

**WASHBURN UNIVERSITY OF TOPEKA**  
**BOARD OF REGENTS**  
**MINUTES**  
**June 23, 2022**

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**I. Call to Order**

Chairperson Beck called the meeting to order at 4:01 p.m. in the Kansas Room of the Memorial Union on the Washburn University campus.

**II. Roll Call**

Present were: Mr. Beck, \*Mrs. Buhler, Mr. Dietrick, Mr. Klausman, \*Mr. Schmidt and Mrs. Sourk.

\* Participated via teleconference call.

**III. Fiscal Year 2023 Public Rate and Public Budget – Publish Notices of Hearings**

It was moved by Regent Klausman and seconded by Regent Sourk to approve publishing the required notices of the Fiscal 2023 Public Rate and Public Budget hearings. Motion passed.

**IV. Approval of Minutes of the May 5, 2022 and May 26, 2022 meetings**

It was moved by Regent Dietrick and seconded by Regent Klausman to approve the Minutes of the May 5, 2022 and amended May 26, 2022 meetings. Motion passed.

**V. Election of Officers and Special Officers**

Board Chair Terry Beck introduced this item. The Board Nominating Committee, consisting of Regents Buhler, Dietrick and Beck, met and presented nominations for 2022-2023 for approval: Board Chair – Shelly Buhler; Board Vice Chair – John Dietrick; Board Secretary – Marc Fried; Treasurer – Luther Lee; and Assistant Secretary to the Board – Cynthia Holthaus. It was moved by Regent Klausman and seconded by Regent Beck to approve. Motion passed.

**VI. Officer Reports**

**A. Chair's Report**

Board Chair Terry Beck reported the campus and regents have been busy. Regrettably, Regent Klausman's term ends June 30. This is his second appointment to the Board and he has served Washburn well. We all thank Jim for his service.

Chair Beck talked about former Regent Blanche Parks. Mrs. Parks served on the Board of Regents for 29 years, since July of 1993, but recently moved out of her senatorial district and so had to resign from the Board. Mrs. Parks has contributed so much and has been on the Board longer than President Farley has been here.

Beck talked about Dr. Farley and his retirement. He said he can't say much more than has already been said. President Farley has turned this institution from a commuter institution to an outstanding four-year institution.

Chair Beck discussed the presidential search. He said RFPs have been received. The Board will meet to review and determine which firm to hire.

Beck indicated the Regents have been soliciting input from both inside and outside the institution for persons to appoint to the search committee. They will ask the search firm to assist before making any final determinations. After that, prospective members will be contacted to get started. Director of Public Relations Patrick Early will be setting up a link for the search on the Washburn webpage.

Beck said Washburn Volleyball player Faith Rottinghaus received an award as MIAA female athlete of the year.

He reported the NCAA has released standings for overall points and that Washburn ranked 21<sup>st</sup> out of 320 DII programs, one of our best athletic seasons. Washburn placed 12 of 14 teams in NCAA post-season competitions.

Beck said Washburn recently received a \$1.4 million grant from upward bound to help Topeka High students attending Washburn.

Beck said this will be his final meeting as chair and he has enjoyed the experience. He hopes he did a good job to repay Washburn for what it has done for him.

## **B. President's Report**

President Farley thanked Chair Beck for his kind words, and congratulated Regent Klausman for completing his third term on the board.

Dr. Farley reported:

- David Paiswater, an Instructor at Washburn Tech for 17 years in carpentry, was honored during the Skills USA recognition. There is a piece of his work at the president's residence.
- Mike Strohschein has been named Dean at Washburn Tech.
- Val Vandersluis has been selected as Director at KTWU. President Farley said he first got to know her during his second year as President when she was chair of staff council. She had been serving as interim director at KTWU.
- Matt Arterburn has been named the interim Dean for the College of Arts and Sciences. He is a biology professor.

President Farley indicated campus is very active right now because of the athletic camps. There were 1,900 students for camps just a few years ago. Another 800 are expected tomorrow from eight high schools for a camp sponsored by the Kansas City Chiefs.

Dr. Farley said this week is the Sunflower Music Festival. It is the 35<sup>th</sup> year being on Washburn's campus. It brings people from all over the world to participate.

Dr. Farley said we are hosting New Student Orientation sessions for students planning on attending Washburn. All sessions planned have been held and were successful.

President Farley thanked Board Chair Beck for his work as chair, particularly as everyone worked through the pandemic.

### **C. Committee Report(s)**

#### **1. Audit Committee**

Board Chair Beck reported. He said the Audit Committee received their annual presentation from Rubin Brown to explain the process to be followed and changes that will occur due to changes in legal requirements.

#### **2. Budget/Finance Committee**

Committee Chair Klausman reported. He said the Budget/Finance Committee met earlier and received the Fiscal Year 2023 budget presented by Vice President for Administration and Treasurer Luther Lee. The Committee voted to recommend approval of the budget.

## **VII. New Business**

### **A. Consent Agenda**

It was moved by Regent Sourk and seconded by Regent Dietrick to approve the Consent Agenda with the exception of item VII.A.3. which was moved to Action Items. Motion passed.

As approved by action of the Board:

- 1. Liquidated Claims Approval – April 2022**
- 2. Liquidated Claims Approval – May 2022**
  
- 4. Amendments to Section O. Sponsored Projects of the Washburn University Policies, Regulations and Procedures Manual**

Vice President for Administration and Treasurer Luther Lee presented the item. He said grant positions receive benefits for non-benefit employees and we need to update for grant compliance purposes.

## **B. Action Items**

Item VII.A.3. **Proposed Washburn University Board of Regents' Meeting Dates for 2022-2023** was moved from the Consent Agenda. Seeking approval with the exception of a date change from March 16 to a meeting March 23 (March 16 the Washburn campus will be on spring break). It was moved by Regent Klausman and seconded by Regent Buhler to approve the item. Motion passed.

### **1. Fiscal Year 2023 Operating Budget – Washburn University and Washburn Institute of Technology**

Vice President for Administration and Treasurer Luther Lee presented the item, covering the Strategic Budget plan Lee also presented the general fund budget assumptions for both Washburn and Washburn Tech. It was moved by Regent Klausman and seconded by Regent Sourk to approve. Motion passed.

### **2. Emeritus**

Interim Vice President for Academic Affairs Laura Stephenson presented the item. This item is to recognize faculty for their service prior to their retirement - Russell Smith, professor of economics and Associate Dean of the School of Business. It was moved by Regent Klausman and seconded by Regent Dietrick to approve the item. Motion passed.

Board Chair Beck thanked Dr. Stephenson for her willingness to serve in the interim position.

### **3. Eminentes Universitatis**

Vice President for Administration and Treasurer Luther Lee presented the item. This item is for staff who earned recognition for service to Washburn - Chris Ashely, painter, been here since 1999, retired in 2022; Jim Fosdick retiring from ITS and elected employee of the year; Steven Green, Technical instructor and started carpentry program at Washburn Tech; and Wendy Stafford, administrative specialist in registrar's office in 1999 and transferred to Biology in 2006. It was moved by Regent Sourk and seconded by Regent Dietrick to approve the item. Motion passed.

### **4. WUPRPM Alcohol Policy**

Vice President for Administration and Treasurer Luther Lee presented the item recommending to update Washburn's alcohol policy to permit the sale of alcohol at athletic events and to update areas to provide alcohol in the new law school building. It was moved by Regent Klausman and seconded by Regent Dietrick to approve the item. Motion passed.

## **5. Presidential Search Firm RFP - Ratification**

University Counsel and Board Secretary Marc Fried presented the item for ratification by the full Board. Fried noted the Board, at its May 26 meeting, voted to contact directly certain search firms without issuing an RFP. Fried confused the threshold amount for requiring an RFP. Upon discovery of the error, he contacted the Board Chair who advised to proceed with the issuance of an RFP to keep the process moving. This item is to ratify the decision to issue the RFP for presidential search firms. It was moved by Regent Dietrick and seconded by Regent Schmidt to ratify approval of the item. Motion passed.

## **6. Expenditures over \$50,000**

### **a. Contracted Services with Pinegar, Smith & Associates, Inc.**

President Farley presented the item. He said John Pinegar and Doug Smith have done a phenomenal job for Washburn and understanding the legislative process to help Washburn with legislators and others in the Statehouse. They made sure Washburn was always part of the discussions this spring when much federal money was being allocated. It was moved by Regent Sourk and seconded by Regent Dietrick to approve the item. Motion passed.

### **b. Property Insurance Renewal**

Vice President for Administration and Treasurer Luther Lee introduced the item. New insurance and also changing dates of insurance to be October 1 to September 30. He asked Mark Wilkerson and Brett Taylor from IMA to present. They reviewed coverages and determined to contact others to leverage for best coverage. QBE and MHEC were contacted. Both provided quotes.

QBE involves a reduction in rates for the first time in several years. Valuation of property was looked at to insure for probable loss. The largest probable exposure is wind and hail damage to roofs. Their bid secures \$400 million per occurrence coverage and 5% reduction in premiums.

MHEC responded with a 15% increase and said they probably will get an additional bump as last year. Washburn's history and size bode well for being away from MHEC. MHEC is likely to lose another 1/3 of membership on July 1, so would greatly increase premiums to their remaining members. MHEC was a great experience for Washburn in the beginning, but by expanding our footprint, we have greatly increased losses compared to premium rates. Washburn having only \$10,000 of claims in last 12 years is extraordinary.

There was a question about loss limit for MHEC. \$1 million for Washburn and \$400 million in joint coverage with others and then excess of \$160 million beyond that.

There was a question about the \$200,000 exclusion, if catastrophic event, covered to \$400 million but then will have assistance from FEMA and others. IMA looked at 1965 tornado dollars and determined costs would have been about \$90 million in today's dollars. IMA believes this is a smart move for Washburn. Dr. Farley met with the insurer.

There was a comment about responsiveness to issues last year and coming back with this proposal. IMA stated that Luther Lee, Jan Crawford and the Facilities folks did a great job with information to make QBE comfortable with risk.

There was a question about QBE taking all the risk. QBE will have re-insurance. AAA rated and no concerns about claims payment. In response to a question about Washburn buying its own re-insurance, IMA responded that is an option, but the spend would be \$150,000-200,000. It was moved by Regent Klausman and seconded by Regent Sourk to approve the item. Motion passed.

**c. Law School Lexis Nexis**

Vice President for Administration and Treasurer Luther Lee presented the item. This is the annual renewal for digital library service utilized by law school students and is a sole source contract with funding from School of Law operating funds. It was moved by Regent Dietrick and seconded by Regent Sourk to approve the expenditure. Motion passed.

**d. Law Building Networking Equipment**

Vice President for Administration and Treasurer Luther Lee presented the item. This purchase is for switches, cables and other technology items needed for new building. ITS reviewed to make sure everything is compatible with other systems on campus. Funding comes from the School of Law building fund. It was moved by Regent Klausman and seconded by Regent Buhler to approve the item. Motion passed.

**e. Law Building General Construction Change Order**

Vice President for Administration and Treasurer Luther Lee presented the change order item. He said there is a contingency fund set up these types of matters. Before this change order, the contingency fund balance exceeded \$2 million. This will bring the fund to just under \$2 million. The project is on schedule. It was moved by Regent Dietrick and seconded by Regent Sourk to approve the item.

Responding to a question regarding whether we can anticipate other contingencies in the future, Director of Facilities Eric Just said there will be a few more purchases, such as signage, and likely to have some coordination

issues. He feels comfortable the project will be within budget and the remaining contingency. Motion passed.

**f. Track Outdoor Throwing Area Regrade**

Vice President for Administration and Treasurer Luther Lee presented the item. This is established as part of the development of the indoor athletic facility. The current area is dangerous for collection of equipment because of the slope. Equipment has already been purchased. An RFP was issued and only one response was received. Funding is from Capital Projects Fund. The only item after this will be fencing which will be less than \$20,000. It was moved by Regent Klausman and seconded by Regent Schmidt to approved the item. Motion passed.

**g. Football Locker Room Replacement of HVAC Unit**

Vice President for Administration and Treasurer Luther Lee presented the item. Lee said the current equipment utilized is beyond its useful life. An RFP was issued and we received three responses. Funding will be from previous Capital Funds Budget. It was moved by Regent Sourk and seconded by Regent Dietrick to approve the item. Motion passed.

**h. Facilities Services Building – Construction Manager at Risk**

Vice President for Administration and Treasurer Luther Lee presented the item. A portion of an anonymous gift in 2021 was for relocation of the facilities buildings outside of Petro Allied Health Center. Due to the current market conditions, at risk seemed the best alternative. An RFP was issued and Washburn received eight bids. These were reviewed by a committee and narrowed to three.

VP Lee introduced Scott Gales of Architect One to discuss the project in more detail. Gales said the concept plan is about 27,500 sq. ft. and a secondary space of 5,000 sq. ft. This brings multiple locations into one space. The inside will be wide open, so easily repurposed if deemed appropriate later on. They are looking to have exterior finishes to be consistent with the rest of the campus.

Responding to a question if this action includes take down of the existing buildings, Gales responded this is just for the new facilities building.

In response to a question about the 60 parking spaces lost, Gales said some other spaces were worked back in. Parking for the building would be to the west so independent of student traffic. It was moved by Regent Dietrick and seconded by Regent Sourk to approve the item. Motion passed.

**i. Washburn Tech HVAC Replacement – Building G**

Vice President for Administration and Treasurer Luther Lee presented the item. He said the current equipment is almost 60 years old. An RFP was issued and Washburn received three responses. Funding is within the Washburn Tech Capital Budget. Asked about why another company didn't bid on this, Lee said he did not know. It was moved by Regent Klausman and seconded by Regent Schmidt to approve the item. Motion passed.

**j. White Concert Hall Stage Lift Preparation**

Vice President for Administration and Treasurer Luther Lee presented the item, saying this item is Capital Budget approved. An RFP was issued but no responses were received. Washburn contacted Senne company who offered a quote for this work. Funding is from the Capital Budget and Foundation.

In response to a question about if getting a fair price, Vice President Lee said Washburn has a good partnership with company and will work with the vendor during the project to see if cost savings can be identified.

It was moved by Regent Buhler and seconded by Regent Dietrick to approve the item. Motion passed.

**k. Living Learning Center DOAS Unit Replacement**

Vice President for Administration and Treasurer Luther Lee presented the item. VP Lee said the cooling function has failed and is no longer reliable, and new coolant is also needed. An RFP was issued and Washburn received three responses. Funding is from residential living reserves. It was moved by Regent Sourk and seconded by Regent Dietrick. Motion passed.

**l. Apple Computer Refresh**

Vice President for Administration and Treasurer Luther Lee presented the item. He said ITS has scheduled to replace a portion of Apple computers on an annual basis. Pricing is from a previous consortium bid. In response to a question about why not lease the computers, Lee stated the inventory for Apple computers is smaller than for Lenovo, so leasing is not as advantageous. It was moved by Regent Klausman and seconded by Regent Sourk to approve the item. Motion passed.

**VIII. Information Item(s)**

**A. Impact of change to Topeka Senatorial Districts**

A presentation was made by Marc Fried, who advised the change in districts created four State Senatorial districts in the city of Topeka and Kansas Statute says three appointees to the Washburn Board are to come from each of the three districts. The

Board will need to consider proposing legislation to change the statutes in light of the redistricting. Fried noted that districts 19 and 20 are significantly larger than the 18<sup>th</sup> and 3<sup>rd</sup> districts. Fried suggested the Board could consider keeping the same three districts as the new 3<sup>rd</sup> district has by far the lowest number of residents. A suggestion was made to consider the third appointee coming from either the 18<sup>th</sup> or the 3<sup>rd</sup> district. Another comment was made that whatever action taken should be to ensure no residents from either the 18<sup>th</sup> or 3<sup>rd</sup> districts are disenfranchised.

## **IX. Executive Session**

It was moved and seconded to go into executive session to discuss personnel matters and contractual matters until 6:00 p.m. The Board went into executive session at 5:32 p.m.

The meeting reopened at 6:01 p.m. It was moved by Board Chair Terry Beck and seconded by Regent Dietrick to approve the transition and retirement agreement as it appears in the budget. Motion passed.

It was moved by Regent Klausman and seconded by Regent Sourk to approve scheduling a special board meeting on June 30, 2022 at 4:00 p.m., location to be determined.

Regent Schmidt explained the timeline for ESU. They started in December 2021 and finished in June 2022. Six months overall and five months after hiring a search firm. This is consistent with all searches that the Kansas Board of Regents has done. There was a question about how an interim is selected, which was by the Board. An interim was active at the university, had CEO skills and was an alum; however, not from academia.

It was moved and seconded to adjourn. The meeting adjourned 6:07 p.m.

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Marc Fried  
Secretary, Board of Regents