

Shawnee State University

Digital Commons @ Shawnee State University

Minutes of the Board of Trustees Meetings

Board of Trustees

10-17-1988

October 17, 1988 Meeting Minutes

Shawnee State University

Follow this and additional works at: <https://digitalcommons.shawnee.edu/botmeetings>

Recommended Citation

Shawnee State University, "October 17, 1988 Meeting Minutes" (1988). *Minutes of the Board of Trustees Meetings*. 306.

<https://digitalcommons.shawnee.edu/botmeetings/306>

This Board of Trustee Minutes is brought to you for free and open access by the Board of Trustees at Digital Commons @ Shawnee State University. It has been accepted for inclusion in Minutes of the Board of Trustees Meetings by an authorized administrator of Digital Commons @ Shawnee State University. For more information, please contact svarney@shawnee.edu.

MINUTES
BOARD OF TRUSTEES MEETING
OCTOBER 17, 1988

The meeting was called to order by Chairman Hyland.

Roll Call

Members Present: Ms. Riffe, Mr. Reinhardt, Mr. Piatt, Mr. Ferguson,
Mr. Thompson, Mr. Winters, Dr. Carson, Mr. Hyland

Members Absent: None

Approval of Minutes

Mr. Ferguson moved and Mr. Thompson seconded a motion to approve the minutes of the September 19, 1988 Board meeting.

Ayes: Mr. Ferguson, Mr. Thompson, Ms. Riffe, Mr. Reinhardt, Mr. Piatt,
Mr. Winters, Dr. Carson, Mr. Hyland

Nays: None

Approval of Amended Agenda

Ms. Riffe moved and Mr. Thompson seconded a motion to approve the amended agenda for October 17, 1988 meeting.

Ayes: Ms. Riffe, Mr. Thompson, Mr. Ferguson, Mr. Reinhardt, Mr. Piatt,
Mr. Winters, Dr. Carson, Mr. Hyland

Nays: None

President's Report

Dr. Ewigleben asked Dr. Addington, Neil Hawk, and Dick Howard to speak to the Board.

Dr. Addington asked Dr. Kadel, Dean of Allied Health Programs, to speak concerning Allied Health Programs. Dr. Kadel stated that comprehensive reviews with plans of where they want to be in the next five years have been completed. Copies will be distributed to Board members and advisory committee members next month. The Advisory Committee and Dr. Kadel are interested to see if their plans and the University plans for the next five to ten years match. He hopes other university program areas will follow suit and review their own programs.

Every five years an on site visit for accreditation purposes for the ADN program is held. This was completed last week and the exit interview indicated a very good review. Dr. Kadel feels that the written report and recommendations will be very favorable.

Dr. Kadel noted that there is a crisis in the field of nursing because several other Ohio colleges and universities have large numbers of nursing students who failed their state board examination and created a shortage to fill job vacancies. Dr. Kadel stated that 100% of Shawnee State's nursing students passed their exams.

Announcement was made that an open house for the new Allied Health facilities will be held prior the the Board meeting in November. This will be open to the public and refreshments will be served.

Dr. Addington stated that Shawnee State is seeking international visibility. He introduced Dr. Hagop Pambookian, who this summer attended a conference sponsored by the Ohio Humanities Council and the National Convention of the Armenian General Benevolent Union, of which he is a past chapter president. One of Dr. Pambookian's interests is promoting international student relations. Later in this meeting the Board will be requested to approve submission of an application for grant funding to support a program for Educators for International Understanding.

Neil Hawk gave an update report of capital projects. The boiler project, changing the heating system from coal to natural gas, has been completed. All EPA, state, federal, and local officials have been notified, and the system is in working order.

Property included in Phase I of the land acquisition planning is complete with the exception of one piece of property. There is a pre-trial hearing on October 19, 1988 and a court hearing set for November 7, 1988 if the case is not settled at pre-trial.

In Phase II, all but two property owners have met with officials of the University concerning the acquisition of their property. Printed information explaining the process of land acquisition, provided by the Ohio Attorney General's office, was sent to property owners prior to the meeting. Most of the usual and customary questions were answered in this literature, and the meetings went well and were short. Two parcels in Phase II have been purchased and another one should be finalized by the end of this week.

The renovation work on the Riffe Building has been delayed. A plan for combining the renovation of this building with the planning of the new Advanced Technology building is being proposed to get the best use of the facilities.

A short list of architects was received from the State to offer plans for the new University Student Center. A selection committee narrowed this list to three. The top three firms met with the Buildings and Grounds Committee, and later in this meeting a resolution will be presented for approval of an architect for this project.

Also later in this meeting, approval of a Housing Commission per the Ohio Revised Code will be requested as well as approval for investment of funds in a money market account to keep monies liquid.

Mr. Howard reported that the University has straight line enrollment fall quarter; Dr. Crabtree is completing his Student Needs assessment; Mary Beaumont is continuing the self study of needs of handicapped students; and the student services staff have visited, for recruiting purposes, many of the high schools in the service area.

Later in the meeting a revised policy for appointment of students to serve on the Board of Trustees will be presented for approval.

Committee Reports

The Policies and Procedures Committee had no report.

Mr. Reinhardt reported that the Buildings and Grounds Committee had met with the three architectural firms that were chosen by the Architectural Selection Committee. He stated that his committee was impressed with the work of the selection committee, and he felt that all three of the firms had the ability to do a good job with the architectural plans for the University Student Center. He asked Dr. Gleason to speak to the process of the selection of the architectural firm for the University.

Dr. Gleason stated that the names of eight firms were on the short list submitted to the University by the State Architects' Office. The list was narrowed to four by the selection committee, these four firms were interviewed, and committee members visited sites of buildings that the architects have designed. Many questions were asked, and the field was narrowed to three and listed in order of preference.

No information was given to the Buildings and Grounds Committee before they met with the three architectural firms being considered for design of the new University Center. The Buildings and Grounds Committee agreed with the selection of a top candidate and this firm will be offered for approval at this meeting.

The same process of architect selection was used to select an architectural firm for the Advanced Technology Building. The process will be used again and each time refinements will be made.

New Business

Dr. Addington spoke to Resolution 42-88, Approval of Grant Applications. The University is requesting permission to submit a grant to the Scioto Area Foundation for funds to promote a project in conjunction with the Scioto County and Portsmouth City Schools to send teams of instructors to Mexico and to produce a slide show to be shown to local students and civic organizations to promote the Sister City Convention to be held in the Portsmouth area next year. The educators will continue as resource persons in the schools.

Mr. Ferguson moved and Mr. Thompson seconded a motion to approve Resolution 42-88.

Ayes: Mr. Ferguson, Mr. Thompson, Ms. Riffe, Mr. Reinhardt, Mr. Piatt, Mr. Winters, Dr. Carson, Mr. Hyland

Nays: None

Dr. Carson moved and Mr. Reinhardt seconded a motion to approve Resolution 43-88, appointment of Mr. Tom Reynolds as a new member to the Shawnee State University Development Foundation.

Ayes: Dr. Carson, Mr. Reinhardt, Mr. Ferguson, Mr. Thompson, Ms. Riffe, Mr. Piatt, Mr. Winters, Dr. Carson, Mr. Hyland.

Nays: None

Dr. Ewigleben spoke to Resolution 44-88, Approval of Housing Commission. The Ohio Board of Regents has recommended changes in their policy concerning enrollment and housing. Regulatory enrollment has been enforced in the past, and the building of new facilities to house students has been restricted. The new policy recommends no restrictions on enrollment and promotes the building of new housing facilities. These changes have come about very quickly and the University is faced with complying with the Ohio Revised Code to form a Housing Commission. Dr. Ewigleben stated he feels Shawee State will not profit from this change in strategy.

The resolution was not moved and will be studied further. Mr. Hyland appointed Mr. Winters and Mr. Thompson to serve as an ad hoc committee to do the study.

Resolution 45-88 approves short term investments so as to maintain a flow of funds for immediate needs. After discussion Dr. Carson moved and Mr. Ferguson seconded a motion to adopt this resolution.

Ayes: Dr. Carson, Mr. Ferguson, Mr. Thompson, Ms. Riffe, Mr. Piatt, Mr. Reinhardt, Mr. Hyland

Nays: Winters

Mr. Howard addressed Resolution 17-88, approval of procedures to select students to serve on the Board of Trustees. Last spring quarter this resolution was brought to the Board and was tabled. Two areas of concern for Board members were part time students being excluded as members of trustees and the low G.P.A. requirement. The new procedures plan states that all students are eligible to become trustees and removed the GPA requirement.

After discussion Mr. Howard assured Board members that he feels the procedures were good and that we must have faith in the students' ability to make choices.

Dr. Carson moved and Mr. Winters seconded a motion to adopt Resolution 17-88.

Ayes: Dr. Carson, Mr. Winters, Ms. Riffe, Mr. Piatt, Mr. Reinhardt,
Mr. Thompson, Mr. Ferguson, Mr. Hyland

Nays: None

Dr. Ewigleben asked that Resolution 45-88 be rescinded. The contract goes beyond the needs of the University and a new contract for handling investments will be requested.

Ms. Riffe moved and Dr. Carson seconded a motion to rescind Resolution 45-88.

Ayes: Ms. Riffe, Dr. Carson, Mr. Thompson, Mr. Ferguson, Mr. Reinhardt,
Mr. Piatt, Mr. Winters, Mr. Hyland

Nays: None

Mr. Winters stated that he would like to have an opportunity to study the report regarding selection of an architectural firm to design the University Center, so therefore,

Mr. Winters moved and Dr. Carson seconded a motion to table Resolution 46 88, approval of Architectural Firm.

Ayes: Mr. Winters, Dr. Carson, Ms. Riffe, Mr. Reinhardt, Mr. Ferguson,
Mr. Thompson, Mr. Hyland

Nays: Mr. Piatt

Other Business

Mr. Hyland announced that the consultants on Presidential Search will be on campus Thursday, October 20 and Friday, October 21, for meetings with the Search Committee, faculty and administrators.

Dr. Carson moved and Mr. Thompson seconded a motion to move into executive session for the purpose of discussing CWA negotiations.

Ayes: Dr. Carson, Mr. Thompson, Mr. Winters, Ms. Riffe, Mr. Reinhardt,
Mr. Ferguson, Mr. Piatt, Mr. Hyland

Nays: None

The Board went into executive session at 8:50 P.M.

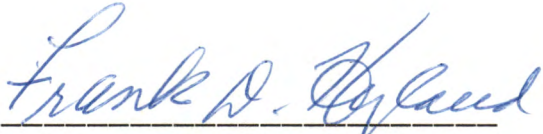
The meeting was reconvened at 9:43 P.M.

Mr. Hyland mentioned the idea that the Board could consider meeting on Friday evenings and Saturday, a schedule which might help out-of-town members. Friday evenings could be used to review materials or schedule committee meetings. The Board organization meeting in January would be a logical time to consider this issue.


Dr. Ewigleben announced that all state university trustees would be invited on November 16, to an afternoon budget strategy and planning session at John Galbreath's Columbus estate, followed by an early evening reception for Speaker Riffe and Governor Celeste. Formal invitations will be sent soon.

Adjournment

There being no further business the meeting was adjourned with a unanimous aye voice vote.



Chairman, Board of Trustees



Secretary, Board of Trustees

**AGENDA
SHAWNEE STATE UNIVERSITY
OCTOBER 17, 1988
7:30 P.M.**

- A. Call to Order**
- B. Roll Call**
- C. Approval of September 19, 1988 Board Minutes**
- D. Approval of October 17, 1988 Board Agenda**
- E. President's Report**
- F. Committee Reports**
- G. New Business**
 - Resolution 42-88 Grant Approval Requests**
 - Resolution 43-88 Approval of New Member to University
Development Foundation**
- H. Other Business**
- I. Adjournment**

RESOLUTION 42-88

Two grant proposals requesting funds from the Scioto County Area Foundation have been written and permission to submit these grants is being requested:

- (1) A grant for funds to supplement the Adult Basic Education Program (BASICS), (this is a non-matching fund grant), and
- (2) A grant proposal for support of a program for Educators for International Understanding, (this grant requires \$2500 in matching funds.)

Therefore, be it resolved that the Board of Trustees of Shawnee State University approves the submission of these grants.

RESOLUTION 43-88

The Shawnee State Development Foundation has brought before the Board of Trustees the name of Tom Reynolds as a proposed new member of this group, completing the number of members to thirteen as specified in the by-laws of the Foundation,

Therefore, be it resolved that the Board of Trustees of Shawnee State approves this appointment.

RESOLUTION 44-88

Per the Ohio Revised Code, Section 3347.01(M), the Board of Trustees of Shawnee State University acknowledges the housing commission with all duties and responsibilities so outlined by Ohio Revised Code section 3347.02 through 3347.08 (see attached).

assistance, attention, protection, advice, counsel, instruction, training, or education of an injured person, for mental anguish, or her intangible loss.

Notwithstanding any other provision of the code or rules of a court to the contrary, in an action against a state university or college to recover damages for injury, death, or loss to persons caused by an act or omission of the university or college itself, by an act or omission of a trustee, officer, or employee of the state university or college while acting within the scope of his employment or official responsibilities, or by an act or omission of any other person authorized to act on behalf of the state university or college while he was engaged in activities at the university or college, the following rules shall apply:

(1) Punitive or exemplary damages shall not be awarded.

(2) A plaintiff receives or is entitled to receive damages for injuries or loss allegedly incurred from or policies of insurance or any other source. If the benefits shall be disclosed to the court, the amount of the benefits shall be deducted from the award against the state university or college recovered by the plaintiff. No insurer or other person shall be entitled to bring a civil action under a provision in an insurance or other contract against a state university or college with respect to such benefits.

(3) If an action in this division affects or shall be constrained to limit the rights of a beneficiary under a life insurance policy or the rights of sureties under a contract of surety bonds.

(4) There shall not be any limitation on compensatory damages that represent the actual loss of the person to whom is awarded the damages. However, except in wrongful death actions brought pursuant to Article 2125. of the Revised Code, damages that result from the same cause of action, transaction or series of transactions or occurrences do not represent the actual loss of the person to whom is awarded the damages shall not exceed one hundred fifty thousand dollars in favor of any person. The limitation on damages that do not represent the actual loss of the person who is awarded the damages provided in this division does not apply to court costs that are awarded to a plaintiff or to interest on a judgment rendered in favor of a plaintiff, in an action against a state university or college.

RC § 142 v H 267. Eff 10-20-87.

Related Sections

is determined administratively, RC § 2743.10

is determined by state:

§ 3347.01 Composition.

There is hereby created:

(A) The Ohio state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Ohio state university;

(B) The Miami university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Miami university;

(C) The Central state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Central state university;

(D) The Kent state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Kent state university;

(E) The Bowling Green university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Bowling Green state university;

(F) The Ohio university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Ohio university;

(G) The Cleveland state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Cleveland state university;

(H) The university of Toledo housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of the university of Toledo;

(I) The Wright state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Wright state university;

(J) The university of Akron housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of the university of Akron;

(K) The Youngstown state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Youngstown state university;

(L) The university of Cincinnati housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of the university of Cincinnati;

(M) The Shawnee state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Shawnee state university.

*HISTORY: 141 v H 739. Eff 7-2-86.

Research Aids

CHAPTER 3347: UNIVERSITY HOUSING COMMISSIONS

Section	
3347.01	Composition.
3347.02	Compensation of members; organization of commission.
3347.03	Acquisition or use of property for housing purposes.
3347.04	Issuance of bonds or notes.
3347.05	Bonds or notes to be negotiable instruments.
3347.06	Buildings rented by commission; terms of rental.
3347.07	Rentals to be placed in separate sinking fund; use of money in fund.
[3347.07.1]	3347.071 Bonds or notes secured by a trust agreement.
3347.08	Conveyance of buildings and lands to the state.
3347.09	Leases; state not obligated.
3347.10	Authority to grant the use of lands.

§ 3347.01 Composition.

There is hereby created:

(A) The Ohio state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Ohio state university;

(B) The Miami university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Miami university;

(C) The Central state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Central state university;

(D) The Kent state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Kent state university;

(E) The Bowling Green university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Bowling Green state university;

(F) The Ohio university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Ohio university;

(G) The Cleveland state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of the Cleveland state university;

(H) The university of Toledo housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of the university of Toledo;

(I) The Wright state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Wright state university;

(J) The university of Akron housing commission, which shall consist of the chairman of the board of

trustees, the president, and the business manager of the university of Akron;

(K) The Youngstown state university housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of Youngstown state university;

(L) The university of Cincinnati housing commission, which shall consist of the chairman of the board of trustees, the president, and the business manager of the university of Cincinnati.

HISTORY: CC § 4864; 122 v 641; Bureau of Code Revision, 10-1-53; 125 v 903; 125 v 329; 129 v 582 (786)(Eff 1-10-61); 130 v Pt2, 182 (Eff 12-18-64); 131 v 837 (Eff 11-5-65); 131 v 836 (Eff 7-1-67); 132 v H 134 (Eff 8-15-67); 136 v H 744. Eff 4-8-76.

Not analogous to former RS §§ 2926a, 2926h, 2945 to 2947-2; GC §§ 4864 to 4872, repealed 113 v 307, § 234.

Cross-References to Related Sections

Designation of agencies of state for industrial development, RC § 165.20.

Research Aids

Commission created:

O-Jur2d: Univ & C § 37

§ 3347.02 Compensation of members; organization of commission.

The members of each of the commissions created by section 3347.01 of the Revised Code shall receive no compensation for their services, but shall be reimbursed for their actual expenses incurred in the performance of their duties. Each commission shall organize by electing a chairman and a vice-chairman from its membership and may employ such professional, technical, and clerical assistants as are necessary, and define their duties and fix their compensation, to carry out the objects and purposes of sections 3347.01 to 3347.08, inclusive, of the Revised Code. The majority of each commission must concur in any action taken by the commission, which shall establish rules and keep a journal of its proceedings.

HISTORY: CC § 4865; 122 v 641; Bureau of Code Revision. Eff 10-1-53.

Research Aids

Expenses:

Am-Jur2d: Pub Off §§ 460, 462

§ 3347.03 Acquisition or use of property for housing purposes.

Each commission created by section 3347.01 of the Revised Code may acquire property of any kind by purchase, gift, or devise and hold and use any such property, or may use state lands at their respective universities upon consent of the respective boards of trustees thereof, for the erection, remodel-

eling, or improving and equipping of buildings for suitable housing, dormitory, dining hall, and recreational accommodations, referred to as "buildings" in sections 3347.03 to 3347.08 of the Revised Code, for students, instructors, members of the faculty, the administration and maintenance staff of the universities with which each commission is identified, and their families. The construction, remodeling, or improving of any such buildings shall be in accordance with plans and specifications approved by the commission and with sections 153.01 and 153.04 to 153.20 of the Revised Code, except that the commission may act in all instances where the department of administrative services is mentioned in such sections.

HISTORY: GC § 4866; 122 v 641; Bureau of Code Revision, 10-1-53; 130 v 783 (Eff 9-10-63); 135 v S 174. Eff 12-4-73.

Cross-References to Related Sections
Housing and dining facilities, RC § 3345.07.

Research Aids

Acquire property:

O-Jur2d: Univ & C §§ 37, 41

Am-Jur2d: Coll & U §§ 32, 33; 37

§ 3347.04 Issuance of bonds or notes.

For the purpose of obtaining funds for the acquisition of lands or the erection, remodeling, and equipping of buildings as defined in section 3347.03 of the Revised Code, or for any of such purposes, and for the purpose of paying legal, architectural, engineering, administrative, and clerical expenses incident thereto, each housing commission may provide by resolution for the issuance of bonds, notes, or other written instruments evidencing indebtedness, in such amount and in such denominations as such commission determines. Such bonds, notes, or other written instruments shall bear interest payable semiannually, and shall mature at such time not more than thirty years from their date as is determined by such commission, and may be made redeemable before maturity at the option of the issuing commission, to be exercised by it at such price and under such terms as it determines prior to the issuance of said bonds. The principal and interest of such bonds, notes, or other written instruments may be made payable in any lawful medium. The issuing commission shall determine the form of the bonds, notes, or other written instruments, including the interest coupons to be attached thereto, and the place of payment of principal and interest thereof, which may be at any bank or trust company within or without the state. Bonds, notes, or other written instruments issued by any such commission shall be signed by the chairman of that commission and attested by the secretary of that commission, provided that one of such signatures may be a facsimile signature, and the coupons attached thereto shall bear the facsim-

ile signature of said chairman of the issuing commission and in case any such officer whose signature appears thereon ceases to be such officer before delivery thereof, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery.

All bonds, notes, or other written instruments issued under sections 3347.01 to 3347.08, inclusive, of the Revised Code shall contain a statement on their face that the state shall not be obligated to pay the same or the interest thereon and that such bonds, notes, or other written instruments and interest are payable only from the revenue accruing to the issuing commission.

HISTORY: GC § 4867; 122 v 641, § 4; Bureau of Code Revision, 10-1-53; 131 v S 154. Eff 5-11-65.

The provisions of § 3 of S 154 (131 v 1503) read as follows:

SECTION 3. Sections 3347.04 and 3347.05 of the Revised Code as amended by this act, and section 3347.071 [3347.07.1] of the Revised Code as enacted hereby, shall apply to all bonds, notes or other written instruments of said housing commissions the proceedings for which are commenced after the effective date of this act, and shall also apply to all such bonds, notes and other written instruments issued before or after the effective date of this act, the proceedings for which have been completed before or are pending on the effective date of this act if the terms of such bonds, notes or other written instruments and of the resolutions and trust agreements pertaining thereto, as issued, adopted, or executed, or amended pursuant to their terms, do not preclude such application.

Research Aids

Bond issue:

O-Jur2d: Pub Sec §§ 60-70, 87; Univ & C § 35

Am-Jur2d: Pub Sec §§ 129, 130, 209-217, 220-224, 234-249

Purposes:

Am-Jur2d: Pub Sec §§ 120, 122

Terms, conditions:

Am-Jur2d: Pub Sec §§ 183, 185-191, 193-195, 197, 199-205

§ 3347.05 Bonds or notes to be negotiable instruments.

All bonds, notes, or other written instruments provided for in section 3347.04 of the Revised Code shall have all of the qualities and incidents of negotiable instruments and such bonds, notes, or other written instruments shall be exempt from all taxation, state and municipal. Such bonds, notes, or other written instruments shall be lawful investments of banks, savings banks, trust companies, trustees, and trustees of sinking funds of municipal corporations and counties, and of the industrial commission notwithstanding section 4123.44 of the Revised Code, of the retirement board of the state teachers retirement system, notwithstanding section 3307.15 of the Revised Code, of the retirement board of the state public school employees retire-

ment system, notwithstanding section 3309.15 of the Revised Code, and of the retirement board of the public employees retirement system, notwithstanding section 3309.15 of the Revised Code, of the retirement board of the state public school employees retirement system, notwithstanding section 3309.15 of the Revised Code, and of the retirement board of the public employees retirement system notwithstanding section 145.11 of the Revised Code, and of domestic insurance companies notwithstanding section 3907.14 and section 3925.08 of the Revised Code, and shall be acceptable as security for the deposit of public moneys.

Such bonds, notes, and other written instruments may be issued in coupon or in registered form or both, as the issuing commission may determine. Provisions may be made for the registration of any of such bonds, notes, or other written instruments in the name of the owner as to principal alone and as to both principal and interest, and for exchange between those in coupon form and those in fully registered form. The issuing housing commission may sell such bonds, notes, or other written instruments in such manner and for such price as it determines to be for its best interests, but they shall be sold for not less than par, with accrued interest to date of sale.

HISTORY: GC §§ 4868, 4869; 122 v 641; §§ 5, 6; Bureau of Code Revision, 10-1-53; 131 v § 154. Eff 5-11-65.

See provisions, § 3 of S 154 (131 v —) following RC § 3347.04.

Research Aids

Negotiability:

O-Jur2d: Pub Sec § 3; Univ & C § 35

Am-Jur2d: Pub Sec §§ 32, 33, 270-275, 277

§ 3347.06 Buildings rented by commission; terms of rental.

Upon completion of any buildings as defined in section 3347.03 of the Revised Code, such building shall be rented by the housing commission to students, instructors, faculty members, the administration and maintenance staff of the university with which the commission is identified, or any of such groups, for the residence of themselves and their families, upon such terms of rental as is [are] determined by the commission.

HISTORY: GC § 4870; 122 v 641, § 7; Bureau of Code Revision. Eff 10-1-53.

Research Aids

Use of Property:

Am-Jur2d: Coll & U § 35

§ 3347.07 Rentals to be placed in separate sinking fund; use of money in fund.

The rentals received from a building as defined in section 3347.03 of the Revised Code, after paying the costs of operation, administration, maintenance,

and repair and necessary fiscal agency charges applicable to each such property, shall be placed in a separate sinking fund which is hereby pledged to and charged with the payment of interest and principal of the bonds, notes, or other written instruments issued in respect of such building. Prior to the issuance of any such bonds, notes, or other written instruments, the housing commission may provide by resolution for using the sinking fund for such issue, or any part thereof, for the purchase of the outstanding bonds, notes, or other written instruments of such issue, at the market price thereof, and all bonds, notes, or other written instruments so purchased shall forthwith be canceled and shall not again be issued. The money in each such sinking fund, less such reserve as may be provided for principal and interest prior to the issuance of such bonds, notes, or other written instruments, if not used within a reasonable time for the purchase of such bonds, notes, or other written instruments, shall be applied to the redemption, in accordance with the provisions thereof, of the bonds, notes, or other written instruments for the payment of which the particular sinking fund is pledged. The moneys in each such sinking fund shall be placed in the hands of the treasurer of state as custodian, and shall be disbursed upon order of the commission upon vouchers signed by the chairman thereof.

HISTORY: GC § 4871; 122 v 641, § 8; Bureau of Code Revision. Eff 10-1-53.

Research Aids

Redemption:

O-Jur2d: Pub Sec §§ 107, 112-114

Am-Jur2d: Pub Sec §§ 199, 407, 420, 425

[§ 3347.07.1] § 3347.071 Bonds or notes secured by a trust agreement.

In the event that bonds, notes, or other evidences of indebtedness issued pursuant to section 3347.04 of the Revised Code are secured by a trust agreement between the issuing commission and a corporate trustee, as determined by the commission in its resolution authorizing their issuance, the revenues received by the issuing commission from the buildings referred to in section 3347.03 of the Revised Code, shall be pledged, deposited, held, invested, disbursed, used, and applied to such extent, in such manner, at such times, and for such purposes as are provided in such trust agreement or resolution, notwithstanding any provisions of section 3347.07 of the Revised Code. Such trust agreement or resolution may contain such terms and provisions as the issuing commission determines, and may provide for the pledge or assignment of all or such part of the revenue of any such buildings designated therein, as the commission determines, to the payment of the principal of and interest on such bonds, notes, and other written instruments and expendi-

tures related thereto, after provision for the reasonable costs of operating, maintaining, and repairing the buildings so designated, but such trust agreement or resolution shall not mortgage or convey any such building or part thereof and shall neither obligate the state to make any such payments or deposits nor obligate the commission to make them from other than such revenues.

HISTORY: 131 v S 154. Eff 5-11-65.

See provisions, § 3 of S 154 (131 v —) following RC § 3347.04.

Research Aids

Power to contract:

O-Jur2d: Univ & C § 35

§ 3347.08 Conveyance of buildings and lands to the state.

When sufficient funds have been received from the revenues from buildings provided in section 3347.07 of the Revised Code to pay bonds, notes, or other written instruments issued with respect to such buildings and accrued interest, the said buildings and the lands whereon the same are situated, shall be conveyed to the state by the housing commission owning and operating the same for the use and benefit of the university with which such commission is identified and such commission may execute and deliver all necessary deeds therefor.

HISTORY: GC § 4872; 122 v 641, § 9; Bureau of Code Revision. Eff 10-1-53.

Research Aids

Conveyance:

Am-Jur2d: Coll & U § 35

§ 3347.09 Leases; state not obligated.

Each commission created by section 3347.01 of the Revised Code may lease or sublease real property and buildings for suitable housing, dormitory, dining hall, and recreational accommodations for students, members of the faculty, the administration and maintenance staff, and their spouses and children, of the university with which each commission is identified, on such terms as the commission determines, provided, that each such lease or

sublease shall provide that the state is not obligated to pay any of the rentals or perform any of the obligations thereunder and that such rentals and obligations are to be paid or performed only from the revenue accruing to the commission executing the lease or sublease.

HISTORY: 129 v 1795 (Eff 9-1-61); 130 v 783 (Eff 1-23-63); 137 v H 349. Eff 10-25-78.

Research Aids

Leases:

O-Jur2d: Univ & C § 46

§ 3347.10 Authority to grant the use of lands.

Each commission created by section 3347.01 of the Revised Code may, upon such consideration, terms, and conditions as are approved by it, grant to any municipal corporation or county, or transfer to the director of transportation, the right to use in perpetuity or for such period of time as such commission shall specify, any lands owned by it or under its supervision or control for any street, road, or highway purpose, which may include or be limited to areas or space on, above, or below the surface. Such grant or transfer may be subject to a reserved right of such commission, its successors and assigns, including the board of trustees of the university with which it is identified, to use and improve, and permit the use and improvement of, such lands for buildings, structures, and other uses and purposes as shall not interfere with the use granted for street, road, or highway purposes. Such grant shall be authorized by resolution of such commission and shall be executed in the same form and manner as is provided for deeds by section 5301.13 of the Revised Code and shall be recorded in the records of deeds of the county or counties in which such lands are situated.

HISTORY: 131 v S 287 (Eff 11-9-65); 135 v H 200. Eff 9-28-73.

Research Aids

Highway easements:

O-Jur2d: Univ & C § 37

Am-Jur2d: Coll & U §§ 5, 32, 35

Use of property:

Am-Jur2d: Coll & U § 35



SPECIAL EXTRACT — GENERAL TRADING
Resolution of Governing Body of Unincorporated Organization

At a regular meeting of the Board of Directors/Trustees/Elders/Aldermen
(Special or Regular)

of the Shawnee State University
(Name of Organization)

held at Shawnee State University on the 17 day of October 1988.

the following resolution was adopted:

"Resolved that the President, Vice President, Treasurer, or officers of equivalent title, or any one of such officers of this University, be and maintain one or more accounts which may be marginable, with Advest, Inc., for the purpose of investing in, acquiring, purchasing, selling or otherwise dealing in any and all shares of stocks, bonds, notes, debentures, evidences of indebtedness, options, commodities or any other securities and to transfer, endorse, sell, assign, set over and deliver any and all shares of stocks, bonds, notes, debentures, evidences of indebtedness, options, commodities now or hereafter standing in the name of or owned by this University and to make, execute and deliver under the seal of this University any and all written instruments necessary or proper to effectuate the authority hereby conferred."

I understand that the following agreement to arbitrate does not constitute a waiver of the right to seek a judicial forum where such a waiver would be void under the federal securities law.

The undersigned agrees, and by carrying an account for the undersigned you agree, that except as inconsistent with the foregoing sentence, all controversies which may arise between us concerning any transaction or the construction, performance or breach of this or any other agreement between us, whether entered into prior, on or subsequent to the date hereof, shall be determined by arbitration in accordance with the rules then prevailing of the Arbitration Committee of the National Association of Securities Dealers, Inc., the American Arbitration Association, the Board of Arbitration of the New York Stock Exchange or the Board of Arbitration of the American Stock Exchange as I may elect. If I do not make such election by registered mail addressed to you at your main office within five (5) days after a request from you for such election, I authorize you to make such election on my behalf. The award of the arbitrators or of a majority of them, shall be final, and judgment upon the award may be entered in any court, state or federal, having jurisdiction.

I further certify that the authority thereby conferred is consistent with the Charter or By-laws of this University and that the following is a true and correct list of the officers of this University as of the present date.

List all members of Board/Trustees: (print) Frank D. Hyland, Dr. Ray Carson, Tom Winters, Verna K. Riffe,
William Reinhardt, Kenneth Thompson, Orville Ferguson, Gary Piatt

List with signatures all individuals able to conduct trades: (print name, include title)

NAME: R. Neil Hawk, Vice President SIGNATURE: _____
Business/Finance _____

It witness whereof, I have hereunto set my hand and the Seal of said _____

this _____ day of _____ 19 _____.

Secretary or Authorized Officer

Note: The Secretary should not sign if the Secretary will conduct trades.

RESOLUTION 17-88

Legislation has been passed (HB34) by the Ohio Legislature mandating the appointment of two representatives. from the student body to the Board of Trustees

Student Government has met and proposed the qualifications and process attached.

Be it resolved that the Board of Trustees of Shawnee State University approves this entire proposal.

INTRODUCTION: The following process was developed as a result of legislation passed during the 1987-88 academic year by Ohio lawmakers. It provides for the appointment of two student members to the Board of Trustees of Shawnee State University.

QUALIFICATIONS: Students who wish to be considered for nomination by the Shawnee State Student Senate to the Board of Trustees must document the following in a letter of application:

1. That they are currently enrolled students and intend to remain enrolled throughout their appointment.
2. Their experience in leadership roles.
3. Their academic qualifications and experience. (Students must be in good academic standing).
4. Their reasons for seeking the nomination and the qualities which they possess that qualifies them for this position.
5. That they are at least 18 years of age.
6. A resident of Ohio.
7. A registered voter.

This documentation should be presented at the Student Activities Office, addressed to the Student Senate Sub-Committee on Board of Trustees nominations by the appropriate date and time specified in the announcement published by Student Senate.

STUDENT SENATE SELECTION PROCESS:

1. Student Senate appoints a selection sub-committee comprised of three Student Senate members and two students not on student government. No members on this sub-committee can be a nominee for the trustees position.
2. Selection sub-committee advertises in the campus media and local media that letters of application are being accepted for two students to serve on the Shawnee State University Board of Trustees.
3. Letters of application must be completed and returned to the Student Activities office by the date specified.
4. Letters of application will be reviewed and appointments will be made for personal interviews at the discretion of the selection sub-committee.
5. The selection sub-committee will make recommendations to the Shawnee State University Student Senate.
6. The Shawnee State University Senate will select five students from those nominated by the selection sub-committee as the nominees to be sent to the Governor. If any student senate members are nominees, they must abstain from this vote.

7. The Shawnee State University Student Senate will send the list of the five nominees and appropriate documentation to the Director of Student Activities, who will confirm eligibility and forward to the President of Shawnee State University. The President shall forward the nominations to the appropriate office of the Governor of the State of Ohio.

AMENDED AS PER BOARD REQUEST FOR PRESENTATION AT OCTOBER 17, 1988 MEETING.
RESOLUTION WAS TABLED MAY 16, 1988.

WHEREAS THE STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES, WAS ASKED TO PROVIDE A SHORT LIST OF ARCHITECTURAL FIRMS TO PROVIDE PROFESSIONAL SERVICES FOR ARCHITECTURAL DESIGN AND RELATED WORK FOR A NEW UNIVERSITY CENTER TO BE LOCATED ON THE SHAWNEE STATE UNIVERSITY CAMPUS AND

WHEREAS THE STATE PROVIDED A SHORT LIST OF EIGHT FIRMS AND

WHEREAS A COMMITTEE WAS FORMED OF ADMINISTRATORS, FACULTY AND STUDENTS TO INTERVIEW THE CANDIDATES AND

WHEREAS THE COMMITTEE INTERVIEWED ALL EIGHT CANDIDATES, REDUCED THE FIELD TO FOUR, INTERVIEWED THE FINAL FOUR A SECOND TIME AT THEIR RESPECTIVE OFFICES, AND REDUCED THEM TO THREE AND

WHEREAS THE COMMITTEE RECOMMENDED THREE FIRMS FOR THE BUILDINGS AND GROUNDS COMMITTEE AND

WHEREAS THE BUILDINGS AND GROUNDS COMMITTEE INTERVIEWED THE THREE FINALISTS AND

WHEREAS THE COMMITTEE RECOMMENDED THE FINALISTS IN ORDER OF PREFERENCE TO THE BUILDINGS AND GROUNDS COMMITTEE OF THE BOARD OF TRUSTEES AND THE BUILDINGS AND GROUNDS COMMITTEE CONCURRED WITH THE RECOMMENDATION THEN

HEREBY LET IT BE RESOLVED THAT THE FOLLOWING FIRM BE NAMED AS THE ARCHITECTURAL FIRM FOR THE NEW UNIVERSITY CENTER AT SHAWNEE STATE UNIVERSITY

BAXTER HODELL DONNELLY PRESTON
3500 RED BANK ROAD
CINCINNATI, OHIO 45227