

RECORD OF PROCEEDINGS

Golden, Colorado
January 12, 1979

The Board of Trustees met in regular session at 9:00 a.m. on January 12, 1979 in the Board Room of the Colorado School of Mines.

Present: Messrs. Fogarty, Grynberg, Ruehle, Schwartzberg, Stockmar, and Wilson.

Absent: Mr. Coors.

Notice was taken of Mr. Maytag's resignation effective December 31, 1978.

Dr. Fogarty presided.

Also attending the meeting were President McBride, Vice Presidents Gary, Scott, and Welles, and various staff members and a representative of the press.

Previous Minutes. It was moved, seconded, and passed that the minutes of the meeting held on December 8, 1978 be approved as distributed.

New Faculty Appointment. Dr. Gary reviewed the new appointment as follows:

William E. Marlatt	\$3,000
Adjunct Professor of Environmental Sciences (fall semester, 1978-79 academic year)	

Monthly Financial Reports. Mr. Scott made available the Monthly Budget Report as of December 31, 1978, the Monthly Investment Report as of January 9, 1979, Managed Investments Report for year ended December 31, 1978; Consolidated Board Report, six months ended December 31, 1978; a preliminary Budget Analysis based on the Governor's proposed budget, and a revised Schedule of Estimated Cash Requirements (for capital construction projects).

Admissions Report. Dr. Gary reviewed the Admissions Report as of January 3, 1979, saying we are very close to the number of applications received this time last year.

Emeritus Status. President McBride stated that as instructed last spring he had inquired of other institutions as to policies on granting emeritus status to retiring faculty members. He presented a written summary of policies at 15 universities, including 6 in Colorado, with his recommendation as to possible action.

In view of the fact that it was not possible to make the written summary available to Board members in advance of the meeting and in view of the fact action on emeritus status for faculty members this year not being required until the April Board meeting, it was decided to defer action on this question until the February meeting.

RECORD OF PROCEEDINGS

2

Course Attendance for Credit, CSM Employees.
President McBride stated that under current Fiscal Rules, Chapter 2, Section 7.50.01 the Board of Trustees has the authority to allow full-time employees to enroll, for credit, up to six hours in any year without payment of tuition.

Upon motion made, seconded, and passed the following policy was approved:

A full-time employee of the Colorado School of Mines, with the approval of his/her Department Head, may apply to the Office of the Academic Vice President for enrollment for up to three credit hours per term, not to exceed six credit hours in any year, without payment of tuition. Time during normal working hours spent for class attendance will be made up on a one-to-one basis according to mutual agreement between the employee and the Department Head. In approving such request, the Academic Vice President will consider budgetary constraints, total available classroom space, and benefits to the institution through improved professional development, morale, and motivation.

Faculty - Only faculty holding the rank of instructor or below may work for degrees at the Colorado School of Mines.

Audit - Employees and their spouses may take courses on a no-cost/no-credit basis with the approval of the supervising Department Head and Academic Vice President.

Brown Hall Site. Mr. Scott reported that it became necessary to condemn two parcels of land in the block to be occupied by the Brown building because of failure in our efforts to negotiate. Upon motion made, seconded, and passed the following resolution was adopted:

WHEREAS this Board during its regular meeting March 11, 1977 determined that the new Mining and Basic Engineering building, known as Brown Hall, would be located on Block 78, South Golden, and authorized the administration of the School to negotiate for the purchase of the real property on that block not owned by it, and

WHEREAS negotiations were conducted in good faith but became futile in the case of the property owned by Epsilon Alpha of Alpha Tau Omega Home Association and in the case of the property owned by Avis M. Berlin, requiring the institution of suits in condemnation to allow the construction of Brown Hall to proceed, and

WHEREAS this Board realized and contemplated that condemnation was required if negotiations were successful;

RECORD OF PROCEEDINGS

3

NOW, THEREFORE, BE IT RESOLVED That all actions taken by the administration of the School and the Attorney General of the State of Colorado in behalf of this Board to acquire the said properties by condemnation are now hereby formally approved, authorized, and ratified.

Prospector Park. Mr. Scott said that Mr. Ellickson, whose property we purchased in the block needed to construct the Brown building, was interested in moving his apartment units to the site of Prospector Park. The Prospector Park property is appraised at \$145,000 and is outside our Master Plan area.

Upon motion made, seconded, and passed, the following resolution was adopted:

WHEREAS the property known as Prospector Park, located at the intersection of Nineteenth Street and U.S. 6 in Golden, is considered outside the boundaries of the current School Master Plan, and

WHEREAS the dwelling units located thereon are well beyond their economic life span and plans for their replacement were made in 1973, and

WHEREAS Lyle L. Ellickson and Bette Mae Ellickson are the owners of property located at 1116-1118 Seventeenth Street in Golden, which is in the Master Plan of the School and is the designated site of Brown Hall, and

WHEREAS the Ellicksons have indicated their willingness to purchase the property known as Prospector Park for the appraised value of \$145,000, subject to the approval of the Colorado General Assembly as required by law, and

WHEREAS the Ellicksons have agreed to develop the property with desirable residential apartment units and grant favorable terms to our present tenants;

NOW, THEREFORE, BE IT RESOLVED That this Board formally authorize and ratify the execution of an option agreement for the sale of the property known as Prospector Park, constituting 78,209 square feet more or less, to Lyle L. Ellickson and Bette Mae Ellickson for the appraised price of \$145,000 with the stated condition that any sale under such option is subject to the approval of the Colorado General Assembly.

Mining Hall of Fame. Mr. Stockmar stated that the people who are spearheading the National Hall of Fame wish to have a booth at the Colorado Mining Association meeting in February and that in connection with this event they desire a letter of intent from the Colorado School of Mines Board setting forth support for the project, including lease of the proposed site with proper legal land description. Mr.

RECORD OF PROCEEDINGS

4

Stockmar suggested that we give them a letter setting forth our support and conditions as discussed at previous meetings.

The Board authorized President McBride to write such a letter.

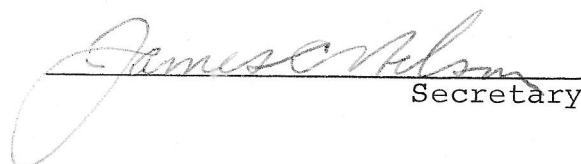
Interim Financing. Mr. Stockmar reported that he has been in contact with three banks. Thus far he has heard from only one, the United Bank of Denver, who proposed to offer a line of credit to CSM under conditions satisfactory to us including a favorable interest rate contingent upon receipt of a satisfactory opinion from bond counsel as to tax status. Mr. Stockmar suggested that the Trustees authorize him to proceed further to negotiate such a line of credit up to \$1,000,000 with one of the three banks already contacted.

On motion properly made and seconded, the Trustees did so, binding themselves to adopt a formal enabling resolution at such time as required.

Colorado Association of Governing Boards. Mr. Schwartzberg stated that he has spoken to Representative Spano and that Mr. Spano understands very clearly where the School stands in relation to the CAGB.

Green Observatory. Mr. Grynberg inquired as to the status of the Green Observatory funding. Many letters have come in expressing concern over the decreased funding for the observatory. President McBride reported that efforts are being made to fund it as necessary, results not yet certain.

The meeting adjourned at 10:45 a.m.


Secretary

RECORD OF PROCEEDINGS

Golden, Colorado
February 9, 1979

The Board of Trustees met in regular session at 9:15 a.m., February 9, 1979, in the Board Room, following a presentation by the Head of the Mining Engineering Department, Dr. Thys Johnson.

Present: Messrs. Coors, Fogarty, Grynberg, Ruehle, Schwartzberg, Stockmar, and Wilson.

Also attending the meeting were President McBride, Vice Presidents Gary and Scott, and various staff members and a representative of the press.

Previous Minutes. It was moved, seconded, and passed that the minutes of the meeting held on January 12, 1979 be approved as distributed.

Faculty Appointments. Dr. Gary reviewed the new appointments, and reappointments as follows:

David B. Fleming \$ 500
Adjunct Assistant Professor
Geophysics Department (fall semester, 1978-79
academic year)

Charles E. Lienert 3,000
Adjunct Instructor
Mineral Economics Department (spring semester
1978-79 academic year)

Reappointments

JoAnn Hackos 7,500
Instructor
Humanities and Social Sciences Department
(spring semester of the 1978-79 academic
year)

Paul S. Pedersen 4,000
Mathematics Department
(spring semester 1978-79 academic year)

Previous appointment, spring salary notice

Marcy M. Barge 4,000
Part-time Instructor
Mathematics Department
(salary spring semester of the 1978-79
academic year)

Monthly Financial Reports. Mr. Scott made available the CSM Investment Summary as of February 7, 1979; the Schedule

RECORD OF PROCEEDINGS

2

of Estimated Cash Requirements, as of February 7, 1979; the Consolidated Board Report, as of January 31, 1979; the CERI Budget Report as of January 31, 1979; and the Budget Report as of January 31, 1979. In response to an inquiry, Mr. Scott stated that a request for a supplemental utilities appropriation was being prepared based on the required extensive use of oil standby fuel and the increased rates for electricity and gas.

Admissions. Dr. Gary reported that admissions are about the same level as this time last year with a slight increase in the number of ethnic minorities and of women.

Profile of the Future Graduate. Dean John Karakash of the College of Engineering and Physical Sciences, Lehigh University, was introduced to the Board. Dean Karakash has been voluntarily assisting the Task Force in its work in studying the future graduate profile because of his dedication to the cause of engineering education.

Dean Karakash prefaced his remarks by saying he was an informed observer only and did not claim to be an expert. He spoke of the legacy of Mines as being similar to that of Lehigh and complimented the School on adhering to its mission and principles over the years. He mentioned that developing communication skills in graduates is a problem at all engineering schools and told about the Lehigh experience in initiating an honors program in that area.

Following his brief talk, Dean Karakash answered questions by the Board members. The Board members expressed their gratitude to him for meeting with them and giving them the benefit of his experience.

Budget Request to CSMF. It was pointed out that the use of the word "budget" in reference to the request for funding from the CSM Foundation might have an unfortunate connotation in the minds of CSMF Board members. President McBride stated that it was intended to convey only a projection of expected funding requests to the Foundation.

A tabulation prepared by Mr. Paterson of the CSMF and Dean Culver, Chairman of the Scholarship Committee, showing the cost of funding E-Day and BOT Scholarships was made available. This tabulation showed shortfalls in endowed funding of \$7,700 for 1978-79 (already approved for funding by CSMF), of \$37,447 for 1979-80, of \$43,675 for 1980-81, of \$46,994 for 1981-82, and of \$53,742 for 1982-83; all on the basis of 125 E-Day and BOT Scholarships continuously in force.

A combined budget request estimate of \$177,500 was presented. In summary, it showed the \$37,500 (approximate) for scholarships, \$50,000 for President's Discretionary Fund, and \$90,000 for the Faculty Improvement Fund. After some discussion of the details of the projection, it was moved, seconded, and passed that this request be approved for presentation to the CSM Foundation Board at its next meeting.

RECORD OF PROCEEDINGS

3

Scholarships, General. Upon question, Dean Culver gave a brief review of scholarships available, including those funded by the state, and undertook to prepare a summary of scholarships for the Board.

Banking Relationships. It was stated that this item had been included on the agenda because of concern on the part of the meeting chairman that proper consideration be given to sharing bank business reasonably evenly among the four largest Denver banking institutions. It was noted that Mines as a nonprofit state institution had some responsibility to distribute its business on an equal basis.

Mr. Scott reviewed our current banking practices, explaining that our account with the Golden State Bank is very convenient for depositing daily receipts. The State Treasurer clears the account at least weekly and thereby limits the opportunity of the bank to use the balance. Our Imprest Fund checking account at the same bank, from which our disbursements are made, is replenished by transfers from the State Treasurer, CSMF and CSM Restricted Funds. The balance varies greatly. All the fund managers make an effort to keep the funds fully invested and the checking balance low. When funds are available for investment in certificates of deposit, the major banks are asked to quote rates, and the funds flow to the high bidder.

Discussion followed. It was agreed that bank business should be shared as evenly as possible, but more importantly, funds should be kept where the School is best accommodated.

Emeritus Status. The matter tabled at the January meeting with regard to requirements for emeritus standing was again addressed.

After discussion, motion was made and seconded to continue the present requirements for emeritus status. Motion passed with Mr. Grynberg voting in the negative.

Medalist Selection Process. The meeting chairman stated that this item had been placed on the agenda because it was thought perhaps the method could be improved. The present system provides that a Board sub-committee appointed by the President of the School and chaired by him study the files of those nominated and make a preliminary, screening recommendation to the Board.

It is regretted that the sub-committee cannot better identify potential candidates, but efforts are made through the alumni magazine and through canvassing former recipients. President McBride stated the President's Office acts only as a depository for information and no file is removed except at the direction of the Board. Several years ago the Board asked the sub-committee to identify all prominent alumni and try to see that all possible were nominated. This the sub-committee did, and a substantial number of nominations were received. At the same time it was recommended that a small group of names be removed on grounds that they had never been awarded a medal after an extended time on the list.

RECORD OF PROCEEDINGS

4

President McBride reported that at the March meeting, the Board will have two lists from which to work. One list will be those recommended by the sub-committee for consideration, with ranking. The second list will be those not recommended for awards this year. President McBride was asked to prepare for advance distribution a short biography on each person recommended.

Award for Non-Mines Individuals. The meeting chairman stated he was of the opinion that thought should be given to some type of award for recognition of accomplishments to people who are not Mines alumni. Mention was made that the criteria for the present honorary degree, Doctor of Engineering, were outstanding accomplishment and contribution to CSM.

President McBride reported that he had inquired of practices at the three other state universities and that all have awards to persons other than their own graduates. He said that if it appeared useful he will write up a preliminary prospectus for consideration by the Board. He was requested by the Board to do so, emphasizing service to the university.

Chief Officer of Board. Mr. Grynberg said that over the years several people have pointed out the confusion of having a CSM president and a Board president. There seemed to be no sentiment to make any change in the designation of the Board officers.

Dean Richard Culver. Mr. Schwartzberg took recognition of the recent resignation of Dean Culver as Dean of Students, to return to full-time teaching. Mr. Schwartzberg complimented Dean Culver on the good work he had done in his job as Dean and inquired about the replacement process. President McBride said there has not been time to put in place any mechanism for choosing Dean Culver's replacement but that he and Dr. Gary are mindful of the need for student input.

Gifts Committee. Mr. Stockmar, as President of the Board, appointed Mr. Coors to replace Mr. Maytag on the Gifts Committee and asked that the committee convene immediately following the Board meeting.

The meeting adjourned at 11:30 a.m.


Secretary

RECORD OF PROCEEDINGS

Golden, Colorado
March 2, 1979

In substitution of the regular March meeting, the Board of Trustees met on March 2, 1979 at 9:00 a.m. in the Board Room.

Present: Messrs. Fogarty, Grynberg, Ruehle, Schwartzberg, Stockmar, and Wilson.

Absent: Mr. Coors.

Also attending the meeting were President McBride, Vice Presidents Gary, Scott, and Welles, various staff members and representative of the press.

Mr. Monte Pascoe, Trustee Designate, attended the early part of the meeting.

The meeting was preceeded by a news conference at which Mr. Joseph Duffey, Director of the National Endowment for the Humanities, announced the award of \$340,000 for a five-year development program in the Department of Humanities. The program, written by Dr. Thomas Philipose, under the direction of Professor Vandiver and with the assistance of the Humanities staff, provides support for the reorganization of departmental offerings at the undergraduate level.

President McBride and Mr. Stockmar, speaking on behalf of the School, expressed their appreciation to Drs. Philipose and Vandiver and to the National Endowment for the Humanities.

It was especially noted that Trustee approval for the preparation of the grant application had been adumbrated during the Humanities program review conference at Snowmass in July 1977, and the Board expressed its strong support for the program as proposed and funded.

Mr. Ruehle, Chairman of the meeting, called the meeting to order at 9:30 a.m.

Previous Minutes. The minutes of the meeting held on February 9, 1979 were approved as distributed.

New Faculty Appointments. Dr. Gary reviewed new appointments to faculty as follows:

Alan L. Liby	\$1,800
Adjunct Assistant Professor of Metallurgical Engineering (spring semester)	

RECORD OF PROCEEDINGS

2

Gabriel M. Neunzert	\$21,000
Associate Professor of Basic Engineering, 1979-80 academic year	
John L. Wray	2,000
Adjunct Professor of Geology (spring semester)	

Monthly Financial Reports. Mr. Scott made available copies of Budget Report as of February 28, 1979, CSM Investment Report as of February 28, 1979; CERI Budget as of February 28, 1979; and a request for a supplemental appropriation in the amount of \$57,225 to cover increase in utilities cost. Mr. Scott reported further that we have withdrawn two capital construction requests from our 1979-80 total budget request: these are Item M3 in the amount of \$110,000 to cover increased chemistry laboratory stations and Item M9 in the amount of \$11,550 to cover remodeling of Dean of Students' area.

Admissions Report. Mr. Young reviewed the status of applications for admissions, saying we anticipate the same number of applications as last year, between 1300 and 1400; and expect the entering class to be as budgeted.

Scholarship Report. Dean Culver, as requested at the last meeting, presented a summary of scholarships available to undergraduate students. He distinguished scholarships as awards primarily based on merit and specified that his summary did not include financial aid available to students under different criteria. Dean Culver in his report listed all scholarships available, both privately funded and state funded, also the federally funded ROTC scholarships. He said most of the industrially sponsored scholarships are from oil and mining companies and are for students in those options. For the year 1978-79 there were 605 scholarships worth \$504,000 awarded to 505 students. Also there were 120 scholarship recipients not selected by the School who attended Mines and these scholarships were worth \$108,000.

Dean Culver stated one problem is that award amounts remain constant but tuition and other costs have increased about 50 percent over the past 5 years.

Mines Medal Award, Preliminary. President McBride presented for discussion a write-up of an award for service to the School. It was generally considered a meritorious concept but members of the Board thought more time was needed for its consideration.

Preliminary Keystone Agenda. Mr. Welles distributed copies of a preliminary agenda for the summer Keystone conference. Suggestions were made and discussed, and President McBride stated the administration will prepare a final agenda for distribution at the April meeting.

Sabbatical Leaves. President McBride and Dr. Gary presented requests for leaves as follows:

Professor Austin R. Brown, fall semester, three-quarters salary, to devote this time to study the use of computer graphics.

Professor David L. Olson, fall semester, three-quarters salary, to work with the Norwegian Institute of Technology.

After discussion, it was moved, seconded, and passed that both leaves be approved.

Legislative Report. President McBride, assisted by Messrs. Scott and Welles, reported that although no hard information exists, newspaper reports, rumor, and various semi-authoritative statements indicate that the JBC has made budget decisions which seriously affect higher education. It appears that the JBC has responded to present and anticipated future decreases in enrollment by attempting through various budgetary devices to divert higher education enrollment from the more popular eastern institutions in the state to the western and southern institutions. As a result of this philosophy, enrollment is to be decreased at CU, CSU, and UNC by reductions in capped totals and at Mines by 1.3 percent. Faculty will be decreased accordingly. Faculty salaries have been established on the basis of an AAUP national survey. If the recommendations are accepted, our faculty salary increases will be 4 to 4 1/2 percent. JBC also intends to cut in half the number of athletic scholarships here and will not provide separate funding for Athletic Department faculty.

President McBride stated the JBC had made a productivity survey by requesting detailed information on the ten highest paid and ten lowest paid faculty members. This was reported to have been used to support the decision to cut CU and CSU faculty members.

President McBride stated that education decisions are thus being made by JBC without input, as far as one can tell, from those possessing expertise in higher education. He noted that he is this year the Chairman of the Association of Public College and University Presidents and therefore is going to be "very visible". He stated he thought it was a very serious situation and asked the Board for direction. The members of the Board agreed that educational policy should not be determined by budget officials and that significant efforts should be made to change this direction.

Commencement Speaker. President McBride said that after consultation with Board members by phone he had contacted Mr. Charles J. Hitch, President, Resources for the Future, and has received his agreement to give the Commencement speech on May 11, 1979.

Upon motion made, seconded, and passed the President's invitation was affirmed and it was agreed to confer upon Mr. Hitch at Commencement the honorary degree, Doctor of Engineering.

The meeting recessed for executive session after which it reconvened.

RECORD OF PROCEEDINGS

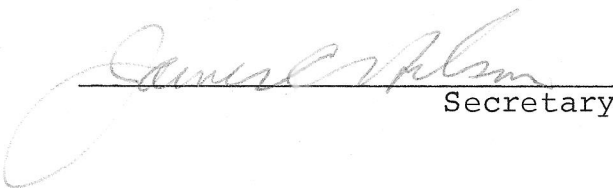
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Earth Mechanics Building. Mr. Scott requested that the Board of Trustees assign contract with the architects for the EMI building to the CSM Building Corporation. Discussion followed at the conclusion of which it was moved and seconded that the following resolution be adopted:

RESOLVED, That the proper officers of the School are hereby authorized and directed to assign its rights and obligations in and under that certain Architects/Engineers Agreement between the State of Colorado and McMorran, Obermeier, Goss and Bershof, dated January 12, 1979, to the Colorado School of Mines Building Corporation.

Motion carried.

The meeting adjourned at 12:15 p.m.


Secretary

RECORD OF PROCEEDINGS

Golden, Colorado
April 13, 1979

The Board of Trustees met in regular session at 9:00 a.m., April 13, 1979, in the Board Room, following a departmental presentation by Dr. Philip Dickson, Head of the Chemical and Petroleum-Refining Department.

Present: Messrs. Coors, Fogarty, Pascoe, Ruehle, Stockmar, and Schwartzberg. Messrs. Grynberg and Wilson entered the meeting later, as noted.

Mr. Monte Pascoe took the oath of office as a new member of the Board, having been appointed by the Governor for a term to expire March 23, 1985, and having been confirmed by the Senate on April 11, 1979.

Mr. Schwartzberg presided.

Also attending the meeting were President McBride, Vice Presidents Gary, Scott, and Welles, various staff members and a representative of the press.

Previous Minutes. The minutes of the meeting held on March 2, 1979 were approved as distributed.

New Faculty Appointments. Dr. Gary reviewed the new appointments to the faculty as follows:

Scott W. Cowley Assistant Professor, Chemistry and Geochemistry Department (1979-80 academic year)	\$16,500
Gary S. Lietz Adjunct Associate Professor of Mining Engineering (spring semester, 1978-79 academic year)	500
George T. Merideth Adjunct Professor of Geophysics (spring semester, 1978-79 academic year)	3,000
Gregory K. Staff Director of Cooperative Education and Placement (effective March 1, 1979)	17,760
Charles H. Stoyer Research Assistant Professor of Geophysics	1,808.33 per mo.
Guy H. Towle Adjunct Assistant Professor of Geophysics (spring semester of the 1978-79 academic year)	1,000

RECORD OF PROCEEDINGS

2

Dr. Gary gave special attention to the appointment of:

Richard F. Dominguez \$31,500
Professor of Basic Engineering and Head
of Department

President McBride spoke to this appointment, saying that ordinarily this would have come to the Board for approval prior to an offer being made but that due to the timing of the last meeting and this and to Dr. Dominguez' personal situation with regard to other offers, the appointment was made on the President's authority after discussion with the Board President only. He said he hoped the Board will approve this action.

Upon motion made, seconded, and passed the Board confirmed the appointment of Dr. Richard F. Dominguez as Professor of Basic Engineering and Head of Department at a salary of \$31,500 for the 1979-80 academic year.

Promotions. Dr. Gary reported to the Board the promotions for the 1979-80 academic year. They are as follows:

To Professor -

W. Rex Bull	Metallurgical Engineering
Richard S. Culver	Basic Engineering
Richard H. DeVoto	Geology
Glen R. Edwards	Metallurgical Engineering
Robert R. Faddick	Basic Engineering

To Associate Professor -

Nicholas P. Callas	Mathematics
Patrick MacCarthy	Chemistry and Geochemistry
Robert S. McCandless	Physical Education
E. Dendy Sloan	Chemical and Petroleum-Refining Engineering
John U. Trefny	Physics
Douglas W. Waples	Chemistry and Geochemistry
Don L. Williamson	Physics

To Assistant Professor -

Thomas R. Bultman	Geology
Debra A. Carnell	Basic Engineering
Willa Meylink	Physical Education

Monthly Financial Reports. Mr. Scott made available the CSM Investment Summary as of April 10, 1979; the Consolidated Board Report for nine months ending March 31, 1979; the Schedule of Estimated Cash Requirements as of April 12, 1979; the Budget Report as of March 31, 1979; and the CERI Budget Report as of March 31, 1979.

Mr. Scott reported that the request for supplemental appropriation in the amount of \$57,225 for the 1978-79 fiscal year has been denied.

April 13, 1979

RECORD OF PROCEEDINGS

3

Mr. Wilson entered the meeting at this time.

Mr. Stockmar stated that in his negotiations with banks for the loan as he had been instructed at the January 12, 1979 meeting, he had found that identical terms are presently being offered and are to be expected in the near and medium future. He asked for authorization to proceed with the loan through United Bank of Denver since he has done more work on that agreement than with the other two banks. The other members of the Board approved.

Admissions Report. Dr. Gary reviewed the Admissions Report saying that applications are up about 10 percent. Applications from women are up from 14 percent last year to 21 percent this year, and ethnic minority applications to date represent 6 percent of the total. Dr. Gary said it seemed certain we shall be able to meet our goal of 490-500 freshmen right out of high school and 110-120 transfer students.

Dr. Gary reminded the Board that these enrollment goals had been set when our approved enrollment was 2950 FTE students. With approval now set at 2887 FTE students, the administration recommended that the original freshmen and transfer enrollment goals be maintained on the grounds that the proposed large tuition increases may well have a serious downward impact on continued student enrollment. Dr. Culver reminded the Board further that the enrollment can be "fine tuned" in the fall through committee action on readmissions.

The Board exhibited a consensus of approval of the stated freshmen and transfer enrollment goals.

Mines Medal. President McBride presented the edited second draft of a proposal for a medal for service to Mines, unchanged in substance from the first draft. He noted, however, that since Mr. Grynberg, who initiated discussion on this item, was not present, perhaps it would be well to lay this item over.

The Chairman agreed that this item be deferred.

Keystone Agenda. Mr. Welles distributed copies of an agenda for the Keystone summer conference. After brief discussion, it was approved.

Emeritus Status. President McBride reported that Dr. Robert H. Carpenter, Professor of Geology and a member of the Mines staff since 1947, and Dr. David W. Trexler, Associate Professor of Geology who joined the staff in 1956, are retiring for age, the latter early because of health problems.

On the recommendation of the administration and in view of his fulfilling the requirements of 10 years of valuable service of which at least 5 were served as full Professor, Dr. Robert H. Carpenter was designated Emeritus Professor of Geology upon his retirement effective May 11, 1979.

RECORD OF PROCEEDINGS

4

Candidates for Degrees. Distribution was made of lists of candidates for degrees as recommended by the regular and graduate faculties at the meetings held on March 21, 1979 and March 28, 1979, respectively.

Upon motion made, seconded, and unanimously passed the following were approved for degrees on the dates specified, subject to faculty approval of added names, the completion of all academic requirements, and continued compliance with school requirements and regulations.

May 11, 1979

BACHELOR OF SCIENCE (MINING ENGINEERING)

Baldwin, Arthur Christian	Law, Richard D.
Bartel, David Lynn	Lesage, William Patrick
Bends, Bradford Jay	Lippoth, Richard Edward
Bretz, Paul Torbjorn	Marks, Joseph M.
Bried, Bruce Eugene	Mattern, James Michael
Brown, Roe Christina	McConnell, Joseph Paul
Buchholz, Thomas Francis	Meyers, Anthony Michael
Buell, Alan Douglas	Mikesell, Tony Frank
Burgos, Alfredo Efrain	O'Connor, Andrew Joseph
Carr, Ricky Jay	Ogan, David Lewis
Casselberry, David Wesley	Oldani, William Edward
Chenoweth, Martin William	Rampton, Frank Cyrus
Childers, John Walt	Rinaldi, Yvonne Marie Curtis
Cooley, Austin Inch	Schreiber, Craig Jackson
Edgerley, David McLean	Scott, David Osman
Elkin, John Cammon	Smith, David Wallace
Garcia, Salazar Arnoldo	Smoot, Daniel Allen
Gunn, Tracy Wade	Stolz, John Michael
Hallbauer, Russell Edward	Thayer, Dave Anderson
Law, Jerome Christy	Veloso, Lorenzo Escano

BACHELOR OF SCIENCE (METALLURGICAL ENGINEERING)

Anast, Kurt Roy	McNealy, Richard Clark
Anderson, Ted Lynn	Montoya, Eloise Ann
Campbell, Glenn Martin	Okagawa, Robert Kaichi
Cavender, Bruce Wayne	Patsos, Harilaos S.
Clark, Daniel Paul	Plante, Paul Joseph
Clark, Marshall Delbert	Rheinlander, Mark David
Elliott, Elyse Anne	Rosenberg, Scott Michael
Elmer, John Walter	Scrivner, Ronald Wayne
Gaugler, Richard James	Schilling, Layne Mikel
Geib, Mark Douglas	Smith, Michael A.
Gnazzo, John Frederick	Spencer, Robert Ernest
Jewell, Jeffrey Howard	Stute, Lori Jo
Larson, David John	Sutton, Gerald E.
Lawson, Richard David	Turner, Donna Elaine
Maxwell, Douglas Keith	Villasmil, Gerardo Antonio L.
May, William Andrew	Vinnola, Robbin Jeffrey
	Wagner, Darrell Edward

April 13, 1979

RECORD OF PROCEEDINGS

5

BACHELOR OF SCIENCE (GEOLOGICAL ENGINEERING)

Balogh, Edward Norman	Hoops, Timothy Lee
Bartels, Edward Roy	Hupp, Douglas
Bell, Andrew Denney	Lang, Ruth Marie
Brooks, Robert William	Laws, Roy Sidney Alexandor
Canon, Robert Travis, III	Losh, Steven Lawrence
Carr, Mark R.	Malone, Michael Sean
Culberson, James Jay	Mikesell, Tony Frank
Decker, Albert David	Mullarkey, James Collins
Edington, Dwaine Hugh, II	Nabbefeld, Neil John
Falk, John Andrew	Neuschaefer, Bruce Andrew
Farmer, Cathy Lee	O'Fallon, Andrew Brian
Garcia, Andrew Enrique Gerdes	Pieters, Dennis Anthony
Gesick, Gary Arthur	Priestley, Raymond Dean
Hamouz, Mark Allen	Ransom, Kenneth Leonard
Hawes, Thomas W.	Trent, Charles Wesley
Hissen, John Thomas	Young, Robert Charles
	Zacharakis, Theodore George

BACHELOR OF SCIENCE (PETROLEUM ENGINEERING)

Barb, Deidra Lynne	Kersting, Don Scott
Barnes, David Drake	Klawiter, Reiner Wolfgang
Barnett, Kimberly	Ladd, Bruce David
Beasley, William Spencer	Lockwood, Daniel Raymond
Bowles, Herbert Thomas	Lowrey, John Perry
Davidson, Jeffrey D.	Mbok, Jean Boumye
Dunn, George Timothy	Mitchell, James Roy
Elkelani, Ibrahim Elhadi	Sarlo, Mark Kevin
Elmabruk, Mohamed S. Othman	Seitz, Mark C.
Fodor, James Joseph	Strobeck, Gordon Lee
Golike, Curt Linn	Switzer, Shelby S.
Griffee, Robert Roy	Truby, Russell Warren
Gygax, Mark Michael	Voorhees, Gordon Douglas
Holstein, David Herbert	Whitham, Barth Edward
Jackson, George Rex	Whitlock, Guy Richard
Jones, Ray E.	Wright, Robert Bruce

BACHELOR OF SCIENCE (CHEMICAL AND PETROLEUM-REFINING ENGINEERING)

Achierno, Joseph Dean	Lucia, Steven Michael
Andreatta, Mario Joseph	McKinnon, Mark Monroe
Boersig, Thomas Joseph	Moore, Danford Carlton, II
Breyfogle, Ross E.	Nelson, Kathleen Marie
Cesario, David James	Paxson, Rhonda Jean
Conrad, David Eugene	Perkins, Richard Anthony
Dunsmore, Kenneth Lloyd	Reholz, Patricia Diane
Duszynski, Richard James	Rinehart, Richard Jay
Edrich, John Alex	Roberts, Claudia N.
Fuchs, Earl Dwight	Rodriguez, Luis J.
Fuqua, Robert Gordon	Roucis, John Bradley
Gebhard, Steven Charles	Safe, Brian Lee
Geiger, Willard Tyler, III	Shade, Lawrence Trueheart
Gojmerac, John	Shields, Dale James
Gray, Michael Merle	Shirley, David Robert
Hernandez, Nelson Jose Gonzalez	Thompson, Paul Allen

RECORD OF PROCEEDINGS

6

Hesseltine, Richard Len
Holland, Richard Gary
Johnson, Carole Ann
Konrad, Kenneth James
Kramer, David Mellen
Lockhart, Mark William

Vaden, Dee Earl
VanDersarl, Dana Goddard
Wilkening, William Forest
Wilson, Scott Tracy
Wolke, Mark Edward
Zupan, Joseph Allan

BACHELOR OF SCIENCE (GEOPHYSICAL ENGINEERING)

Bell, Andrew Denney
Gillis, M. Scott
Godbey, Will E.
Henningsen, Gregory Mark
Hinkley, David L.
Hrabak, Christopher Allen
Huggins, David Glenn, Jr.
James, Patrick Alden
Janak, Peter Michael
Kenck, Anthony Ralph
Marks, Johnny
Mautz, Warren Alden

Maxwell, Caroline Louise
Nicholl, John James, Jr.
Plate, Gregory Walter
Rogers, Bruce R.
Rotz, Jerry Dean
Runnestrand, Scott Allen
Shellenbaum, Bruce Evan
Silk, William Anthony, Jr.
Sixta, David Paul
Stewart, Duff Clinton
Taylor, Kendrick Cashman, Jr.
Thompson, Jennifer Jill

GEOPHYSICAL ENGINEER

Silk, William Anthony, Jr.

BACHELOR OF SCIENCE (MINERAL ENGINEERING CHEMISTRY)

Armstead, Catherine Ellen
Frauenhoff, Greg Robert

Pallai, Matthew Joseph
Turner, Donna Elaine
Weader, Peter John

BACHELOR OF SCIENCE (MINERAL ENGINEERING MATHEMATICS)

Knight, William James
Nicks, Ramona Marie
Polak, Daniel James

BACHELOR OF SCIENCE (MINERAL ENGINEERING PHYSICS)

Campos, Vance James
Danti, Kenneth John
Henderson, John R.

Lawson, Monte Eugene
Moyer, William Earl
Peters, Douglas Scott
Stafford, Francis Carl, Jr.

BACHELOR OF SCIENCE (MINERAL ENGINEERING)

Barngrover, Brian Alan
Barry, Dennis J.
Barton, Nathan Alan
Harstad, Michael John
Holzschuh, Carl Henry

Hostetter, Don Alan
Lambert, David Duane
May, Charles Alan
Moore, Brian Ernest
Richmeier, Daniel Peter
Williams, Jerry Martin

June 23, 1979

BACHELOR OF SCIENCE (MINING ENGINEERING)

Holzschuh, Carl Henry

April 13, 1979

RECORD OF PROCEEDINGS

7

BACHELOR OF SCIENCE (CHEMICAL AND PETROLEUM-REFINING ENGINEERING)

Knight, William James
Reuter, Daniel Joseph
Sharpe, James Ray

BACHELOR OF SCIENCE (GEOPHYSICAL ENGINEERING)

Kingman, John Edward Ellis
Lowe, Antoinette Jan
Shook, Ronald Leroy Jr.

GEOPHYSICAL ENGINEER

Kingman, John Edward Ellis

August 18, 1979

BACHELOR OF SCIENCE (MINING ENGINEERING)

Cramer, Robert Wayne	Simpson, James Herbert
Hissem, William Dae	Swallen, Timothy Christian
Luther, Glen Thomas	Woods, Kenneth William

BACHELOR OF SCIENCE (METALLURGICAL ENGINEERING)

Levis, Robert Byron
Walker, Michael Alan
Wrenshall, David Brian

BACHELOR OF SCIENCE (GEOLOGICAL ENGINEERING)

Dow, David Alexander
Thomas, Dean

BACHELOR OF SCIENCE (PETROLEUM ENGINEERING)

Konrad, Steven John	Petroutson, John Gates
Marquez, Fernando Jose	Piper, Sharlene Marie
Niemtschik, Gustavy Edward	Sotack, Gary

BACHELOR OF SCIENCE (CHEMICAL AND PETROLEUM-REFINING ENGINEERING)

Brito, Arquimedes Rafael
Chinn, Douglas Alan
Mathias, Mark William

BACHELOR OF SCIENCE (MINERAL ENGINEERING MATHEMATICS)

Howarth, Susan Mary

BACHELOR OF SCIENCE (MINERAL ENGINEERING)

Kottenstette, Joseph Thomas
Thornton, Kim V.

RECORD OF PROCEEDINGS

8

May 11, 1979

MASTER OF SCIENCE (MINING ENGINEERING)

Robert Joseph Coker	Michael Gauna
Kadri Dagdelen	Richard P. Mignogna
Robert Larry Davis	Li I. Yenge (Jacques)

MASTER OF SCIENCE (METALLURGY)

Carl E. Cross
Thomas L. Schiller
Shew M. Wong

MASTER OF SCIENCE (METALLURGICAL ENGINEERING)

Thomas P. Clement II
Glenn S. Huppi
John Russell Turney

MASTER OF SCIENCE (GEOLOGY)

Jean Ann Dupree	James R. Shannon
Randol Alton Haworth	Untung Suryanto
Loren Rachel Lasky	Michael D. Van Horn
William R. Reeve	Jerome A. Waegli
Michael B. Sawyer	Martin Darwin Wittstrom, Jr.

MASTER OF SCIENCE (GEOLOGICAL ENGINEERING)

Rodney Stephen Smith

MASTER OF ENGINEERING (Petroleum Engineer)

Hassan S. Al-Hashim
Mervyn A. De Four
Nagiati Abdurrazag El-Amir

MASTER OF SCIENCE (PETROLEUM ENGINEERING)

William Sterling Donovan

MASTER OF ENGINEERING (GEOPHYSICAL ENGINEER)

Steven Casey Simms

MASTER OF SCIENCE (GEOPHYSICS)

Frederick Eugene Berkman	Philip F. Johnston
Randall James Carroll	Scott William Mackay
Aaron Jo Davis	Peter Birge Papazian
Richard Engelkemeir	Michel Andre Pelissier
Guy Flanagan	Bruce William Presgrave
Nancy Jo House	William J. Warren, Jr.

MASTER OF SCIENCE (GEOPHYSICAL ENGINEERING)

Killian Chinwuba Ikwuakor
David Kolade Olofin
Joaquin Perez Rey

MASTER OF SCIENCE (CHEMISTRY)

Kenneth E. Dahlin
Mark W. Furlong

April 13, 1979

RECORD OF PROCEEDINGS

9

MASTER OF SCIENCE (GEOCHEMISTRY)

Steven Wray Cowling
Clifford R. Lippitt
David Ross Strait
Erick Fred Weiland

MASTER OF SCIENCE (MATHEMATICS)

Charles Romaine Gerould

MASTER OF SCIENCE (PHYSICS)

Richard Scott Fellion
Martin Dale Rymes

MASTER OF SCIENCE (MINERAL ECONOMICS)

Jose Guedes de Andrade	John Scott Gustafson
Robert L. Archer	Elias J. Herrero San Miguel
Diego Fernando Burbano Quevedo	Max Hugo Inga Batalla
Mervyn A. De Four	Yagui Jean Likane
David Lawrence De Giacomo	Gregg A. Long
Mark Stephen Fitzgerald	Jose Ildefonso Perez Gil
Kenneth Thomas FitzPatrick	J. Anand Chandra Prabhakar
Alencar Soares de Freitas	Rodney D. Rosenkranz
Luis Alfredo Garcia C.	Lowell Alan Shonk
Emmanuel Kale Gbeuly	Richard Michael Stanwood
	Kouadio Za-Bi

MASTER OF SCIENCE (PHYSICS-GEOPHYSICS)

C. Sue O'Connell

DOCTOR OF PHILOSOPHY (METALLURGY)

Luis Fernando Vasconcellos Ramos

DOCTOR OF PHILOSOPHY (METALLURGICAL ENGINEERING)

Jerald Edward Jones
Mohammad Nawi Bin Salleh

DOCTOR OF PHILOSOPHY (GEOLOGY)

Richard M. Chamberlin	Robert E. Jenkins
Leland D. Cress	Richard H. Mead
Gary C. Huber	Walter H. Pierce

DOCTOR OF PHILOSOPHY (PETROLEUM ENGINEERING)

Farouk Mahmoud Mohamed Allam	Mahmoud Ahmed Shagroni
Fabian Oritsebemigho Iwere	Donald Charles Wood

DOCTOR OF PHILOSOPHY (CHEMICAL AND PETROLEUM-REFINING ENGINEERING)

Abdullah A. Ballut

RECORD OF PROCEEDINGS

10

DOCTOR OF PHILOSOPHY (GEOPHYSICS)

Koji Katayama Tsubota
Robert William Wiley

DOCTOR OF PHILOSOPHY (GEOCHEMISTRY)

Roger Lee Olsen
David Burl Smith
Linda F. Smith

DOCTOR OF PHILOSOPHY (MINERAL ECONOMICS)

Sandra Lee Blackstone
Sandra Bleistein
Yuan-Kuo Ku

DOCTOR OF PHILOSOPHY (APPLIED CHEMISTRY)

Walrave Tehodoor Jansen

DOCTOR OF PHILOSOPHY (MATHEMATICS-GEOPHYSICS)

Richard Charles Walker

Distinguished Achievement Medals. President McBride reported that at the direction of the Board he had contacted the five distinguished alumni tentatively selected by the Board and had asked them if they would and could be in Golden to accept an award. All accepted enthusiastically, and as directed by the Board, five Distinguished Achievement Medals will be awarded at Commencement to the following:

Vishwanath A. Altekar
M.Sc. 1950
D.Sc. 1951

Willard Bascom
Class of 1942

David M. Evans II
Geol.E. 1936

Hugh W. Evans
E.M. 1949

Burton S. Goldberg
P.R.E. 1949

Legislative Report. Mr. Scott distributed copies of a comparison of the 1979-80 appropriation and the estimated 1979-80 long bill, calling attention to the fact that the amounts contained in the latter represent less than a 4 percent increase in the General Fund portion over the former. He reported that tuition at Mines was proposed to be raised and that as of now the figure for out-of-state students was reported to be \$3,672. Mr. Welles called attention to the fact that last year our nonresident tuition was third from the highest in mineral engineering schools. This proposed increase, if made effective, will establish our tuition at a level higher than that of any other public mineral engineering institution.

RECORD OF PROCEEDINGS

11

Mr. Grynberg entered the meeting at this time.

Mr. Welles reviewed other legislation in progress. The land exchange bill is up for second reading, and the Fowler bill to reorganize higher education institutions is still in committee.

Sale of Mutual Fund Investments. Mr. Scott asked that the Board authorize sale of mutual funds held in gift funds. Upon motion made, seconded, and passed the Board adopted the following resolution:

WHEREAS the Colorado School of Mines has held for investment as a part of its gift fund certain shares in the Fund of America, Massachusetts Investors Trust, and Union Income Fund, and

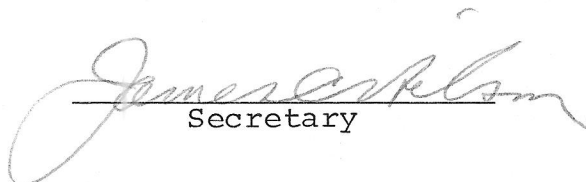
WHEREAS the need exists to use these gift funds in support of building projects previously authorized by this Board, and

WHEREAS the use of these gift funds for the support of the building projects is a proper use of the funds; Therefore be it

RESOLVED, That the President and the Treasurer of the Colorado School of Mines be hereby authorized to sell all shares of the above named mutual funds and otherwise to take any income derived or owing from them and convert and apply the proceeds to the previously authorized building projects.

Presidential Professor. President McBride reviewed the qualifications of Dr. Ralph J. Buultjens, who has been appointed to the Presidential Professorship for the 1979-80 academic year.

The meeting adjourned at 10:45 a.m.


Secretary

RECORD OF PROCEEDINGS

Golden, Colorado
May 10, 1979

In substitution of the regular May, 1979 meeting, the Board of Trustees met on May 10 at 1:30 p.m. in the Coronet Room of the Brown Palace Hotel, Denver.

Present: Messrs. Coors, Fogarty, Grynberg, Pascoe, Ruehle, Schwartzberg, Stockmar, and Wilson.

Also attending the meeting were President McBride, Vice Presidents Gary, Scott, and Welles, various staff members, guests, and a representative of the press.

Previous Minutes. The minutes of the meeting held on April 13, 1979 were approved as distributed.

Faculty Appointments. Dr. Gary reviewed the new appointments to the faculty as follows:

Charles W. Berry Adjunct Professor, Mineral Economics (spring semester)	\$ 1,650
George C. Clark Adjunct Professor, Mining Engineering (spring semester)	2,000
Janet E. Goodrich Acting Director of Student Activities (August 1, 1979 - July 31, 1980)	16,000
James L. Giulianelli Assistant Professor of Chemistry (1979-80 academic year)	17,000
P. James LeAnderson Assistant Professor, Geology	17,000
Warren A. Spaulding Admissions Counselor (beginning July 5, 1979)	16,000
Jean Paul Mather United Bank of Denver Professor of Mineral Economics for 1979-80 academic year	

Monthly Financial Reports. Mr. Scott made available copies of the monthly reports as follows: CSM Investment Report as of May 8, 1979; Consolidated Board Report, as of April 30, 1979; CERI Budget, as of April 30, 1979; and CSM Budget Report as of April 30, 1979.

Admissions Report. Dr. Gary reviewed the latest report, saying that applications are up 13 percent over last

RECORD OF PROCEEDINGS

3

also include acts of service or contribution not of a personal service nature. It is not expected that career or professional achievement, although likely to be present, will be a qualifying factor in the award, and

That The Mines Medal may be and shall be awarded only by the Board of Trustees of the Colorado School of Mines convened in open meeting, and

That The Mines Medal shall customarily be publicly bestowed at the spring graduation exercises in any year during which the Board shall elect to do so, but further that such Medal may by order and direction of the Board be bestowed upon any significant public School occasion, and

That The Mines Medal shall be awarded to as many recipients as the Board may designate, having in mind that unusual and exemplary service is the privilege and the gift to the School of very few, and

That the Board of Trustees of the Colorado School of Mines may create committees or sub-committees of the Board or may designate selected School administrative officers or offices to publicize the award and to receive and review nominations for possible Board action, and

That The Mines Medal shall consist of a sterling silver medal 1½" - 2" in greatest dimension and of spherical triangle outline. Further that the obverse shall exhibit the well known logo-type of the School surrounded by the words "Colorado School of Mines" and that the reverse shall bear an inscription of the form:

The Colorado School of Mines

Medal

awarded to

(Name)

for unusual and exemplary service.

(date presented)

Names for Student Center Rooms. President McBride reported that a request had come from the Student Center Advisory Council to name the three new ground floor Student Center conference rooms created in the recent remodeling after the first three graduates of the School, William B. Middleton, Walter H. Wiley, and Milton Moss, all of whom received degrees in 1883. President McBride stated that he has verified these names as being in fact those of the first three graduates and that he recommended the Board approve the request.

May 10, 1979

RECORD OF PROCEEDINGS

2

year and acceptances are up 10 percent. He added, however, that we do not yet know the impact the higher nonresident tuition will have on final numbers. He stated he was of the opinion that we shall still end up with the total number of students for which we are budgeted.

Mines Medal. President McBride stated that the present proposal for a medal to be awarded to non-Mines alumni had been first discussed at the February 1979 meeting and had been deferred several times for good reason. The administration had been instructed to make some changes in the original draft and the draft here presented incorporates these changes. The administration recommended that if an award for service to the School is to be instituted, it be based on the draft in its present form.

Upon motion made, seconded, and passed, the following resolution was adopted:

Whereas the Colorado School of Mines Distinguished Achievement Award, though it enjoys prestige and widespread recognition, is presented for career achievement only to graduates and to those few others, who, although not graduates, did attend Mines for a substantial part of a normal undergraduate tenure, and

Whereas the Colorado School of Mines has awarded and expects to continue to award the honorary degree Doctor of Engineering (D.Eng.) to highly selected recipients who have both exhibited outstanding career and professional achievements and contributed in a significant way to the record and ongoing life of the university, and

Whereas the Colorado School of Mines now finds it desirable to recognize in another way exemplary service to the School whether by an alumnus or other and whether by a member of the immediate university community or by a person from outside that community,

The Board of Trustees of the Colorado School of Mines does now resolve:

That there shall be and hereby is created an award to be known as the Colorado School of Mines Medal (The Mines Medal), and

That the Mines Medal shall be awarded to those persons, whether or not alumni and whether or not members of the close university community, who have rendered unusual and exemplary service to the Colorado School of Mines. Such service may include personal service in any capacity of such character and duration as to rank it as unusual and exemplary. Such service may

RECORD OF PROCEEDINGS

4

Upon motion made, seconded, and passed, the three rooms in the Student Center were named as requested by the Student Center Advisory Council.

Legislative Report. Mr. Welles reported on recent developments in the legislature, saying that as of this time we have had our athletic scholarships restored to 1978-79 levels but nonresident tuition is recommended to be \$3,672 for undergraduates and \$3,839 for nonresident graduate students.

Mr. Welles further reported that Senator Fowler's bill to reorganize higher education had met considerable opposition in its various portions and may not be acted upon favorably this session.

President McBride said it appears that faculty salary increases will be 6½ to 7 percent while classified employees will receive 8.2 percent in addition to merit increases. He said a great deal of thought had been given by the administration to across-the-board increases versus merit increases which would mean some faculty would receive less than 6½ to 7 percent. Members of the Board regretted that significant merit increases could not be given but agreed that the administration must do what appeared best from its vantage point.

Brown Hall. Mr. Scott reported that bids had been opened on May 3 and the low bid was \$4,450,000 or \$603,587 over the budget. There are five deductible alternates, the first four being relatively minor, priced at \$36,600 total, and the fifth being the classroom wing priced at \$274,000 by the low bidder. All agreed that the classroom wing was important and should be included if at all possible.

There followed a discussion on ways to finance the building as planned and the cash flow problem of the sum of all the building projects.

Mr. Scott outlined present plans for Dormitory/Student Center financing, which require the application of approximately \$300,000 in CSM local gift funds to complete construction and in this way to be applied to reduction of the amount financed on either an interim or final basis. He presented the Board with the option of now dedicating these particular funds instead to Brown Hall construction and borrowing the necessary amount needed to complete the Dormitory/Student Center construction. New interim financing, tentatively scheduled to be put in place this summer, will then be for the full cost of the Dormitory/Student Center project rather than reflecting the \$300,000 construction equity.

He stated that such financing will require payment of interest only over the first two years of its life and that the revenue from the projects will be adequate to meet this form of debt service at the probable interest rate of about 6 percent. This will allow another two years for fund-raising activities to attract a major gift for the dormitory, which will in turn allow the long-term financing of substantially lower principal.

RECORD OF PROCEEDINGS

5

Allocation of local gift funds, as indicated in the paragraph above, virtually exhausts gifts currently held by CSM. Exclusive of gifts or bequests to CSM which are not now certain as to time or amount, completion of Brown Hall project will require an additional \$240,000 to \$290,000, depending upon discovery of possible savings by the architect or general contractor. The desirability of requesting this additional support from the Colorado School of Mines Foundation was then discussed. President McBride reminded the Trustees that he had discussed previously with the Foundation Board the possible need for allocating funds from Brown gift interest accruals to meet project cost overruns. Mr. Scott said that he had secured from Mr. Paterson, Foundation treasurer, estimates of interest earned or to be earned by the Brown funds held by the Foundation. Mr. Paterson estimates that in addition to amounts already transferred to the School, an additional \$279,954 was earned between July 1, 1977 and March 31, 1979 and that a conservative, 6 percent estimate of earnings between now and October, 1980 is \$112,000.

Discussion followed during which it was determined that the Colorado School of Mines Board will immediately request special consideration and action by the Colorado School of Mines Foundation to supply the funds required, with the understanding that gift funds received by the School before such Foundation funds are required and requested will be applied first to reduce the request to CSMF, Inc.

Upon motion made, seconded, and passed it was agreed to proceed with construction of Brown Hall at the cost of \$4,450,000, subject to timely favorable action by the Directors of CSMF, Inc., as noted above.

Upon motion made, seconded, and passed it was agreed to include in the action taken at the May 11, 1978 meeting the construction of Brown Hall as an object of expenditure for CSM gift funds.

In order to complete the sale of the property incident upon the construction of Brown Hall, the following resolution was unanimously adopted:

WHEREAS the Board of Trustees on January 12, 1979 authorized the execution of an option contract to sell excess real property known as Prospector Park, located at the intersection of Nineteenth Street and US 6 in Golden, to Lyle L. Ellickson and Bette Mae Ellickson; and

WHEREAS the Board of Trustees duly executed said contract subject to certain conditions precedent; and

WHEREAS the conditions precedent have been duly satisfied; and

WHEREAS it is deemed to be in the best interests of the School to close the sale: Therefore be it

RESOLVED, That this Board formally authorize the execution of documents to conclude the sale of Prospector Park property to Lyle L. Ellickson and Bette Mae Ellickson under the terms of the Option Contract previously authorized by the Board.

RECORD OF PROCEEDINGS

6

Memorials, Professor George T. Bator. It was moved, seconded, and passed that the following resolution be adopted, spread upon the minutes, and copy sent to the family:

WHEREAS the Board of Trustees of the Colorado School of Mines has noted with regret and sadness the death on April 25, 1979 of George T. Bator, Emeritus Professor of Mining Engineering, and

WHEREAS Professor Bator served the Colorado School of Mines with a great skill and the utmost fidelity following his initial appointment in the year 1950, and

WHEREAS the Board has long recognized with admiration and respect the personal character and the teaching and professional activities of Professor Bator,

BE IT THEREFORE RESOLVED:

That the Board of Trustees recognize with sincere appreciation and deep gratitude the contributions of Professor Bator to the Colorado School of Mines and to its students, and

That the Board of Trustees rejoice in Professor Bator's life and career of integrity, service, skill, courage, and scholarship, and

That the Board of Trustees of the Colorado School of Mines express its sense of personal and professional loss in the untimely passing of Professor Bator, and finally

That the Board of Trustees express to his family and to his many friends its most heartfelt condolences on his passing.

President McBride reported on a request received from the CSM Student Chapter of SME/AIME to designate some part of the new Brown Hall for George Bator. The Board approved the request in principle and asked that it be submitted in proper form at a later, more appropriate date.

Housing Rates, 1979-80. Upon the recommendation of Mr. Scott as approved by President McBride, the following rates for 1979-80 were adopted:

<u>Academic Year</u>	Present Rate per student	Proposed Rate per student
<u>Residency Halls*</u>		
Bradford, Randall, Morgan, and Thomas*		
Double Room	\$600	\$650
Single Room	700	750

May 10, 1979

RECORD OF PROCEEDINGS

7

Academic Year (continued)

New Residence Hall*

Double Room	800	850
Single Room	800	900

Meal Plans, Academic Year

18-Meal Plan	770	820
15-Meal Plan	720	770
10-Meal Plan	620	670

Residency Hall Activity Fee	6	6
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Field Session

Randall Hall

Room only

Double Room	115	125
Single Room	135	140

Summer Session

Bradford, Randall, Morgan, and Thomas*

Double Room	150	165
Single Room	175	190

New Residence Hall*

Double Room	200	215
Single Room	225	230

Meal Plans, Summer Session

18-Meal Plan	195	205
15-Meal Plan	185	195
10-Meal Plan	155	170

Prospector Village (monthly rate) Present Rate Proposed Rate

Married Student Apts.

1-bedroom	130	140
2-bedroom	145	155
3-bedroom	160	170
2-bedroom, furnished	175	185

Mines Park (monthly rate)

Buffet apartment	120 util.incl.	no change
1-bedroom apt.	165 " "	" "
2-bedroom apt.	200 " "	" "
2-bedroom hse (37, 38, 39)	215 " exc.water	" "
2-bedroom hse (25, 26, 27, 28)	255 " exc.water	" "
2-bedroom hse (30, 31, 34, 35)	205 + utilities	" "
3-bedroom hse	220+ utilities	" "

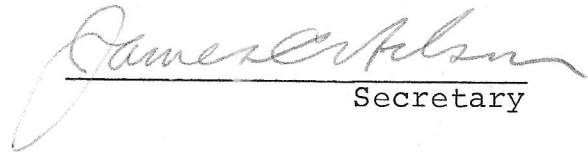
Residents are not responsible for irrigation of yards.

* Dorm residents must choose either the 5-day 15-meal plan or the 6-day 18-meal plan.

RECORD OF PROCEEDINGS

8

The meeting adjourned at 3:30 p.m.


Secretary

May 10, 1979

RECORD OF PROCEEDINGS

Golden, Colorado
June 8, 1979

The Board of Trustees met in regular session at 9:00 a.m., June 8, in the Board Room.

Present: Messrs. Fogarty, Pascoe, Schwartzberg, and Stockmar. Mr. Coors entered the meeting later as noted.

Absent: Messrs. Grynberg, Ruehle, and Wilson.

President McBride presided.

Also attending the meeting were Vice Presidents Gary, Scott, and Welles, various staff members, guests, and a representative of the press.

Previous Minutes. The minutes of the meeting held on May 10, 1979 were approved as distributed.

Faculty Appointments. Dr. Gary reviewed the new appointments to the faculty as follows:

James J. Havalin	\$16,500
Assistant Professor of Mathematics	
Harold D. Taylor	17,000
Assistant Professor of Mathematics	
Michael S. Nyikos	30,500
Dean of Students and Assistant Professor of Humanities and Social Sciences	

Mr. Coors entered the meeting at this time

Election of Officers. President McBride stated that in accordance with CRS 23-41-108 (1973) and the bylaws of the Board, election of officers is scheduled for the June meeting of the odd-numbered year and that the chair would accept nominations.

Mr. Stockmar stated that he is not a candidate to succeed himself in the office of President.

Nominations were made, seconded, and the following officers were unanimously elected:

W. K. Coors, President
Fred R. Schwartzberg, Vice President
James C. Wilson, Secretary
Monte Pascoe, Assistant Secretary
Gordon Scott, Treasurer
Ted Stockmar, Assistant Treasurer

RECORD OF PROCEEDINGS

2

Monthly Financial Reports. Mr. Scott made available copies of the CSM Investment Summary as of June 5, 1979; the Consolidated Board Report as of April 30, 1979; the Monthly Budget Report as of May 31, 1979; and the CERI Budget Report as of May 31, 1979. He also distributed copies of a "Comparison of 1978-79 Appropriation and Estimate to 1979-80 Long Bill." President McBride stated that with the Board's approval he wished to request of the CCHE immediate 100 percent allocation of our capital outlay funds. It was explained that in 1979-80 for the first time the General Assembly had appropriated all capital outlay funds to CCHE. The Board approved the request.

Mr. Scott also distributed copies of the current "Schedule of Estimated Cash Requirements" showing projects and available resources.

Admissions Report. Mr. Young reviewed the status of our admissions totals as of this time and stated that as of May 29 we have "closed" enrollment of new freshman students. Transfer students will continue to be accepted for another week or two. He stated he is notifying students applying after that date that enrollment is closed but that their names will be kept on a waiting list. Mr. Young said that based on historical data, the present number of accepted students will result in a new freshman class of 500-515 students.

All agreed that the higher tuition established by the Legislature may have an adverse effect on enrollment of accepted students.

Security Clearance. President McBride stated that in order to comply with federal security requirements a new resolution must be adopted every time there is a change in Board membership.

Upon motion made, seconded, and passed, the following resolution was adopted:

Be it resolved by the Board of Trustees of the Colorado School of Mines that those persons occupying the following positions at the Colorado School of Mines shall be known as Managerial Group as described in the Industrial Security Manual for Safeguarding Classified Information,

Guy T. McBride, Jr.	President
James H. Gary	Vice President for Academic Affairs
W. Gordon Scott	Vice President for Business Affairs
William D. Copeland	Dean of the Graduate School
John O. Golden	Director of Research and Development

That the President and the other members of the Managerial Group currently hold, have been processed, or will be processed for a personal security clearance for access to classified information to the level of the facility clearance granted to this institution as provided for in the aforementioned Industrial Security Manual.

RECORD OF PROCEEDINGS

3

That the said Managerial Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the Department of Defense or User Agencies of its Industrial Security Program awarded to the Colorado School of Mines.

That the following named officers and members of the Board of Trustees and Colorado School of Mines administrative officers shall not require, shall not have, and can be effectively excluded from, access to all positions that would enable them to affect adversely the policies and practices of the University in the performance of classified contracts for the Department of Defense or User Agencies of its Industrial Security Program, awarded to the Colorado School of Mines, and need not be processed for personnel security clearance.

Officers - CSM Trustees

W. K. Coors	President
Fred R. Schwartzberg	Vice President
James C. Wilson	Secretary

CSM Trustees

Ted Stockmar - Suite 1800, 1700 Broadway,
Denver, CO 80290

Charles F. Fogarty-Texasgulf Inc., High Ridge
Park, Stamford, CT 06904

Monte Pascoe - Suite 2000, 1700 Broadway,
Denver, CO 80290

Fred R. Schwartzberg-6470 East Bates, Denver,
CO 80222

Steven Ruehle - 5594 E. Jefferson Avenue,
Denver, CO 80237

*Douglas R. Aab 500 1/2 18th Street, Golden,
CO 80401

CSM Administrative Officers

John G. Welles - Vice President for Institutional
Planning and Development

* Student Trustee Designate - to replace Steven Ruehle
July 1, 1979.

Administrative Reorganization. President McBride had made available by mail to the Board members a memorandum dated May 30, 1979 setting forth some changes in the administrative organization chart whereby certain areas of responsibility are shifted from one officer to another. The matter was deferred pending an executive session.

Interim Warrants. Mr. Scott introduced Mr. Dunn Krahl, General Partner with Boettcher and Company. That company is prepared to issue anticipation warrants in the total amount of \$4,525,000 as discussed at the May 10 meeting.

RECORD OF PROCEEDINGS

Mr. Krahl advised issuing the warrants in July rather than later in view of expected higher interest rates, and he presented a proposal to this end. The contract presented by Boettcher and Company carries interest rate at 5.75 per annum, with warrants to mature on July 1, 1981.

Upon motion made, seconded, and passed, the contract was approved for signature by Mr. Coors and Mr. Pascoe as President and Assistant Secretary, respectively.

Tuition and Fees. Mr. Scott presented a schedule of tuition and fees for 1979-80 based on the latest figures received from the legislative session. He asked for approval of this schedule, or this schedule adjusted to the mandated figures, in order to prepare for summer sessions.

Upon motion made, seconded, and passed, the Board approved the following rates, effective July 1, 1979:

TUITION

Student Load <u>Semester Hours</u>	Undergraduate		Graduate	
	Res.	Nonres.	Res.	Nonres.
23.0	\$467	\$2,446	\$484	\$2,560
22.5	455	2,385	472	2,496
22.0	443	2,324	460	2,432
21.5	431	2,263	448	2,368
21.0	419	2,202	436	2,304
20.5	407	2,141	424	2,240
20.0	395	2,080	412	2,176
19.5	383	2,019	400	2,112
19.0	371	1,958	388	2,048
18.5	359	1,897	376	1,984
9.5 - 18.0	347	1,836	364	1,920
8.5 - 9.0	207	1,098	216	1,152
7.5 - 8.0	184	976	192	1,024
6.5 - 7.0	161	854	168	896
5.5 - 6.0	138	732	144	768
4.5 - 5.0	115	610	120	640
3.5 - 4.0	92	488	96	512
2.5 - 3.0	69	366	72	384
1.5 - 2.0	46	244	48	256
.5 - 1.0	23	122	24	128

FEES

*Health and Accident	\$ 57.00
Associated Students	13.25
Athletic	15.00
Student Center	30.00
Total	\$115.25/Sem

Orientation, New Stu \$ 3.50

Summer Session Field Courses

Tuition, 6 weeks	\$138	\$ 732	\$144	\$ 768
**Hlth. & Acc. Fee, on-campus	\$ 5.00			
Stu. Ctr., on-campus	11.50			

Summer Session Academic Courses

Tuition, same as reg. academic sem.	
**Health & Accident Fee	\$ 8.00
Student Center Fee	15.00

RECORD OF PROCEEDINGS

Mandatory Accident Ins.
Mining 318, semester \$ 5.00

Intensive English Course
Tuition, 11 weeks
**Health & Accident Fee \$ 12.00
Student Center Fee 15.00
Summer Activity Fee 60.00

Undergraduate	Graduate
EN 01 \$ 976	EN 01 \$1,024
EN 02 488	EN 02 512

Graduate Sessions
Fees are the same as for undergraduate students, with the following exceptions:

Thesis Research - Summer
Tuition, Min. 3 sem/hrs.
(Tuition is same for
14 weeks as 8 weeks)
**Health & Accident Fee
14 weeks \$ 12.00
8 weeks 8.00
Stu Center Fee, if on
campus 15.00

Thesis Fees
The charges for the binding of theses have been incorporated into the graduation fee, and a separate charge will no longer be made.

Graduation Fees
Bachelors \$ 20.00
Professional Engineers 60.00
Masters 100.00
Doctors 100.00

*The insurance portion of this fee (\$43) may be waived under certain conditions. See subsection entitled "Student Health Program" in the General Catalog.

**Infirmery services only. Insurance available only on an entire summer basis, cost \$30.

President McBride reported that the School has set aside \$30,000 to be used for grants, with moral obligation to repay, to nonresident students to assist in payment of their greatly increased tuition this next year only.

Earth Mechanics Institute Building. Mr. Scott reviewed the situation with regard to the planned building for "dirty" research, saying that it had been expected to be erected and owned by the CSM Building Corporation. Difficulties are now being foreseen because of new federal regulations prohibiting direct contract research charges of rent for research space if the ultimate beneficiary of the rental payments is the contracting institution. Dr. John Golden, Office of Research Services, had prepared a memorandum listing possible alternatives.

After some discussion, Mr. Coors and Mr. Stockmar agreed to explore possibility of contracting with an outside firm to build the structure on a lease arrangement with the School.

RECORD OF PROCEEDINGS

6

Wild Horse Park. Mr. Scott stated that the School has had an offer on the remaining 1399 acres owned by the School in the Wild Horse Park area. He stated the School has no further use of this land and recommended sale.

Upon motion made, seconded, and passed, the Board adopted the following resolution:

WHEREAS the property remaining of the Wild Horse Park property, located in Townships 18 and 19 of Pueblo County, Colorado, is no longer considered necessary for School purposes, and

WHEREAS this board has previously authorized a testing of the marketability of this property, and

WHEREAS a buyer has come forward with an offer which represents a fair offer in the opinion of this board: Therefore be it

RESOLVED, That this board formally authorizes a contract to be executed with Mr. Zavisland, leasing the property to him for one year for \$14,700 and granting him an option to purchase the property at any time during the lease year for \$210,000, with the normal stated conditions, including the reservation of all geothermal and mineral rights, specifically reserving the right to conduct surface mining activities.

ATO Lot. Mr. Scott reported that the ATO representative, Mr. John Beers, had presented a request to retain the option to buy Lot 2 on Fraternity Row. Mr. Beers addressed the Board, saying that the fraternity will not know until court condemnation proceedings in September how much money it will have to spend on the structure proposed to be built on the Fraternity Row lot and that possibly the fraternity will then find it necessary to ask the Board to modify the restrictions on the proposed structure.

After some discussion, it was agreed to renew the option to ATO for a six-month period at the agreed price of \$6,500 to buy Lot 2, Fraternity Row, with condition that the matter be reviewed at the time of the December 1979 Board meeting, with the possibility of another six-month option to buy. It was stated that ATO should not expect or plan for any change in the restrictions applying to the use of the lot if purchased.

Mining Hall of Fame. Mr. Stockmar reported that he had received from the Attorney General a revised form of option to lease to be executed with the sponsors of the Mining Hall of Fame for the old surveying land west of Highway 6. He asked for Board authorization to write the option to give the Board significant control over the conditions under which the School will lease the land to the sponsoring group. (Clean copy of the draft option to lease as presented to the Board is attached to these minutes.)

Upon motion made, seconded, and passed, Mr. Stockmar was empowered to write the lease.

June 8, 1979

RECORD OF PROCEEDINGS


7

Reports: Environmental Science and Resource Communications Center. Dr. Beatrice Willard and Dr. Albert Burke reported on the work being done by their divisions.

The meeting recessed for executive session after which the following action was taken.

Administrative Reorganization. Upon motion made, seconded, and passed, the Board approved the reorganization of the School internal administrative structure in the form presented to the meeting dated 5/30/79.

The meeting adjourned at 12:30 p.m.


Assistant Secretary

REAL PROPERTY LEASE

THIS LEASE, made this ____ day of _____, 19__, is between the Board of Trustees of the Colorado School of Mines ("Mines") as lessor, and The National Mining Hall of Fame and Museum, a Colorado nonprofit corporation ("Museum") as lessee.

1. Grant of Lease. In consideration of the mutual promises contained herein, Mines hereby leases to Museum and Museum hereby rents from Mines, the real property described in Exhibit A attached hereto and made a part hereof (the "Premises"), subject to all easements and encumbrances of record on the date of this lease. Mines and Museum mutually covenant and agree to perform all of their respective obligations hereunder.

2. Term. The term of this lease shall extend for 75 years from the date of this lease, unless sooner terminated in accordance with the provisions of this agreement.

3. Rent. During the term of this lease, Museum shall pay Mines, in advance, rental in the amount of \$1.00 per year due on or before each anniversary date of this lease.

4. Taxes and Assessments. Museum shall promptly pay when due all taxes, special ^{SP}imprivement and other assessments (ordinary and extraordinary), duties, charges and fees now or hereafter imposed or levied by any governmental or public authority on the Premises or any improvements located thereon, or which arise in connection with the use, occupancy or possession of the Premises.

5. Utilities. Museum shall contract in its own name for and shall promptly pay all charges for gas electrical power, water, sewer and other utility services delivered to or used on the Premises.

6. Permits. Museum, at its sole cost and expense, shall procure every permit, license, certificate or other authorization required in connection with the lawful and proper use of the Premises, and the construction, repair, maintenance or alteration of improvements thereon.

7. Insurance. Museum shall, at its own cost and expense:

a. Keep all improvements located on the Premises (including all improvements in the process of alteration, repair or construction) insured against loss or damage by fire and so-called extended coverage perils, in an amount not less than 80% of their current replacement cost. In addition, during the period of construction of improvements, Museum shall insure the Premises against other perils customarily covered under a builder's risk policy.

b. Provide and keep in force general public liability and property damage insurance against claims for bodily injury or death or property damage occurring upon the Premises. The policy limits, at a minimum, shall be \$500,000 with respect to bodily injury or death to any one person, \$1,000,000 for bodily injury or death to any number of persons arising out of one accident, and \$50,000 for damage to property.

c. Provide and keep in force such workmen's compensation insurance coverage as may be required by federal, state or local laws or regulations.

d. All insurance policies required hereunder shall name Mines as an additional insured. All such insurance shall be taken in reputable, responsible companies duly licensed by the Insurance Commissioner of the State of Colorado. Each policy shall provide that no cancellation thereof may be made without 20 days' prior

written notice to Mines. Museum shall not violate or permit to be violated any of the conditions or provisions of such insurance policies.

e. If Museum fails to secure and maintain the insurance required hereunder, Mines may, but shall not be required to, procure such insurance and charge the premiums therefor to Museum.

f. Museum and Mines shall cooperate with each other in the collection of insurance moneys that may become due pursuant to the policies required hereunder. Insurance proceeds received as a result of the damage or destruction of improvements located on the Premises shall be used in accordance with section 15 of this lease.

8. Maintenance and Repair.

a. Museum, at its own cost and expense, shall maintain the Premises and any improvements located thereon in constant good order and repair, ordinary wear and tear excepted. All repairs made by Museum shall be at least equal in quality to the original improvements. Museum shall keep the sidewalks, curbs, gutters and parking areas clean, free from liter, rebush, debris, snow, ice and other obstructions.

b. If Museum shall fail to promptly repair or maintain the Premises as required in section 8(a), Mines may, but shall not be obligated to, undertake the required repairs or maintenance, provided that Mines shall have given 10 days' prior written notice to Museum. Any costs incurred by Mines hereunder shall be paid by Museum within 10 days after receipt of a bill therefor.

9. Use, Waste. Museum shall use the Premises only for the purposes of constructing and operating a public mining museum and mining achievement recognition

center and necessary supporting facilities. No other use whatsoever, whether temporary or permanent, shall be permitted without the prior written consent of Mines. Museum shall not commit, suffer or permit any waste or nuisance on the premises.

10. Compliance with Law. Museum, at its cost and expense, shall promptly comply with all federal, state, county and local statutes, ordinances, rules, regulations, orders and directives which now or in the future apply to the Premises or Museum's use thereof.

11. Construction of Improvements. Prior to the execution of this lease, Mines has approved certain plans and specifications for the construction of improvements on the Premises (the "Plans"). All construction shall comply with the following requirements.

a. Improvements shall be constructed in accordance with the Plans. No material deviation from the Plans shall be permitted unless the prior written consent of Mines is obtained.

b. The general construction contract and evidence of construction financing shall be submitted to Mines for review and comment prior to commencement of construction. The construction contract shall be accompanied by a performance and payment bond in form and substance and written by a corporate surety satisfactory to Mines guaranteeing payment of all contractors, subcontractors, laborers, suppliers and materialmen. Unless Mines shall approve the financial ability of the contractor based on the present capability of such contractor and its history of performance. Such determination shall be made in good faith and Mines shall not unreasonably withhold such approval.

c. Prior to commencement and throughout the duration of any construction or other work on the Premises, Museum shall post in accordance with the then-existing mechanic's lien laws of the State of Colorado a notice of Mines' nonliability. The proposed form of notice shall be submitted to Mines for approval prior to commencement of work.

d. All work shall be done in a workmanlike manner and in compliance with applicable permits, authorizations, law, rules and regulations.

e. All construction work shall be prosecuted diligently to completion. Following completion of construction, complete as-built drawings shall be delivered to Mines.

12. Alterations. Except for displays or other nonstructural modifications, Museum shall not alter, remodel or add to any improvements located on the Premises without Mines' prior written approval. When requesting such approval, Museum shall submit to Mines complete plans and specifications for the proposed changes. This section shall not affect Museum's obligations to repair and maintain the Premises as set forth in section 8. Approved alterations shall comply with the requirements of sections 11(b) through 11(e).

13. Title to Improvements. During the term of this lease, title to all buildings, permanent improvements and fixtures installed or erected on the Premises by Museum shall be the property of Museum solely. Museum shall not remove or destroy any such improvement or fixture. Upon the expiration or sooner termination of this lease, title to all buildings, permanent improvements and fixtures located on the Premises shall immediately pass to Mines and become the sole and absolute property of Mines.

14. Liens.

a. No act of Museum shall be construed to create or give rise to any lien, mortgage or other encumbrance upon Mines' interest in the Premises or this lease. Should Museum cause any labor to be performed or material to be furnished on or in the Premises or any improvement thereon, neither Mines nor Mines' interest in the Premises shall under any circumstances be liable for payment of any expenses incurred or for the value of any work done or material furnished. Museum shall be solely responsible to any person furnishing or performing such labor and material.

b. Museum shall not create, suffer or permit any lien or encumbrance on the Premises or any improvements located thereon. If any such lien or encumbrance is filed, Museum at its sole cost and expense shall cause the same to be cancelled and discharged of record within 30 days after Museum receives notice of filing, or Museum may contest any such lien provided that Museum places in escrow or files with the court which has jurisdiction over the lien action funds in an amount sufficient to discharge such lien.

c. Museum shall not pledge, hypothecate, grant a security interest, or in any manner encumber its interest in this lease.

15. Damage or Destruction.

a. In case of damage to or destruction of the Premises or any improvement located thereon by any cause whatever, Museum shall give Mines prompt notice of such occurrence and shall promptly proceed with all due diligence at Museum's sole expense to repair, restore or rebuild improvements of substantially the same kind and value. All insurance proceeds available as a result of such loss shall be paid to Museum and shall be applied to repair, restoration or rebuilding.

b. Before beginning such repair or rebuilding or letting of contract in connection therewith, Museum shall submit for Mines' approval complete plans and specifications for the work to be done. All work shall comply with the requirements of sections 11(a) through 11(e).

c. If 60% or more of the square feet contained in all structures on the Premises are rendered unusable by such occurrence, either Museum or Mines may terminate this lease by giving written notice to the other party within 30 days after the occurrence. In such event, Museum shall have no obligation to repair or rebuild. If so requested by Mines promptly after such termination, Museum at its expense shall demolish all structures on the Premises, grade the surface and deliver the Premises to Mines free from all rubbish and debris. All insurance proceeds payable under policies obtained pursuant to Section 7(a) shall be applied first to repay Museum for the cost of demolition. Any remaining proceeds shall be paid to Mines.

16. Condemnation.

a. If all or any portion of the Premises is taken by exercise of the power of eminent domain or right of condemnation, this lease shall automatically terminate as of the date possession is granted to the condemning authority. The award shall be apportioned between Mines and Museum on the basis of the respective values of the land and the improvements.

b. Museum in cooperation with Mines shall have the right to participate in any condemnation proceeding for the purpose of protecting Museum's interests as lessee hereunder. Each party shall have sole direction of that portion of the litigation which solely affects that party's interests.

17. Withdrawal. If, after the initial five-year period during this lease any portion of the Premises is not actively used by Museum, and such portion is not included