

DOCKET

BOARD OF VISITORS

University of Virginia

Regular Meeting

June 12, 2009

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JUNE 12, 2009

CONSENT ITEMS

1. APPROVAL OF PERMANENT EASEMENT FOR DOMINION VIRGINIA POWER ACROSS UNIVERSITY OF VIRGINIA PROPERTY LOCATED ON THE WEST SIDE OF THE ROUTE 29/250 BYPASS ADJACENT TO ST. ANNE'S BELFIELD SCHOOL

(approved by the Buildings and Grounds Committee on June 12, 2009)

RESOLVED, that the grant of a permanent easement in the approximate location shown on that certain plat entitled "Plat to Accompany Right-of-Way Agreement" Charlottesville District, Jack Jouett T.D., Plat Number 80090014, Grid Number F2326, Dated March 30, 2009 (the "Plat"), to Dominion Virginia Power, for utilities located on property owned by The Rector and Visitors of the University of Virginia, is approved; and

RESOLVED FURTHER, that the Executive Vice President and Chief Operating Officer is authorized, on behalf of the University, to approve and execute a deed of easement and related documents, to approve revisions to the Plat (including, without limitation, revisions to change the location of the permanent easement), to incur reasonable and customary expenses, and to take such other actions as deemed necessary and appropriate to grant such permanent easement; and

RESOLVED FURTHER, that all prior acts performed by the Executive Vice President and Chief Operating Officer, and other officers and agents of the University, in connection with the grant of such permanent easement, are in all respects approved, ratified and confirmed.

2. APPROVAL OF ARCHITECT/ENGINEER SELECTION FOR THE ALDERMAN ROAD HOUSING, PHASE III

(approved by the Buildings and Grounds Committee on June 12, 2009)

RESOLVED, Ayers Saint Gross of Baltimore, Maryland is approved for the performance of design/build architectural and engineering services for the Alderman Road Housing, Phase III.

ACTION ITEMS

3. APPROVAL OF THE AUDIT SCHEDULE FOR FISCAL YEAR 2009-2010

(approved by the Audit and Compliance Committee on June 11, 2009)

RESOLVED, the Audit Schedule for Fiscal Year 2009-2010 is approved as recommended by the Audit and Compliance Committee.

4. APPROVAL OF PROJECT BUDGET REVIEW, ITC DATA CENTER

(approved by the Finance Committee on June 11, 2009, and by the Buildings and Grounds Committee on June 12, 2009)

RESOLVED, that after further study, an increase to the ITC Data Center project of \$1,739,000, bringing the total project budget to \$14,800,000, is approved.

5. APPROVAL OF SCHEMATIC DESIGN, PRIMARY CARE CENTER ANNEX-MEDICAL OFFICE BUILDING

(approved by the Buildings and Grounds Committee on June 12, 2009)

RESOLVED, the schematic design, dated June 12, 2009, and prepared by Train and Partners, Charlottesville, in conjunction with the Architect for the University and others, for the Primary Care Center Annex-Medical Office Building, is approved for further development and construction.

6. APPROVAL TO ESTABLISH A SECOND LINDEN KENT MEMORIAL PROFESSORSHIP IN ENGLISH LITERATURE

(approved by the External Affairs Committee on June 12, 2009)

WHEREAS, the Linden Kent Memorial Professorship in English Literature was established in 1893 with funds given by Leila M. White in honor of her late husband Linden Kent (Law 1870); and

WHEREAS, there is a need for additional endowed chairs in the Department of English; and

WHEREAS, the income generated by the Linden Kent endowment and the Linden Kent quasi-endowment is sufficient to fund two chairs; and

WHEREAS, all restrictions found in the original agreement apply to the second Linden Kent Memorial Professorship;

RESOLVED, the Board of Visitors approves the establishment of a second Linden Kent Memorial Professorship in English Literature.

7. APPROVAL OF THE 2009-2010 OPERATING BUDGET AND ANNUAL RENOVATION AND INFRASTRUCTURE PLAN FOR THE ACADEMIC DIVISION

(approved by the Finance Committee on June 11, 2009)

RESOLVED, the 2009-2010 Operating Budget and Annual Renovation and Infrastructure Plan for the Academic Division is approved, as recommended by the President and the Chief Financial Officer.

8. APPROVAL OF THE 2009-2010 OPERATING BUDGET FOR THE UNIVERSITY OF VIRGINIA'S COLLEGE AT WISE

(approved by the Finance Committee on June 11, 2009)

RESOLVED, the 2009-2010 Operating Budget for The University of Virginia's College at Wise is approved, as recommended by the President and the Chief Financial Officer.

9. APPROVAL OF THE 2009-2010 OPERATING AND CAPITAL BUDGETS AND ANNUAL RENOVATION AND INFRASTRUCTURE PLAN FOR THE UNIVERSITY OF VIRGINIA MEDICAL CENTER

(approved by the Finance Committee on June 11, 2009)

RESOLVED, the 2009-2010 Operating and Capital Budget and the Annual Renovation and Infrastructure Plan for the University of Virginia Medical Center is approved, as recommended by the President, the Chief Financial Officer, and the Medical Center Operating Board.

10. APPROVAL OF PRATT FUND DISTRIBUTION FOR 2009-2010

(approved by the Finance Committee on June 11, 2009)

RESOLVED, the budget for the expenditure of funds from the Estate of John Lee Pratt be approved to supplement appropriations made by the Commonwealth of Virginia for the School of Medicine and the Departments of Biology, Chemistry, Mathematics and Physics in the College of Arts and Sciences. Departmental allocations, not to exceed \$5,000,000 for 2009-2010, are suggested by the department chairs and recommended by the dean of each school. To the extent the annual income from the endowment is not adequate to meet the recommended distribution, the principal of the endowment will be disinvested to provide funds for the approved budgets.

11. AUTHORIZATION OF AND INTENT TO ISSUE TAX-EXEMPT DEBT

(approved by the Finance Committee on June 11, 2009)

WHEREAS, the University intends to undertake certain capital projects identified below (whether one or more, the "Projects"), and to finance the Projects through the issuance of tax-exempt debt, in the maximum principal amount stated below for each of the Projects:

ACADEMIC DIVISION

Bavaro Hall—\$10,000,000; and

WHEREAS, the University further intends to expend funds on the Projects and to reimburse such expenditures from the proceeds of the tax-exempt debt; and

WHEREAS, to comply with the Internal Revenue Code of 1986, as amended, and Section 1.150-2 of the Income Tax Regulations (the "Regulations"), it is necessary, in order to reimburse such expenditures incurred prior to the issuance of the tax-exempt debt with the proceeds of such debt, that the University declare its official intent to make such a reimbursement of expenditures;

RESOLVED, that debt may be issued for each of the Projects on a short-term basis, but only if the following conditions are met:

1. A comprehensive and detailed financial plan for each of the Projects is submitted to and approved by the Capital Outlay Executive Review Committee;
2. Short-term debt shall not exceed eighty-four (84) months in maturity; and
3. A school or unit shall remain responsible for repaying any debt obligation incurred regardless of the status of such school or unit's Project; and

RESOLVED FURTHER, the Board of Visitors of the University of Virginia declares its intent to expend funds on the Projects and to reimburse such expenditures from the proceeds of tax-exempt debt, in accordance with the following:

1. This resolution is a declaration of official intent for purposes of Section 1.150-2 of the Regulations; and
2. The University reasonably expects to issue tax-exempt debt for each of the Projects in the maximum principal amount stated in the recitals above.

12. RECOMMENDATION REGARDING FISCAL YEAR 2010 MEDICAL CENTER OPERATING AND CAPITAL BUDGETS

(approved by the Medical Center Operating Board on June 11, 2009)

WHEREAS, the Medical Center Operating Board has reviewed the Fiscal Year 2010 Medical Center operating and capital budgets;

RESOLVED, the Medical Center Operating Board endorses and recommends to the Finance Committee and to the Board of Visitors approval of the Fiscal Year 2010 Medical Center operating and capital budgets.

**13. AMENDMENT TO THE MANUAL OF THE BOARD OF VISITORS
REMOVING FROM THE ANNUAL MEETING PROVISIONS
CONSIDERATION AND APPROVAL OF THE ANNUAL BUDGET**

WHEREAS, Code Of Virginia, section 23-74, requires the Board of Visitors to hold one regular meeting a year at the University, known as the Annual Meeting; and

WHEREAS, Code of Virginia, section 23-75, states that the Board shall appoint an executive committee at the regular annual meeting but does not specify other actions which must be taken at this meeting; and

WHEREAS, the 2004 edition of the Manual of the Board of Visitors section 2.31, requires the Board to consider and approve the annual budget among other actions, including the election of the executive committee, at the Annual Meeting; and

WHEREAS, annually the Board sets the date of the Annual Meeting for the following year; and

WHEREAS, although for some years the designated Annual Meeting of the Board was the meeting held in late May or early June, because of the change in appointment date for new Board members from March 1 to July 1, at the June 13, 2008 Board meeting the Fall 2009 meeting was designated the Annual Meeting; and

WHEREAS, the annual budget must be approved prior to the beginning of the fiscal year, which is July 1;

RESOLVED, the 2004 edition of the Manual of the Board of Visitors section 2.31 is amended to remove the requirement of consideration and approval of the annual budget at the Annual Meeting.

14. APPROVAL OF ENROLLMENT PROJECTIONS 2009 - 2015

(approved by the Committee on The University of Virginia's College at Wise on June 11, 2009)

WHEREAS, The University of Virginia's College at Wise is committed to the managed growth of its student body; and

WHEREAS, The University of Virginia's College at Wise is committed to recruiting and retaining an academically talented and diverse student body.

RESOLVED, the proposed enrollment projections for The University of Virginia's College at Wise for the fall 2009 through the fall 2015 is approved:

<u>Term</u>	<u>Total Headcount</u>
Fall 2009	1,974
Fall 2010	1,984
Fall 2011	1,994
Fall 2012	2,004
Fall 2013	2,014
Fall 2014	2,024
Fall 2015	2,034

15. APPROVAL OF THE RESERVE OFFICER TRAINING CORPS (ROTC) PROGRAM AT THE UNIVERSITY OF VIRGINIA'S COLLEGE AT WISE

(approved by the Committee on The University of Virginia's College at Wise on June 11, 2009)

WHEREAS, Reserve Officer Training Corps (ROTC) Programs produce the majority of the U.S. Army's commissioned officers; and

WHEREAS, The University of Virginia's College at Wise is the only public institution in the Commonwealth of Virginia that does not provide students the opportunity to participate in ROTC; and

WHEREAS, significant interest exists among the Wise College students for ROTC; and

WHEREAS, East Tennessee State University and the Virginia Army National Guard have agreed to provide personnel for an ROTC Program at The University of Virginia's College at Wise;

RESOLVED, the initiation of an ROTC Program beginning in the fall of 2009 at The University of Virginia's College at Wise is approved.