

**MEMORIAL UNIVERSITY OF NEWFOUNDLAND**

**BOARD OF REGENTS**

The regular meeting of the Board of Regents was held on Thursday, March 15, 2012, at 4:00 p.m., in the Board Room of the University, Room A-2029.

**PRESENT:**

Mr. Robert E. Simmonds, Chair  
Dr. Gary Kachanoski, President and Vice-Chancellor  
Dr. David Wardlaw, Provost and Vice-President (Academic)  
Ms. Sheila Ashton  
Mr. Roger Bill, via teleconference  
Ms. Pat Coish-Snow  
Ms. Mary Cormier  
Mr. Brian Dalton, via teleconference  
Ms. Michelle Daye, via teleconference  
Ms. Pegi Earle, via teleconference  
Mr. Rex Gibbons, via teleconference  
Ms. Noreen Greene-Fraize  
Mr. Jim Hickey  
Mr. Jim Keating  
Ms. Kim Keating  
Dr. Vinod Patel  
Dr. Luke Pike  
Mr. Tony Roche  
Ms. Kathleen Roul, via teleconference  
Ms. Donna Stone  
Ms. Eleanor Swanson  
Mr. George Tucker  
Mr. Michael Walsh  
Ms. Tina Scott, Secretary

**APOLOGIES:** Chancellor Rick Hillier, Mr. Steve Belanger, Mr. Gilbert Bennett, Mr. Glenn Blackwood, Mr. Jerry Byrne, Mr. Richard Chislett, Ms. Sarah-Ann King, Mr. Bill Matthews.

**PRESENT BY INVITATION:**

Dr. Mary Bluehardt, Vice-President (Grenfell Campus); Mr. Kent Decker, Vice-President (Administration and Finance), Dr. Christopher Loomis, Vice-President (Research); Mr. Glenn Collins, Advisor to the Board; Ms. Karen Hollett, General Counsel.

**5872. MEETING CALLED TO ORDER**

The meeting was called to order at 4:00 p.m. by Mr. Simmonds, Chair.

**5873. APPROVAL OF THE AGENDA**

The agenda for the meeting was approved.

Following approval of the agenda, Mr. Simmonds provided members with the opportunity to declare if they are in a conflict of interest position or a potential conflict of interest position with regard to any agenda items.

**5874. MINUTES**

The Minutes of the regular meeting of the Board of Regents held on February 9, 2012 were approved by the Board subject to amendments suggested by General Counsel.

**5875. IN CAMERA SESSION OF THE BOARD (CONFIDENTIAL)**

The Board moved into an in-camera session.

Dr. Kachanoski, Dr. Wardlaw, Dr. Loomis, Mr. Decker, Dr. Bluechardt, Mr. Collins and Ms. Hollett left the meeting during this session of the meeting.

(The Confidential Minutes of this section of the meeting are separate from the regular meeting minutes.)

**5876. CHAIR'S REPORT**

Dr. Kachanoski, Dr. Wardlaw, Dr. Loomis, Mr. Decker, Dr. Bluechardt, Mr. Collins and Ms. Hollett returned to the meeting at this point.

A. Canadian University Boards Association 2012 Annual Conference

Mr. Simmonds informed Board members that this coming April, Memorial University will host the 26<sup>th</sup> annual Canadian University Boards Association (CUBA) Conference from April 19 - 21, 2012. This conference will bring together the chairs and staff of the governing boards of universities across Canada to “the eastern edge of the western world” to explore trends and best practices in university governance under the apt conference theme “Leadership on the Edge”. He noted that General Rick Hillier, Former Chief of the Defence Staff, Canadian Forces, and our Chancellor has agreed to open the conference with an address on effective leadership. There will be sessions on current issues and challenges, complemented by engaging networking activities. Mr. Simmonds further noted that while a more formal invitation would be forthcoming, Board members are invited to attend this conference.

B. Letter to The Telegram

Mr. Simmonds advised Board members that he recently wrote a letter to the Publisher and General Manager of The Telegram with respect to a recent article published in The Telegram which used incorrect and unsupportable assumptions to frame unfair criticisms of the university. He further noted that he sent a letter to the Publisher that dealt with the specifics of his concerns and noted that his letter was published a few days later.

Ms. Ashton thanked Mr. Simmonds for his report and noted the importance of keeping members of the Board informed of current events as they occur.

**5877** EXECUTIVE COMMITTEE

Mr. Simmonds advised that the Executive Committee met on February 28, 2012 to finalize the agenda for today's Board meeting.

**5878.** PRESIDENT'S REPORT

A. President's Summary of Activities

The President provided the Board with highlights of his recent activities since the February 2012 Board meeting.

CONSENT AGENDA

Noting that the items were dealt with in detail in meetings of the appropriate committees or by Senate, it was moved by Ms. Ashton, seconded by Ms. Coish-Snow and carried that the consent agenda, comprising the resolutions listed in 5879 through 5882 below be approved as follows:

**5879.** FINANCE COMMITTEE

A. Update on the University's 2011-12 Financial position

The Board received and reviewed background information pertaining to the update on the University's 2011-12 financial position. The Board was reminded that at a meeting held on May 19, 2011, it approved the budget estimates for the fiscal year 2011-12 which projected a balanced budget.

A review of actual revenue and expenditures has been completed. At this time, total operating expenditures for 2011-12 are projected to be under budget by approximately \$4,860,820. This projection takes into account a \$2.1 million deficit projection by the Marine Institute.

Surpluses are being projected in five specific areas where funds are flowing more quickly than they are being deployed. The areas are as follows:

Update on the University's 2011-12 Financial position (cont'd)

- Grenfell Campus Renewed Governance
- Strategic Initiatives
- Energy
- Research Start-Up/Matching Fund
- Faculty of Medicine Expansion

Tuition Revenue is forecasted to be balanced based on actual tuition revenue for the spring and fall semesters and a projection for the winter semester.

Other revenue sources are projected to be on budget.

This item was received for information and did not require a resolution of the Board.

B. Administrative Budget for the Memorial University Pension Plan for 2012-2013

The Board received background information with respect to the administrative budget for the Memorial University Pension Plan for 2012-2013 and agreed to the proposed budget, as outlined in the background documentation, for the internal administrative expenditures of the Memorial University Pension Plan, for the fiscal year April 1, 2012 to March 31, 2013.

C. Renewal of the University's Group Benefit Plans for the Policy Year beginning April 1, 2012

The Board received background information and agreed to the renewal of the University's Group Benefit Plans for the policy year beginning April 1, 2012, as follows:

- Basic life insurance plan at the existing rate;
- Dependent life insurance plan at the existing rate;
- Optional life insurance plan at a 20% rate reduction;
- Optional spousal and dependent child life insurance plans at the existing rates;
- Basic and optional accidental death and dismemberment plans at the existing rates;
- Voluntary accidental death and dismemberment plan at the existing rates;
- Long term disability plan at a 20% rate reduction;
- Supplementary health plan at a 5% rate reduction;
- Travel health insurance plan at a 10% rate increase;
- Dental plan at a 2.1% rate reduction

Further the Board approved the recommendations that:

- dental claims be insured at the current Newfoundland Dental Society Fee Guide at an additional rate increase of 10% for an overall compounded rate increase of 7.7%;
- Aerochambers, mastectomy bras and audiologist services be added to the health plan at a rate increase of 0.13%

- D. Increase membership fees for the Canadian Federation of Students for the Memorial University of Newfoundland Students' Union, Marine Institute Students' Union and Graduate Students' Union and the Memorial University of Newfoundland Students' Union membership fee as per the annual Consumer Price Index

The Board received background information and agreed to:

1. An increase in the Memorial University of Newfoundland Students' Union (MUNSU), Marine Institute Students' Union (MISU) and Graduate Students' Union (GSU) Canadian Federation of Students Fees from \$8.16 to \$8.40 for full and part-time students for the Fall and Winter semesters only, effective September 1, 2012. This fee will be divided equally with \$4.20 per semester going to the Canadian Federation of Students and \$4.20 per semester going to the Canadian Federation of Students - Newfoundland and Labrador. This amount reflects the change in the National Consumer Price Index.
2. An increase in the MUNSU membership fee from \$40.04 to \$41.36 for full-time students and \$17.16 to \$17.73 for part-time students effective September 1, 2012.

**5880. CAMPUS PLANNING AND DEVELOPMENT COMMITTEE**

- A. Update on Progress of Capital Projects

The Board received a summary report of the following capital projects currently underway or being planned:

St. John's Campus

- New Residence
- Residence Renovations
- Newfoundland & Labrador Centre for Interdisciplinary Research in Human Genetics and Faculty of Medicine Building Extension, HSC
- Ocean Science Centre - Cold Water Supply
- Dr. Jack Clark Building and the S.J. Carew Building expansions

Grenfell Campus

- Academic Building Atrium
- New Residence
- Environmental Research Laboratories

Marine Institute

- Offshore Safety and Survival Centre Enhancement

The Board was advised that projects are on time and on budget unless otherwise noted.

B. General Parking Fee Rate Increase; Minor amendments to the *Memorial University Traffic Regulations* and the University's Parking Plan

This item was considered under the report of the Finance Committee as outlined in the Minute 5853 below.

**5881. HUMAN RELATIONS COMMITTEE**

A. Appointments Report

The Board received the Appointments Report for actions taken since February 9, 2012 noting that the actions have been taken under delegated authority as provided in the Terms of Reference for the Human Relations Committee.

This item was received for information only and did not require a resolution of the Board.

B. Re-titling of a Position at the Marine Institute - Head, Academic and Student Affairs to become Associate Vice-President (Marine Institute) Academic and Student Affairs

The Board received background information and agreed to the re-titling of the position of "Head, Academic and Student Affairs, Marine Institute" to "Associate Vice-President (Marine Institute) Academic and Student Affairs".

C. Appointment of Dr. Lynne Phillips as Dean of Arts and Professor of Anthropology

The Board received background information and agreed to the appointment of Dr. Lynne Phillips as Dean of Arts and Professor of Anthropology effective July 1, 2012 at a salary as outlined in the Board yellow. The appointment is subject to the Terms and Conditions of Appointment contained in the excerpt from the draft letter of offer from Dr. David Wardlaw to Dr. Phillips found in the Report to the Board of Regents dated March 15, 2012.

**5882. AUDIT AND RISK COMMITTEE**

A. Presentation on Health and Safety Annual Report

The Board was informed that at a meeting held earlier in the day, the Audit and Risk Committee received a presentation from Ms. Sheila Miller, Director, Department of Health and Safety with regard to the Health and Safety Annual Report.

B. Summary of Legal Claims

The Board was informed that the Audit and Risk Committee also received a continuation of a presentation from Ms. Ms. Karen Hollett, General Counsel, with regard to the roles and responsibilities of the Office of the General Counsel as well as a summary of legal claims.

**DISCUSSION AGENDA**

**5883. FINANCE COMMITTEE**

A. General Parking Fee Rate Increase; Minor amendments to the *Memorial University Traffic Regulations* and the University's Parking Plan

The Board received and reviewed background information pertaining to the general parking fee rate increase for faculty and staff, minor amendments to the *Memorial University Traffic Regulations* and the University's parking Plan.

Mr. Decker advised the Board that the fees currently being charged for parking permits do not cover basic operations and maintenance costs of the parking areas. University collective agreements have included clauses for increases in parking fees for faculty and staff; however, there has not been a general increase in the fee rates for permit areas across campus for many years. A proposed general parking fee rate increase of 3.2% has been confirmed with the Directors of Faculty Relations and Human Resources to be consistent with the University's collective bargaining agreements. The increased revenue will help fund operation and maintenance costs associated with the lots including patching, paving and snow and ice control. A chart outlining the current permit fees and the proposed new rates was included in the background documentation.

It was further noted that minor amendments are needed to Sections 32, 33 and 34 of the *Memorial University Traffic Regulations* to more effectively regulate parking and address parking demand and alternate parking issues. The relevant current regulations were also included in the background documentation.

Mr. Decker further advised that approval is also required to change the designation in Area 61 from "pay on entry" to "pay and display" parking and to change the parking fee rate. The proposed new fee rate is the proportional rate of 25 cents per 20-minutes totaling 75 cents per hour. This proposed new rate is reflective of similar campus fees and is also consistent with the rate previously approved by the Board (at the February 9, 2012, Board meeting) for the user pay parking in the area designated as Area 27A in the new parking garage on Arctic Avenue. This new system will be installed over the summer with an effective implementation date of September 1, 2012.

Following a discussion, the following resolution was passed:

**RESOLVED**

That the Board of Regents approve the amendments to the *Memorial University Traffic Regulations*, parking plan and parking fee rates as per the background documentation:

- *Memorial University Traffic Regulations Amendment* (No. 1)
- Parking Fees Amendment (No. 2)
- Parking Plan Amendment (No. 2)

General Parking Fee Rate Increase; Minor amendments to the *Memorial University Traffic Regulations* and the University's Parking Plan (cont'd)

Further, amendments to the Parking Plan and Parking Fees will be effective as of March 15, 2012, unless otherwise stipulated. Amendments to the *Memorial University Traffic Regulations* will be effective upon date of official Gazetting by the Queen's Printer.

It was further noted that the Communications section of the Board submission states that the Director of Facilities Management shall publish the changes to the *Memorial University Traffic Regulations* in the MUN Gazette and The MUSE as per Regulation 4.(1).

**5884. AUDIT AND RISK COMMITTEE**

A. 2011 Annual Health and Safety Report for Memorial University of Newfoundland

The Board received and reviewed background information pertaining to the 2011 Annual Health and Safety Report for Memorial University of Newfoundland.

Mr. Decker informed the Board that the Department of Health and Safety (DHS) is continuing its efforts to build a departmental presence with a consistent tone and a full range of expertise to support the staff and students of the University. The mandate is to establish a healthy and safe environment for the University community creating a culture that embraces health and safety. This will be achieved by engaging the University community in the redevelopment and implementation of Memorial's Health and Safety program.

The report contained in the background documentation provided a health and safety update which included some of the key statistical information that is being tracked.

Mr. Decker noted that at a meeting held earlier today, the Audit and Risk Committee received a presentation from Ms. Sheila Miller, Director, Department of Health and Safety with regard to the Health and Safety Annual Report.

This item was received for information only and did not require a resolution of the Board.

B. Summary Report - Power Outage

Mr. Decker provided the Board with an update regarding the power outages at St. John's campus that occurred on February 29 and March 2 - 4, 2012. In doing so, he noted that the primary incident included a major underground cable failure in the residence complex area which affected power distribution to all 18 buildings. He further noted that there were secondary incidents which included building power infrastructure damage in Hatcher House due to flooding of the underground mechanical room, as both primary power and emergency power sump pump failed due to the primary electrical incident. Mr. Decker then noted that some of the contributing factors included:

- the age of infrastructure: the electrical cabling is 40 years old and past its normal life cycle and has deteriorated.



Summary Report - Power Outage (cont'd)

- water main break: the manhole where cable connections were located was filled with water from an underground water main leak which had been previously identified and was to be repaired in Spring 2012. This contributed to the flooding in Hatcher House when the sump pump failed.

Mr. Decker then provided the Committee with an overview of significant timeline events as noted in the background documentation. He reminded the Committee that on January 1, 2012, the St. John's campus adopted a new Emergency Management Plan (EMP) which was followed in determining the level of response required for the power outage. On February 29, 2012, there was Level 1 activation of the EMP. On March 3, 2012, the EMP escalated to a level 2 which called for partial activation of the Emergency Operations Centre Group (EOCG). Mr. Decker further noted the internal and external resources used and called upon, the communications plan, financial implications, positive outcomes as well as points of the entire process which required further discussion/action.

During a discussion of the points requiring special mention, it was agreed that a letter be sent on behalf of the Board to the Director of the EOCG thanking all those involved for their tremendous efforts during the power outage which resulted in a successful resolution of the situation.

Mr. Simmonds and Mr. Bill departed the meeting at 5:25 p.m. Ms. Swanson, Vice-Chair, assumed the role of Acting Chair.

**5885. PRESENTATION FROM DR. Wilf ZERBE, DEAN, FACULTY OF BUSINESS ADMINISTRATION**

Dr. Wardlaw welcomed to the meeting, Dr. Wilf Zerbe, Dean Faculty of Business Administration, who provided the Board with a presentation regarding the Faculty of Business Administration.

Following a question and answer period, Ms. Swanson on behalf of the Board, thanked Dr. Zerbe for his very informative presentation and he left the meeting

**5886. ANY OTHER BUSINESS**

1. Date of Next Meeting

The next regularly scheduled meeting of the Board of Regents will be held on May 10, 2012 and will be held in Corner Brook.

**ADJOURNMENT**

The meeting adjourned at 6:10 p.m.

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**CHAIR**

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**SECRETARY**

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**DATE**