms. Volpi to provide at the next meeting a history of the cost fluctuations from start to current.

Ms. Volpi updated the Board on the Parking Garage II and the attached Beck Venture Center. She noted that the garage is a little smaller than previously presented but the Center will be increased from previous approval of 20,000 square feet to 40,000 square feet to make room for a local co-working company that is interested in leasing part of the building. There was discussion regarding that Golden company. Ms. Volpi reported that the potential tenant will bring to campus patent lawyers, accountants and other professionals of entrepreneurial nature who will be instrumental in helping students with start-ups. Responding to a question, Mr. Bowersock stated that Mines currently provides parking at a rate of five spaces per 1,000 square feet and Ms. Volpi reported

that though we are losing space from the parking garage, there is still a gain in additional spaces campus-wide, including parking with charging stations.

Ms. Volpi reviewed the Utilities Extension cost increase, noting that the Board had previously approved up to \$10 million; she will bring the changes to the Board for approval at their next meeting. The major increase includes a new feed from Xcel to serve the new buildings. There was brief discussion regarding emergency generators and whether there will be enough backup with the generator farm to handle more than just essential operations. Ms. Volpi reported that there will be solar power on the new parking garage, 1750 Jackson Residence Hall and discussions are underway regarding adding solar on parking garage II. Ms. Volpi provided an overview of the project schedules and financing updates and she noted that Mines is not likely to receive much, if any, State appropriations for these capital projects.

Ms. Volpi provided an overview of the Labriola Innovation Hub project cost and schedule, noting the \$17.5 million project will be funded by a \$10 million gift, \$5 million in student fees and an anticipated additional \$2.5 million in gifts. She noted there may be a groundbreaking ceremony in April 2020 with projected opening of the facility by Spring 2022. She reviewed the interior space, which includes student collaboration workspace, Cornerstone and Capstone programs.

Ms. Volpi updated the Board on the Early Childhood Education Center and reviewed the Mines family friendly initiatives, which include the childcare facility and back-up day care. There was brief discussion regarding current leave policies and the new legislation regarding family leave. Ms. Volpi briefed the Board on the feasibility studies, including a deep dive of the demand that was performed over the past three years. She provided an overview on how the childcare center will enhance the Mines community by supporting employee and student recruitment, increasing retention, productivity and the ability to return to work. The Center would be managed by a third-party company however, Mines would still need to oversee and monitor the vendor and the facility.

Ms. Volpi provided an update on the Mines Park housing development proposal, noting it is being assessed by management along with an outside firm. She will provide more details at the next meeting. A firm has been hired to assess the feasibility of alternative revenue opportunities on South campus; Ms. Volpi noted that management is reviewing the outcomes and will bring those findings to the Board. She reviewed next steps, noting that at the April 3 meeting, she would bring to the Board for approval updated financing and costs for the following projects: Subsurface Frontiers Building; Parking Garage II; Venture Center/Co-working space; Utilities infrastructure; and Early Childhood Education Center. She would also provide a preview of the potential Mines Park development project and possible South Campus development projects.

Ms. Volpi updated the Board on construction projects in progress. Spruce Hall is on budget and on target for completion in Summer 2020. Jackson Street is on target for Spring 2020 opening, and she would like to take the Board on a tour of that facility as part of the April 3 meeting. She provided an update on the Parking Garage I and Classroom Building, noting the top level would be open after spring break and the remainder of the garage and the classroom building open in Summer 2020. She provided an overview of the Classroom Building space and interior concepts. Ms. Volpi informed the Board of the 14th Street Extension that will become a street once the Parking Garage I is complete. She noted the small addition to Wellness Center currently under construction and being paid for by Wellness Center reserves. She briefly reviewed the progress of the Utility infrastructure. Lastly, she provided an overview of the Green Center renovations and suggested a possible tour for the Board of that facility.

Annual Board Conflict of Interest Policy review Ms. Walker presented an overview of the Conflict of Interest Policy requirements for the Board of Trustees. She noted that apparent and actual conflicts must be timely disclosed and resolved by the Trustees. Ms. Walker informed the Board that she will be bringing to the Board later this spring suggested amendments to the policy to ensure current best practice compliance. She noted that the Executive Director of Business Operations and Risk Management, Natalie Vega, is instituting a new campus-wide disclosure process for conflicts and will be updating the campus COI policy later this spring. Amendments to the Board's COI policy will help bring it in align with the updated campus policy. There was a brief discussion regarding

the planned disclosure questionnaire and how it aligns with Federal requirements in research institutions. It was noted that in the past there have been relatively few reported conflicts to resolve within the Board.

Annual Athletics Update Dr. Fox introduced and asked Mr. Hansburg to provide and update on the Athletics program. Mr. Hansburg reviewed Mines club sports, intramural sports, fitness classes and the Student Recreation Center (SRC) programming, noting a new Fitness Director was hired. He reviewed the enthusiasm for the new facilities coming online within the new residence halls and reported how much the SRC was utilized last year with 179,845 Blaster Card swipes. Mr. Hansburg provided information on NCAA Division II structure and the Rocky Mountain Athletic Conference (RMAC). He provided information on the National NCAA conference that he, Dr. Fox and President Johnson attended in January. Mr. Hansburg reported on the academic success of Mines athletes, noting female student athletes perform above the overall female student population academically, while male athletes' average GPAs are slightly below the overall male student population. He reviewed the latest successes on the field, noting Mines has had 84 academic all-Americans, more than any other Division II school. Mines ranked sixth overall in all conferences. He reviewed the mental health and wellness initiatives for student athletes' health and wellness. And, he reported on the latest legislative and policy developments regarding student-athletes' ability to profit from name, image and likeness.

d. Action Items

New Degree approvals Dr. Holz asked the Board to consider and approve the new programs as presented. He introduced the following faculty members who discussed the new programs:

Dr. Eliot Kapit presented the new MS, MS non-thesis, and Graduate Certificate in Quantum Engineering in physics. He provided a brief overview of the reasons the degrees are needed noting a critical workforce shortage as one key factor. He reviewed the degree structure and four new required courses. Dr. Kapit provided an overview of the main topics, gateway classes and prerequisites. He reported the new degree is a significant vehicle for Federal research funding, noting Mines already has funding from the National Science Foundation (NSF). A brief discussion regarding quantum computing and the future of the program ensued. Dr. Kapit noted this would be the first interdisciplinary program of its nature in the United States. He provided an overview of the type of companies hiring and what the common foot print is.

Dr. Neil Dantam presented the new MS, MS non-thesis, PhD and Graduate Certificate Robotics program. He provided an overview of the industry growth and local industry interest in robotics education, noting there is more local demand and already strong areas of research at Mines. Dr. Dantam reported the significant interest from Mines students. He noted that other universities have introduced interdisciplinary robotics programs and Mines needs to continue to be competitive. Dr. Dantam reported on how this program is aligned with the Mines@150 strategic goals, and he provided an overview of the curriculum, noting the program is using existing courses that will be integrated into the new program, no new courses are being created. There was discussion regarding robotics ethics and Dr. Moore briefly addressed the question noting this is a big issue being considered.

Dr. Nicole Hurtig presented the two new Graduate Certificates proposed for Economic Geology and, Exploration Methods. She provided an overview of the credits that can be counted towards the Professional Master in Mineral Exploration, the target groups and the courses offered. She noted that there are no new courses being created, and she reviewed the necessity for the programs as well as the structure of them. Dr. Hurtig provided detail regarding the required courses for each program.

Dr. Jennifer Blacklock presented the new Graduate Certificate in Smart Manufacturing to be housed under the Additive Manufacturing program. She provided an overview of the program goals and how it aligns with the Mines@150 strategic plan. She reviewed current local company partners for the program and provided an overview of the program focus, current and future courses. She noted that Mines will be the only university in the country offering this degree program.

Trustee Haddon asked Dr. Holz to prepare a "lookback" on degree additions and removals for the next meeting. He observed that Mines has added a number of new degrees and certifications in recent years, but has

not seemed to have retired any. After discussion, the Board asked Dr. Holz to prepare an accounting of current degree offerings and their student counts for the past few years. Dr. Holz indicated he has the data and would present it at the next meeting.

Trustee Haddon motioned to approve the new degree proposals as presented; seconded by Trustee Burgess. Approved 7-0.

BE IT RESOLVED that the Board of Trustees of the Colorado School of Mines approves creation of the following new graduate degree programs:

- *MS, MS non-thesis, and Graduate Certificate in Quantum Engineering*
- *MS, MS non-thesis, PhD and Graduate Certificate in Robotics*
- *Two Graduate Certificates from Geology and Geological Engineering:*
- *Graduate Certificate of Economic Geology*
- *Graduate Certificate of Exploration Methods*
- *Graduate Certificate in Smart Manufacturing*

Emeritus Recommendation _____ Dr. Holz asked the Board to consider and approve the recommendation for Emeritus status for teaching professor Dr. James Jesudason, Division of Humanities, Arts and Social Sciences, as presented.

Trustee Salazar motioned to approve the Emeritus recommendation as presented; seconded by Trustee Haddon. Approved 7-0.

BE IT RESOLVED that the Board of Trustees of the Colorado School of Mines approves the following for Emeritus status effective on their retirement dates.

Emeritus

Dr. James Jesudason – Emeritus Teaching Professor- Humanities, Arts, and Social Sciences

New Course Fee _____ Ms. Volpi provided an overview of the new course fee for HASS 498: Art & Environmentalism of \$950 assessed to students who attend the spring break trip to Italy. She noted the proposed fee is to cover the cost of lodging, transportation between cities, ticket fee and some meals. This is in lieu of student acquiring their own travel arrangements. Insurance is purchased by student and subject to fiscal policy.

Trustee McNeil motioned to approve the new course fee as presented; seconded by Trustee Burgess. Approved 7-0.

BE IT RESOLVED that the Board of Trustees approves the HASS 498 Art & Environmentalism course fee for Spring 2020 of \$950 assessed to students who attend the spring break trip to Italy.

NASA Indemnification Agreement _____ Ms. Volpi asked the Board of Trustees to consider and approve the indemnification terms in the NASA Grant and Cooperative Agreements in which Mines is an Awardee or Sub-Awardee. She noted the Board had approved the indemnification term for two prior NASA projects in 2018 and that Mines has four contracts currently pending approval. The Board was asked to consider and approve the indemnification of the GCAM Appendix D18 in all pending and future NASA research agreements for those that have been vetted through the institutional due diligence review process and deemed low risk. Ms. Volpi noted that those projects with a higher level of risk would be brought to the Board. The Board asked to be provided a report of all contracts for which it has approved indemnification terms to date.

Trustee Haddon motioned to approve the NASA Indemnification Agreement as presented; seconded by Trustee Burgess. Approved 7-0.

BE IT RESOLVED that the Board of Trustees of the Colorado School of Mines approves the indemnification provision of GCAM Appendix D18 in all pending and future NASA research agreements for those that have gone through the due diligence review process and have been deemed low risk, serve a valid public purpose and that the risks of agreeing to the indemnification provision will be sufficiently limited and outweighed by the benefits of those projects and authorizes the President or his delegee to execute these agreements.

Emergency Action Item

Sale of Real Property Ms. Volpi reviewed the 2018 gift of the home and adjacent property located on Lookout Mountain at 21554 and 21548 Mountsfield Drive. She noted that the property was put on the market for sale on February 1, 2020, and an offer of \$1.48 million was accepted with closing in mid-March contingent upon Board approval. Ms. Volpi asked the Board for approval to authorize the sale of the property and stated that the proceeds will be applied to facilitate the original intent of the gift, to support or fund the Mines' presidential residence; either by renovation of the current residence or the purchase of a new residence.

Trustee Salazar motioned to approve the sale of the Lookout Mountain property as presented; seconded by Trustee McNeil. Approved 7-0.

BE IT RESOLVED that the Board of Trustees of Colorado School of Mines approves the sale of property location at 21554 and 21548 Mountsfield Drive in Golden, Colorado for \$1.48 million and the necessary contracts and documents be executed by the President or his delegee.

e. Regular Written Reports

Admissions and Enrollment report Ms. Kester provided a brief report on the highlights of the Spring enrollment, noting the current total population of 6205 is looking strong and diverse. She reported that they opened applications for the Study Abroad program last Monday with a deadline of March 15.

Research activities and Tech Transfer report No further updates.

Faculty Senate report Dr. Simoes was not in attendance.

Cyber and Safety report Ms. Volpi provided a brief update on how Mines tracks cyber alert levels and reviewed recent incidents since late November. Brief discussion regarding the implementation and training for Windows 10.

CSM Foundation and Alumni Relations report Mr. Winkelbauer provided an update on the effort of the Foundation and Alumni Relations Board to negotiate and implement a new joint operating agreement. He reported the Foundation will be searching for a new Director of Alumni Engagement. He also announced the Foundation will launch the public phase of the campaign on April 15, 2020, at the Evening of Excellence event.

12:02pm Motion to adjourn made by Trustee Salazar; seconded by Trustee Haddon. Approved 7-0. There being no further business the meeting was adjourned.



Anne Stark Walker, Secretary