

Board of Regents Meeting

Memorial Union, Kansas Room

Thursday, 7/27/2017

4:00 - 6:00 PM CT

I. Call to Order

II. Roll Call

Mr. Beck
Mr. Boles
Mr. Hoferer
Mr. McGivern
Mrs. Parks
Mr. Sneed
Mrs. Sourk
Mrs. Van Etten
Mr. Wolgast

III. FY 2018 Public Budget Hearing

FY 2018 Public Budget Hearing - Page 3

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IV. Approval of Minutes of Past Meeting(s)

A. Approval of the Minutes of the June 15, 2017 Meeting

June 15, 2017 Washburn Board of Regents Minutes - Page 17

V. Officer Reports

A. Chair's Report

B. President's Report

C. Committee Report(s)

D. Treasurer's Report

VI. New Business

A. Consent Agenda

1. Liquidated Claims Approval - May 2017 - Jim Martin

Liquidated Claims - May - Page 25

2. Liquidated Claims Approval - June 2017 - Jim Martin

Liquidated Claims - June - Page 26

3. Faculty/Staff Personnel Actions - Jim Martin

Faculty Staff Personnel - Page 27

B. Action Items

1. Proposed Washburn University Board of Regents' Meeting Dates for 2017-2018 - Dr. Farley

Proposed Board of Regents Meeting Dates 2017-18 - Page 28

2. Contracted Services with Pinegar, Smith & Associates, Inc. - Dr. Farley

Pinegar Smith Item - Page 29

Pinegar Smith 17-18 Contract - Page 30

3. Tennis Complex Scoreboard Project M16010 - Jim Martin

Tennis Complex - Page 34

4. Washburn Tech Specialized Training Equipment for Mars Chocolate NA - Jim Martin

Washburn Tech Specialized Training Equip - Mars - Page 35

C. Information Item(s)

1. Track and Field Update - Cameron Babb

2. Veterans Efforts - Eric Grospitch

Agenda Item No. III.
Washburn University Board of Regents

SUBJECT: FY 2018 Public Budget Hearing

BACKGROUND:

The Board approved publication of the summary public budget document and the notice of the public budget hearing at its June 15, 2017 meeting. The notice of public hearing was published in the July 17, 2017 edition of The Topeka Capital Journal.

DESCRIPTION:

Attached are the public budget documents required for the public budget hearing. The documents have estimated year end results for FY 2017, as of June 30, 2017. (Actual FY 2017 results will be presented to the Board at a later date). The mill levy and property valuation amounts are based on updated tax information received on July 1 from the Shawnee County Clerk's office. The public budget proposed for FY 2018 differs from the FY 2018 General Fund Budget approved by the Board on June 15, 2017, as the public budget establishes the maximum amount that can be expended in FY 2018. The public budget amounts are set to anticipate unforeseen circumstances and provide flexibility to handle increases or decreases in various revenue/expense items. However, any expenditure of amounts in excess of the Board approved FY 2018 budget would require specific Board action.

FINANCIAL IMPLICATIONS:

As stated in the attachments. This budget establishes the maximum amounts that can be expended from the various funds included in the public budget documents. The expenditure of amounts in excess of the FY 2018 Public Budget approved by the Board would require specific Board action.

RECOMMENDATION:

President Farley recommends approval of the FY 2018 public budget by the Board of Regents as published.

Date

Jerry B. Farley, President

CERTIFICATE
TO THE CLERK OF SHAWNEE COUNTY, STATE OF KANSAS
We, the undersigned, duly elected, qualified and acting officers of
WASHBURN UNIVERSITY

certify that: (1) the hearing mentioned in the attached proof of publication was held; (2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditure for the various funds for the year 2017-2018 and (3) the amount(s) of 2017-2018 tax to be levied are within statutory limitations.

TABLE OF CONTENTS:		2017-2018 ADOPTED BUDGET		
		Expenditures & Transfers	Amount of 2017-2018 Tax to be Levied	County Clerk's Use Only
Adopted Budget & Financial Statements	Page No.			
Statement of Indebtedness MU-2	3			
Statement of Lease Purchase MU-3	3a			
Current Funds Unrestricted:				
General Fund	4	\$ 93,249,889		
Employee Benefits	5	-		
Tort Claim Liability Exp. Fund	6	1,030,000	\$ 332,562	
Auxiliary Expense	7	10,139,662		
Smoothing Fund	8	4,300,000		
Washburn Institute of Technology	9	11,449,100		
Total Current Funds		\$ 120,168,651	\$ 332,562	
Plant Funds:				
Capital Outlay (DR&C)	10	\$ 8,274,756	\$ 3,187,496	
Capital Outlay (Sales Tax)	11	1,640,000		
Total Plant Funds		\$ 9,914,756	\$ 3,187,496	
TOTAL - ALL FUNDS	xxx	\$ 130,083,407	\$ 3,520,058	
Proof of Publication	12			
Assessed Valuation		\$1,083,134,194		

Municipal Accounting Use Only
Received
Reviewed by
Follow-up: Yes No

JERRY B. FARLEY, PRESIDENT

Assisted by:

JOHN A. MCGIVERN, CHAIRPERSON

Attest: _____, 2017.

County Clerk

JIM MARTIN
VICE PRESIDENT
FOR ADMINISTRATION AND
TREASURER

WASHBURN UNIVERSITY
BOARD OF REGENTS
GOVERNING BODY

FY 2018 Public Budget

General

Illustrated within this total document, is the FY 2017-2018 budget information which was published in the Topeka Capital-Journal July 17, 2017. The budget package includes the General Fund, Debt Retirement and Construction Fund, Employee Benefit Contribution Fund, Tort Claim Liability Fund, Sales Tax Capital Improvement Fund, Smoothing Fund, and Washburn Institute of Technology.

Public Hearing

The Board of Regents has set Thursday, July 27, 2017 at 4:00 p.m. in the Washburn University Memorial Union, Kansas Room for the Public Hearing and for final adoption of the budget. Any other items coming before the Regents will follow the Public Hearing.

Update

The ad valorem tax amounts and assessed valuations were finalized on July 1st when received from the County Clerk's office. The estimated FY 2017 amounts were completed as of July 01, 2017.

Mill Levy

The proposed 2017-2018 budget includes an estimated tax levy of 3.313 mills. This has changed from the mill levy proposed for FY 2017 but is higher than actuals. A comparison of the actual 2016-2017 mill levy with the 2017-2018 proposed mill levy follows:

Washburn University Mill Levy Comparisons by Fund

<u>Fund</u>	<u>2016-2017 Actual</u>	<u>2017-2018 Proposed</u>	<u>Difference</u>
Debt Retirement & Const.	2.962	3.000	0.038
Tort Claim	0.313	0.313	0.000
Totals	<u>3.275</u>	<u>3.313</u>	<u>0.038</u>

Data on assessed valuations, Neighborhood Recovery Act tax reductions, and Machinery and Equipment 100% Estimate HB2044 Sec2 were provided by the County Clerk as of July 1. Property valuations are \$1,083,134,194 for 2017-2018 compared to \$1,068,583,794 (final) for last year, a 0.014% increase in valuation.

STATE OF KANSAS
 Budget Form MU-2
 2017-2018

STATEMENT OF INDEBTEDNESS

Purpose of Bonds	Date of Issue	Int. Rate %	Amount of Bonds Issued	Amount Outstand. 7/1/2017	Date Due		Amount Due FY2017		Amount Due FY2018	
					Int.	Prin.	Int.	Prin.	Int.	Prin.
1. Refunding Revenue Bonds 2010	6/30/2010	2.15% to 3.70%	\$13,500,000	\$6,375,000	7/1 & 1/1	7/1	\$244,280	\$1,075,000	\$215,225	\$1,105,000
2. Refunding Revenue Bonds 2014	6/30/2014	2.00% to 4.00%	\$9,655,000	\$6,975,000	7/1 & 1/1	7/1	\$235,531	\$920,000	\$217,131	\$935,000
3. Revenue Bonds, Series 2015A	6/25/2015	3.00% to 5.00%	\$20,105,000	\$19,965,000	7/1 & 1/1	7/1	\$851,618	\$140,000	\$844,618	\$220,000
4. Revenue Bonds, Series 2015B	6/25/2015	Variable	\$7,070,000	\$6,765,000	7/1 & 1/1	7/1	\$152,111	\$305,000	\$145,549	\$310,000

STATEMENT OF CONDITIONAL LEASE, LEASE-
 PURCHASE AND CERTIFICATE OF PARTICIPATION

Item/Service Purchased	Date of Contract	Term of Contract	Int * Rate %	Cash Cost	Other Charges In Contract	Amount of Payments For Contract	Amount Outstanding 7/1/2017	Amount of Payments Due 2016-2017	Amount of Payments Due 2017-2018
Energy conservation improvements	6/28/2013	15 yrs	2.236%	\$ 10,000,000	\$ -	\$ 11,901,272	\$ 7,651,863	\$ 793,418	\$ 793,418
Total Lease/Purchase				\$ 10,000,000	\$ -	\$ 11,901,272	\$ 7,651,863	\$ 793,418	\$ 793,418

* Use annual effective interest rate if available.

WASHBURN UNIVERSITY
PUBLIC BUDGET - FY 2017-2018
FUND PAGE- GENERAL FUND (EDUCATIONAL & GENERAL)
(FUND WITH NO TAX LEVY)

Adopted Budget General Fund - E&G	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	13,167,519	11,358,665	12,581,945
Revenues:			
Tuition & Fees	45,071,908	49,472,309	52,440,254
Endowment Income	471,828	308,728	880,936
Sales Tax	18,351,713	18,567,818	18,567,818
State Aid	11,900,920	11,424,883	11,424,655
Transfer - Smoothing Fund/Benefit	-	-	-
Other Income	3,767,031	2,780,457	3,263,033
Transfers - Use of Reserves	-	-	2,673,193
Revenue Sub-Total	79,563,400	82,554,195	89,249,889
Total Resources Available	92,730,919	93,912,860	101,831,834
Expenditures:			
Instruction	39,450,427	39,600,485	43,490,181
Pub. Service & Acad. Support	13,891,451	13,010,681	14,649,859
Student Services	9,097,546	9,078,003	9,779,729
Institutional Support	6,096,621	6,298,932	6,263,024
Maintenance of Plant	7,028,833	7,316,533	8,470,913
Scholarships & Fellowships	2,587,171	3,112,668	3,793,916
Other Expenses	1,775,032	430,604	821,622
Transfers	1,445,173	2,483,009	1,980,645
Contingency	-	-	4,000,000
Total Expenditures	81,372,254	81,330,915	93,249,889
Fund Balance June 30	11,358,665	12,581,945	8,581,945

WASHBURN UNIVERSITY
 PUBLIC BUDGET - FY 2017-2018
FUND PAGE - BENEFIT FUND
(FUND WITH NO TAX LEVY)

Adopted Budget Benefit Fund	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	-	-	-
Property Tax/Other Tax Revenue	-	-	-
Investment & Other Income	-	-	-
Revenue Sub-total	-	-	-
Total Resources Available	-	-	-
Expenditures:			
Employee Benefit Expenses/ Transfer to General Fund	-	-	-
Total Expenditures	-	-	-
Fund Balance, June 30	-	-	-

WASHBURN UNIVERSITY
 PUBLIC BUDGET - FY 2017-2018
FUND PAGE- TORT CLAIM FUND
(FUND WITH A TAX LEVY)

Adopted Budget Tort Claim Fund	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	1,306,970	1,263,644	1,108,486
Revenues:			
Ad Valorem Tax	332,936	332,167	332,562
Motor Vehicle Taxes	21,865	22,751	27,732
Delinquent Taxes	-	-	10,500
Investment & Other Income	-	-	5,000
			-
Revenue Sub-total	354,801	354,918	375,795
Total Resources Available	1,661,772	1,618,562	1,484,281
Expenditures:			
Public Liability Insurance Prem.	181,910	166,333	225,000
Misc. Risk Management Exp.		-	15,000
Litigation Expense	51,032	156,715	250,000
Athletic Liability Expense	94,295	105,843	115,000
Insurance Deductible Payments	70,891	81,185	75,000
Contingency	-	-	350,000
Total Expenditures	398,128	510,076	1,030,000
Fund Balance June 30	1,263,644	1,108,486	454,281
			Total Expenditures and Fund Balance
			1,484,281
			Tax Required
			332,562
			Delinquency Computation (1.40%)
			4,656
			Amount of FY18 Ad Valorem Tax
			327,906

WASHBURN UNIVERSITY
 PUBLIC BUDGET - FY 2017-2018
FUND PAGE- GENERAL FUND (AUXILIARIES)
(FUND WITH NO TAX LEVY)

Adopted Budget General Fund - Auxiliaries	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	2,620,156	3,032,810	2,823,333
Revenues:			
Student Union Revenue	3,570,858	3,444,581	3,938,300
Residential Living	3,226,622	4,140,245	4,801,362
Transfer from E&G	-	-	-
Revenue Sub-total	6,797,480	7,584,826	8,739,662
Total Resources Available	9,417,636	10,617,636	11,562,995
Expenditures:			
Salaries and Wages	1,378,019	1,291,728	1,483,959
Cost of Goods Sold	2,013,000	1,914,221	1,692,090
Other Expenses	1,721,007	1,866,825	2,770,646
Transfers to DRC	1,272,800	2,721,529	2,792,967
Contingency	-		1,400,000
Transfers to Bldg. Const. Fund	-	-	-
Total Expenditures	6,384,826	7,794,303	10,139,662
Fund Balance, June 30	3,032,810	2,823,333	1,423,333

WASHBURN UNIVERSITY
 PUBLIC BUDGET - FY 2017-2018
FUND PAGE - SMOOTHING FUND
(FUND WITH NO TAX LEVY)

Adopted Budget Smoothing Fund	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	4,937,974	6,966,028	8,547,028
Sales Tax	2,028,054	2,030,000	2,000,000
Transfer from General Fund	-	-	-
Investment & Other Income	-	-	-
Transfer from Bldg. Const.	-	-	-
Revenue Sub-total	2,028,054	2,030,000	2,000,000
Total Resources Available	6,966,028	8,996,028	10,547,028
Expenditures:			
Transfer to Bldg. Const. Fund	-	-	1,300,000
Transfer to Capital Impv. Fund	-	-	500,000
Transfer to Debt Ret. Const.	-	449,000	500,000
Transfer to General Fund	-	-	500,000
Contingency	-	-	1,500,000
Total Expenditures	-	449,000	4,300,000
Fund Balance, June 30	6,966,028	8,547,028	6,247,028

WASHBURN UNIVERSITY
PUBLIC BUDGET - FY 2017-2018
FUND PAGE- DEBT RETIREMENT & CONSTRUCTION FUND
(FUND WITH A TAX LEVY)

Adopted Budget DR&C Fund	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	685,975	(347,957)	402,090
Revenues:			
Ad Valorem Tax	3,073,596	3,141,787	3,187,496
Motor Vehicle/Other City Taxes	205,353	210,919	265,719
Sales and Other Taxes	250,000	250,000	355,000
Interest and Misc Income	3,676	3,372	3,124
Escrow Funds Applied to Lease Prin	288,066	-	-
Issuance of 2015A /2015B bonds	-	-	-
Transfers from Other Funds/			
Debt Service Payments	2,669,152	4,404,947	4,476,385
Sales Tax & Smoothing	-	449,000	500,000
Revenue Sub-total	6,489,844	8,460,025	8,787,724
Total Resources Available	7,175,819	8,112,068	9,189,813
Expenditures:			
Bond Principal Payments	1,950,000	2,440,000	2,570,000
Bond Interest Payments	1,545,098	1,483,540	1,422,553
Lease Principal Payments	306,377	595,882	609,343
Lease Interest Payments	199,975	186,569	172,860
Transfers to Bldg Const Fund:			
For Capital Maintenance	2,075,292	1,999,800	2,000,000
For Equipment	1,017,690	1,005,200	1,000,000
For Parking	-	-	-
For Capital Projects	-	-	500,000
State Deferred Maint. Bond Repay.	425,625	-	-
State Deferred Bond Service Fee	1,064	-	-
Other Professional Fees	2,654	(1,013)	
Contingency	-	-	-
Total Expenditures	7,523,775	7,709,978	8,274,756
Fund Balance June 30	(347,957)	402,090	915,057
	Total Expenditures and Fund Balance		9,189,813
	Tax Required		3,187,496
	Delinquency Computation (1.40%)		44,625
	Amount of FY18 Ad Valorem Tax		3,142,871

WASHBURN UNIVERSITY
PUBLIC BUDGET - FY 2017-2018
FUND PAGE - CAPITAL IMPROVEMENT FUND
(FUND WITH NO TAX LEVY)

Adopted Budget Capital Improve. (Sales Tax)	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	392,134	392,134	392,134
Sales Tax	890,000	890,000	890,000
Transfer from Smoothing Fund	-	-	500,000
Investment & Other Income	-	-	-
Additional Sales Tax	-	-	250,000
Transfer from Bldg. Const.	-	-	
Revenue Sub-total	890,000	890,000	1,640,000
Total Resources Available	1,282,134	1,282,134	2,032,134
Expenditures:			
Capital Expenses	-	-	250,000
Transfer to DRC Fund	890,000	890,000	890,000
Transfer to Bldg. Const.	-		
Contingency			500,000
Total Expenditures	890,000	890,000	1,640,000
Fund Balance, June 30	392,134	392,134	392,134

WASHBURN UNIVERSITY
PUBLIC BUDGET - FY 2017-2018
Washburn Institute of Technology
(FUND WITH NO TAX LEVY)

Adopted Budget General Fund - WIT	Prior Year Actual FY2016	Current Year Estimate FY2017	Proposed Budget FY2018
Fund Balance, July 1	2,095,767	1,989,974	1,829,154
Revenues:			
Tuition & Fees	3,211,997	3,577,509	3,622,370
Technical State Aid - Secondary	2,963,117	3,143,070	3,143,070
Technical State Aid - Post Sec	3,121,948	3,038,304	3,131,522
Technical Capital Outlay	163,898	164,138	164,138
Interest on Investments	4,897	9,913	8,000
Other Income - Indirect Reimb	-	168,723	-
Other Sales and Services	276,423	145,795	130,000
Transfers - Use of Reserves	-	-	750,000
Revenue Sub-Total	9,742,280	10,247,452	10,949,100
Total Resources Available	11,838,047	12,237,426	12,778,254
Expenditures:			
Instruction	5,798,760	6,511,811	6,396,100
Academic Support	704,913	598,270	695,726
Student Services	996,723	951,024	1,039,474
General Institutional	333,697	387,205	389,636
Facilities Service	1,344,006	1,186,092	1,331,881
Other Expenses & Transfers	669,974	473,870	1,096,283
Contingency	-	300,000	500,000
Total Expenditures	9,848,073	10,408,272	11,449,100
Fund Balance June 30	1,989,974	1,829,154	1,329,154

NOTICE OF PUBLIC BUDGET HEARING
2017-2018 BUDGET

The governing body of WASHBURN UNIVERSITY, Shawnee County will meet on the 27th day of July 2017 at 4:00 P.M., at Washburn University, Memorial Union, Kansas Room for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.

Detailed budget information is available at the Treasurer's Office, Bradbury Thompson Alumni Center, Suite 200, and will be available at this hearing.

The proposed budget for FY 2017-2018 expenditures and amount of 2018 Ad Valorem Tax establish the maximum limits of the 2018 budget. Estimated Tax Rate * is subject to change depending on final assessed valuation.

BUDGET SUMMARY

Current Funds - Unrestricted	2015-2016		2016-2017		PROPOSED BUDGET 2017-2018		
	Expenditures & Transfers	Actual Tax Rate*	Est. Expend. & Transfers	Actual Tax Rate*	Expenditures & Transfers	Amount of 2017 Tax to be Levied	Est. Tax Rate *
General Fund	\$ 81,372,254		\$ 81,330,915		\$ 93,249,889		
Employee Benefits	-		-		-		
Tort Claim Fund	\$ 398,128	0.317	\$ 510,076	0.313	\$ 1,030,000	\$ 332,562	0.313
Auxiliary Enterprises	\$ 6,384,826		\$ 7,794,303		\$ 10,139,662		
Smoothing Fund	\$ -		\$ 449,000		\$ 4,300,000		
Washburn Institute of Technology	\$ 9,848,073		\$ 10,408,272		\$ 11,449,100		
Plant Funds:							
Capital Outlay(DR&C)**	\$ 7,523,775	2.949	\$ 7,709,978	2.962	\$ 8,274,756	\$ 3,187,496	3.000
Capital Outlay(Sales Tax)	\$ 890,000		\$ 890,000		\$ 1,640,000		
Total All Funds	\$ 106,417,056	3.266	\$ 109,092,544	3.275	\$ 130,083,407	\$ 3,520,058	3.313
Total Tax Levied	\$ 3,400,868		\$ 3,498,947		xxxxxxxxxxxxx		
Assessed Valuation	\$ 1,043,563,308		\$ 1,074,225,948		\$ 1,083,134,194		
Outstanding Indebtedness							
July 1,	2015		2016		2017		
Capital Lease	\$ 8,852,155		\$ 8,258,712		\$ 7,651,863		
Revenue Bonds	44,470,000		42,520,000		40,080,000		
Total	\$ 53,322,155		\$ 50,778,712		\$ 47,731,863		

* Tax Rates are expressed in mills.

** The mill rate for the Capital Outlay (DR&C) fund is no more than 3 mills.

WASHBURN UNIVERSITY OF TOPEKA
BOARD OF REGENTS
MINUTES
June 15, 2017

I. Call to Order

Chairperson McGivern called the meeting to order at 4:00 p.m. in the Kansas Room of the Memorial Union on the Washburn University campus.

II. Roll Call

Present were: Mr. Beck, Mr. Boles, Mr. Hoferer, Mr. McGivern, Mrs. Parks, Mr. Sneed, Mrs. Sourk, and Mr. Wolgast. Ms. Van Etten arrived at 4:02 during the President's Report.

III. FY 2018 Public Budget – Publish Notice of Hearing

It was moved by Regent Hoferer and seconded by Regent Sourk to approve to publish the notice of hearing for the FY 2018 public budget. Motion passed.

IV. Approval of Minutes of the April 13, 2017 meeting

It was moved by Regent Parks and seconded by Regent Boles to approve the Minutes of the April 13, 2017 meeting. Motion passed.

V. Election of Officers

A. Nominating Committee

Regent Parks, Chair of the Nominating Committee, said the committee met and makes the following recommendations:

For special officers, Jim Martin as Treasurer, Marc Fried as Secretary to the Board, and Cynthia Holthaus as Assistant Secretary to the Board. For officers of the Board, John McGivern as Chair and Paul Hoferer as Vice-Chair. Motion to approve the recommended appointments was made by Regent Parks, seconded by Regent Beck. Motion approved.

VI. Officer Reports

A. Chair's Report

Regent McGivern commented that the board is engaged and asking questions and he commends the members for their commitment and due diligence

B. President's Report

President Farley introduced Alexis Simmons, the newly elected president of the Washburn Student Government Association (WSGA).

Dr. Farley said there is a new program in Topeka – Top City Interns program -- sponsored by Forge, a subunit of the Greater Topeka Chamber of Commerce. He said 173 interns signed up from 43 different universities and colleges, 27 different states and 7 countries. Washburn is housing 50 interns at the Washburn Village. The program is designed to help the interns meet and interact more as a group and also to help them understand better what Topeka and Shawnee County are about so they will consider coming back to Topeka when they are done with their school, whether with same company or different company.

President Farley said the Mathematical Association of America in Kansas brings mathematicians together. Sarah Cook, Associate Professor in Mathematics and Statistics, received the Distinguished Teaching Award from the association. She has taught here since 1998, and Regent Sourk had her as a professor.

Dr. Farley introduced Loren Ferre, Director of Athletics, who noted that several camps were being held on campus this week, and Coach Ballard will have his first camps next week. The camps bring potential students on campus.

President Farley said the Sunflower Music Festival is being held on campus this week. The festival has been going for over 30 years. Dr. Farley noted the concerts are free every evening, including one this evening. The Blanche Bryden Institute portion of the festival provides an opportunity for students to work with internationally renowned music professionals. Last night's concert drew a 90% capacity crowd in White Concert Hall.

Dr. Farley reported that the Mulvane Art Fair was last weekend, indicating it has become a major event in Topeka and on campus.

President Farley said Washburn is hosting a high school leadership academy and he met with the students today. Regent Wolgast also spoke to the group yesterday, and the first question was why are we allowing guns on campus?

Dr. Farley reported KTWU has again won several awards, it would take some time to read the list of awards they have received, but in particular a production called "Portrait of a Landscape: The Flint Hills" has won several awards from several different organizations. Eugene Williams, Director of KTWU, was present and recognized Val VanDerSluis and Jared Gregg.

C. Committee Reports

1. Budget/Finance Committee

Item was moved to Action Items VII. B. 1.

2. Presidential Assessment Committee

The Presidential Assessment Committee report will be brought to the Board at a future meeting.

D. Treasurer's Report

There was no Treasurer's Report.

VII. New Business

A. Consent Agenda

It was moved by Regent Sourk and seconded by Regent Parks to approve the Consent Agenda. Motion passed.

As approved by action of the Board:

- 1. Liquidated Claims Approval – March 2017**
- 2. Liquidated Claims Approval – April 2017**

3. Personnel

a. Faculty/Staff Personnel Actions

Christopher Enos from Interim Director to Director of University Police effective May 1, 2017 at an annual salary of \$78,884; hire Andrew Farkas, Assistant Professor of English, and correction to budget line – return \$1,000 from College of Arts & Sciences Adjunct fund; Keith Farwell, Program Director Diagnostic Medical Sonography/Assistant Professor Allied Health, position conversion from tenure track to Lecturer; and Harry “Rusty” Taylor, Respiratory Therapy Program Director/Instructor Allied Health, title change from Instructor to Lecturer.

B. Action Items

1. FY 2018 General Fund Budget – Washburn University and Washburn Institute of Technology

Vice President for Administration and Treasurer Jim Martin presented the item, reporting the Budget and Finance committee of the Board has reviewed the budget. Notable points about the budget: 1) we have taken a conservative approach on revenues, budgeting no increases in credit hours from last year except for a couple of new programs; 2) Expenses has some increases for utilities, programs for veterans and a 1.5% salary program for faculty and staff. No increase in student fees is planned, but a 2.89% tuition increase for undergraduate programs is included.

It was moved by Regent Boles and seconded by Regent Parks to approve the budget. Vote was 8 – 1 to approve the budget with Regent Sneed voting no. He stated that he believes the budget is raising money on the backs of the students. Until the law school plan is clarified he can no longer support the budget. He appreciates the work of the committee and the staff and his vote is no reflection on them. Motion passed.

2. Apple Computer System Purchase

Vice President for Administration and Treasurer Jim Martin presented the item and explained this is part of the regular technology replacement cycle. It was moved by Regent Boles and seconded by Regent Wolgast to approve the item. Motion passed.

3. Kansas Room Audio Visual Project – C14046/C18041

Vice President for Administration and Treasurer Jim Martin said this item is to complete the updated communications in the Kansas Room and by the end of the summer to make it a high tech room. The vendor is a state approved vendor. It was moved by Regent Sneed and seconded by Regent Hoferer to approve the item. Motion passed.

4. Ratification of Microsoft Campus Agreement Renewal

Vice President for Administration and Treasurer Jim Martin presented the item. He said we have to pay Microsoft an annual license fee to use their products which also allows employees to use the programs from home to give them greater access. This is the third year of a three-year agreement. It was moved by Regent Wolgast and seconded by Regent Van Etten to approve the item. Motion passed.

5. Washburn Tech Automotive Collision Parking Lot Repairs Project #CK1801

Vice President for Administration and Treasurer Jim Martin said this section of the parking lot at Washburn Institute of Technology (Tech) is in very bad shape, having eroded to travel in some places. It is the northeast portion of the lot. Dinkel Construction is a Topeka company and is the low bidder. This is a high priority for Tech. It was moved by Regent Parks and seconded by Regent Van Etten to approve the item. Motion passed.

6. Washburn Tech Logoed Embroidered Program Uniforms and Clothing

Vice President for Administration and Treasurer Jim Martin presented the item saying many of the Tech programs have a uniform requirement. Tech buys the uniforms and then sells them to the students. In response to a question about how students feel about it, Dean Coco responded that many of the students, when going into the workforce, will have to do this so it prepares them for the workplace environment. Companies who come onto campus like to see that the students are wearing uniforms. Chaz Havens, instructor at Tech, commented that students like this because it is a shirt they can dirty that isn't a regular shirt. It was moved by Regent Boles and seconded by Regent Hoferer to approve the item. Motion passed.

7. Chartwells' Amendment Number Eight to Food Services Agreement

Vice President for Administration and Treasurer Jim Martin said a number of questions have been asked prior to the meeting, so he will address this a bit in detail.

Washburn views this as a one-time deal and not a regular occurrence. Chartwells has worked on our campus since 2009. When Lincoln Hall was added, we extended the agreement to 2025. When we signed the extension, Chartwells agreed to pay additional monies to help with the new construction. So far, \$3 million has been paid and an additional \$750,000 is scheduled. Chartwells also provided money for scholarships and an additional \$15,000 for repairs and maintenance.

The original agreement, and then the extension, contains a provision for Chartwells to cancel the agreement upon 60 days' notice if sales are not fair and equitable. If cancelled, Washburn would need to repay the unamortized portion of donations already made, as well as lose the \$750,000 and scholarships in the future. This would put us in a position to have to hire another vendor in the short term who would know we would be in a difficult situation when we would be trying to negotiate a new agreement.

Chartwells approached us back in December 2016 about this matter. They spoke with our business services and we asked for documentation from Chartwells. Some of their problems are issues that are not Washburn's issues. We wanted to keep the donations received, future donations and scholarships. Negotiations were difficult, but we agreed to give \$100,000, but also have a clawback that if we fill up the dorms and they get the food contracts to a certain number, Chartwells will pay back the \$100,000 over five years. In response to a question if there is something in writing that keeps Chartwells from doing this in two years, Vice President Martin responded no.

In response to a comment that the expectation of a full Lincoln Hall in the first year was never considered, Vice President Martin stated that Chartwells was advised that full dorms was never a promise.

In response to a question if this contract has been bid since 2006, Dr. Farley said that when the agreement was renewed in 2009, Washburn did information gathering to compare if it was competitive.

In response to a question if the clawback numbers are reasonable? Vice President Martin stated they are stretch goals but are less than 100% capacity. What would help is to sell meals to commuters. Several comments expressed concern that the 60-day notice could force another such agreement in the future. Another comment was made that the \$100,000 is .54% of the total contract.

In response to a question about what the deadline is to respond, Vice President Martin stated the agreement contemplates payment by June 30. Vice President Martin said he anticipates more students on campus and new management for the Chartwells team on campus, so this shouldn't be an issue moving forward.

In response to a question about if the clawback numbers can be reached, Vice President Martin stated it would be met with 97% or 98% capacity of the residence halls to meet the numbers or less if we get more commuters to purchase meal plans.

It was moved by Regent Hoferer and seconded by Regent Wolgast to approve the item. A voice vote was not determinative so a show of hands vote was taken. Regents Beck, Hoferer, McGivern, Parks and Wolgast voted in favor of the motion. Regents Boles, Sneed, Sourk and Van Etten voted against the Motion. Motion passed 5-4.

Regent Sneed remarked that to allow this payment is an extreme departure of our bidding processes and will signal to other vendors they can do the same. His vote is not intended as a reflection on Chartwells but he does not agree with this as a solution.

8. Exclusive Pouring Rights Agreement

Vice President for Administration and Treasurer Jim Martin said Pepsi has had exclusive pouring rights for over thirty years. A team was put together to negotiate with Pepsi a seven year contract which provides additional monies to some departments like athletics. In response to a question about if drinks sold go to Chartwells, Janel Rutherford, Director of Business and Auxiliary Services in the Memorial Union, stated yes and then we get a percentage back from Chartwells. Vice President Martin added that this is a better deal than the original contract. Today's market is tougher. It was moved by Regent Boles and seconded by Regent Sneed to approve the item. Motion passed.

9. Renewal of Property Insurance

Vice President for Administration and Treasurer Jim Martin said this is the annual renewal of property insurance with the Midwest Higher Education Compact (MHEC). MHEC advised that we will see a premium drop this next year. The current premium is \$240,000, and they expect the new premium to be below \$200,000. It was moved by Regent Parks and seconded by Regent Van Etten to approve the item. Motion passed.

10. New Mass Media Minor

Vice President for Academic Affairs JuliAnn Mazachek presented the item for the School of Applied Studies. She said this doesn't add any costs but creates additional needed learning, exactly what we should be doing for our students today. Students going out with this kind of education will make them more valuable. It was moved by Regent Van Etten and seconded by Regent Wolgast to approve the item. Motion passed.

11. Proposal to Amend Faculty Handbook – Modifications to Faculty Appointment Categories

Vice President for Academic Affairs JuliAnn Mazachek said this will be the first of many items we anticipate bringing to the Board in the coming year. The Faculty Handbook is essentially the policy handbook for faculty. This item is a classification to better reflect how we actually do things. Concern was raised that the classifications separated tenure track and tenured but still reference tenure-track in some of the tenured classification language. Vice President Mazachek stated this is necessary because of the underlying requirements. It was moved by Regent Sourk and seconded by Regent Boles to approve the item. Motion passed.

12. Faculty Handbook Committee – Creation of a Standing Advisory Committee

Vice President for Academic Affairs JuliAnn Mazachek said we have not had a specific committee to regularly review the handbook. The current committee has been acting as a task force. She said it is necessary to establish a regular committee to evaluate and review the handbook on an ongoing basis. It was moved by Regent Parks and seconded by Regent Van Etten to approve the item. Motion passed.

C. Information Items

1. East Topeka Learning Center

Vice President for Academic Affairs JuliAnn Mazachek presented the item. She said Washburn is an academic partner with the Greater Topeka Chamber of Commerce and the Joint Economic Development Organization (JEDO) to develop an east side technical education center to help persons have easier access to such education and training in an area where such training is in need. Funding will be provided by JEDO and the proposed location is at 21st and Indiana, which has been purchased by JEDO. JEDO will offer \$1.5 million in the first three years to assist with operation expenses. Vice President Mazachek said this will not be a highly profitable program, so we will need to watch carefully as we go through the program.

The partners have agreed to have a new market study to determine if the offerings need to change or be adjusted. HTK is doing the design and is working with Washburn Institute of Technology Dean Coco on the design of the center. Partnership was originally targeted August, 2018, as the start date, but with the marketing study, it may delay the start six – twelve months. Dean Coco was the leader in the project long before anyone else was involved from Washburn.

In response to a question about the anticipated cost of renovation of the building, Vice President Mazachek stated that JEDO has allotted \$4.5-\$5 million for the renovations, which will be paid by JEDO from the economic development fund. In response to a question that since the money is tight, is there an ability to get out of the agreement, Vice President Mazachek stated this issue has been an issue that has slowed down the process.

In response to a question if there will be an opportunity for grant programs, Dean Coco stated those have not been part of the conversation so far. Regent Wolgast stated that the land had already been purchased by JEDO and that this type of facility in East Topeka has been discussed for about ten years. The property could be used for other things, but this job skill training is needed for this area as we don't have enough skilled workers in that area.

Dr. Farley added that the east side has not had the same attention as other areas of the city. This is part of Washburn wanting to help and be part of the growth of the community. In the long run, we all, including Washburn, would benefit from this kind of facility. Washburn cannot commit to a long-term agreement because if we don't have any students we cannot continue. We will look for alternatives to hope they work. We are proposing language that would allow us to go to JEDO and step away from the agreement if this Board does not agree to continue.

Regent Boles noted that this is very important to the community. Dr. Farley stated when this was addressed at a JEDO meeting the first time, he had never seen the outpouring of support from that part of the community like he witnessed for this project. Regent Parks stated she hoped that this incentivizes businesses on that side to become involved. Regent Sourk noted her company has locations on the east side that would benefit from this training.

2. Report of Purchases \$20,000 to \$50,000

There were no questions.

3. Simulation Software – Chaz Havens

Washburn Institute of Technology Dean Coco said he believes there is a market for virtual technical education. He has been meeting with three partners in Kansas to work on getting this program out in Kansas. Dr. Tatro added that several school districts do not have access to technical education so this is a way to get that opportunity. Chaz Havens piloted the first program last spring and this fall we will offer five programs.

It was moved by Regent Hoferer and seconded by Regent Boles to recess into executive session for 15 minutes. The Board recessed into executive session at 5:35 p.m. The Board reconvened in open session at 5:50 p.m.

It was moved and seconded to adjourn.
The meeting adjourned 5:50 p.m.

Marc Fried
Secretary, Board of Regents

Agenda Item No. VI. A. 1.
Washburn University Board of Regents

SUBJECT: Liquidated Claims Approval – May 2017

DESCRIPTION: Attached is the list of claims processed for the month of May, 2017 by fund, and a summary of all claims by fund is detailed below. The payroll claims will be presented to the Board of Regents for review at the July 27, 2017 meeting through the Chairperson.

To the best of my information and belief, I certify that the liquidated claims submitted in this transmittal are in compliance with all applicable laws and University policies.

 Jim Martin, Vice President for Administration & Treasurer

WASHBURN UNIVERSITY		
Fund #	Fund Name	Total Claims
1.	General Fund	\$1,910,822
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	669,733
4.	Endowment Fund	-0-
5.	Student Loan Fund	38,469
7.	Tort Claim Fund	2,902
8.	Restricted and Agency Fund	277,387
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	159,896
	Sub-Total	3,059,209
	Payroll	2,832,608
	Payroll Withholding ACH Transactions	2,651,283
	Total	\$8,543,100

WASHBURN INSTITUTE OF TECHNOLOGY		
1.	General Fund	\$186,453
3.	Building and Construction Fund	500
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	42,502
13.	Government and Research Fund	34,762
	Sub-Total	264,217
	Payroll	350,817
	Payroll Withholding ACH Transactions	191,468
	Total	\$806,502

 Date

 Jerry B. Farley, President

Agenda Item No. VI. A. 2.
Washburn University Board of Regents

SUBJECT: Liquidated Claims Approval – June 2017

DESCRIPTION: Attached is the list of claims processed for the month of June, 2017 by fund, and a summary of all claims by fund is detailed below. The payroll claims will be presented to the Board of Regents for review at the July 27, 2017 meeting through the Chairperson.

To the best of my information and belief, I certify that the liquidated claims submitted in this transmittal are in compliance with all applicable laws and University policies.

 Jim Martin, Vice President for Administration & Treasurer

WASHBURN UNIVERSITY		
Fund #	Fund Name	Total Claims
1.	General Fund	\$ 1,953,452
2.	Debt Retirement & Construction Fund	-0-
3.	Building and Construction Fund	567,704
4.	Endowment Fund	-0-
5.	Student Loan Fund	109,332
7.	Tort Claim Fund	130,112
8.	Restricted and Agency Fund	197,979
9.	Plant Fund	-0-
10.	Smoothing Fund	-0-
12.	Capital Improvement	-0-
13.	Government and Research Fund	136,694
	Sub-Total	3,095,273
	Payroll	2,986,684
	Payroll Withholding ACH Transactions	4,381,074
	Total	\$10,463,031

WASHBURN INSTITUTE OF TECHNOLOGY		
1.	General Fund	\$119,603
3.	Building and Construction Fund	6,228
5.	Student Loan Fund	-0-
8.	Restricted and Agency Fund	10,885
13.	Government and Research Fund	88,287
	Sub-Total	225,003
	Payroll	332,484
	Payroll Withholding ACH Transactions	188,927
	Total	\$746,414

 Date

 Jerry B. Farley, President

Agenda Item No. VI. A. 3.
Washburn University Board of Regents

SUBJECT: Faculty/Staff Personnel Actions

DESCRIPTION:

The following routine adjustments to specific salary lines must either be reported to the Board or approved by the Board.

Name	Position	Change	Financial Implications	Comments	Action
Brock Luke	Defensive Coordinator 000500	Increase Salary from \$52,749 to \$65,936	Funds available in existing FY'18 budget	Market Adjustment	Request approval
Zachary Watkins	Asst. Coach Defense 000501	Increase Salary from \$49,882 to \$64,348	Funds available in existing FY'18 budget	Market Adjustment	Request approval
Jeffrey Schwinn	Offensive Coordinator 000503	Increase Salary from \$51,816 to \$64,770	Funds available in existing FY'18 budget	Market Adjustment	Request approval
Eric Eisenbarth	Offensive Line Coach 000504	Increase Salary from \$42,075 to \$56,801	Funds available in existing FY'18 budget	Market Adjustment	Request approval
Joshua Osborn	Assistant Coach Offense 001031	Increase Salary from \$33,681 to \$42,101	Funds available in existing FY'18 budget	Market Adjustment	Request approval
Laron Moore	Assistant Coach Defense 001059	Increase Salary from \$29,017 to \$33,651	Funds available in existing FY'18 budget	Market Adjustment	Request approval
Jia Feng	Lecturer POSN New	Correction to budget line	Transfer \$2,784.00 from CAS Adjunct fund	New hire – editorial error. Budget line should have been increased to salary offer	For Information Only

RECOMMENDATION:

President Farley recommends approval of these personnel actions.

Date

Jerry B. Farley, President

Agenda Item No. VI. B. 1.
Washburn University Board of Regents

SUBJECT: Proposed Washburn University Board of Regents' Meeting Dates for 2017-2018

DESCRIPTION:

Thursday, September 21, 2017
Thursday, November 9, 2017
Wednesday, December 13, 2017
Thursday, February 8, 2018
Thursday, April 12, 2018
Thursday, June 21, 2018
Thursday, July 26, 2018 (Public Budget Hearing)

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION:

President Farley recommends the Board of Regents approve the 2017-2018 Washburn University Board of Regents' meeting dates.

Date

Jerry B. Farley, President

Agenda Item No. VI. B. 2.
Washburn University Board of Regents

SUBJECT: Contracted Services with Pinegar, Smith & Associates, Inc.

DESCRIPTION:

Historically, Washburn University has maintained a visible presence in state government. The firm of Pinegar, Smith & Associates provided supplemental support as a contracted lobbyist firm for many years. They have assumed primary responsibility for legislative analysis and response for the University for the past seven years. Services provided by Pinegar, Smith & Associates include monitoring legislative activity on a day-to-day basis, covering committee hearings, arranging private meetings of legislators with Dr. Farley, and monitoring the daily session for any activity related to issues of interest to Washburn.

FINANCIAL IMPLICATIONS:

The annual rate for this proposal will be \$86,478.00, payable as mutually agreed to between the parties. In addition, Pinegar & Smith will also bill for any reasonable out-of-pocket expenses incurred, such as postage, shipping, printing and photocopies, entertainment, lobbyist registration fees and out-of-town travel and lodging. Funding for these services currently exists.

RECOMMENDATION:

President Farley recommends the Board of Regents to approve the contract submitted by Pinegar, Smith & Associates to provide to aforementioned services for the period of August 1, 2017 to July 31, 2018.

Date

Jerry B. Farley, President



CONTRACT FOR PROFESSIONAL SERVICES

THIS CONTRACT FOR PROFESSIONAL SERVICES (“Agreement”) is made and entered into by and between Washburn University of Topeka, 1700 SW College Avenue, Topeka, Kansas 66621 (hereinafter “Client”), and Pinegar, Smith & Associates, Inc., 513 SW Van Buren Street, Topeka, Kansas 66603-3302 (hereinafter “Consultant”).

The parties agree as follows:

1. Statement and Subject of Employment

a. Client retains and employs Consultant to represent Client with regard to legislative and administrative policy issues which may come before the United States Congress, Kansas Legislature and other government agencies or bodies in Kansas, which is further provided as follows:

- i. Consultant will assist Client with developing a federal and state legislative agenda;
- ii. Consultant will provide monitoring of legislation in the Kansas Legislature which affects or is of interest to Client;
- iii. Consultant will provide monitoring of legislation in the United States Congress which affects or is of interest to Client;
- iv. Consultant will assist Client in advancing the legislative program of Client at both the federal and state level, which includes personal meetings with elected officials and their staff to convey and articulate the goals of the Client;
- v. Consultant will provide verbal (or written if requested) reports to University President or designee regarding services rendered on timely legislative and administrative issues.
- vi. Consultant will monitor and attend meetings of the Kansas Higher Ed Caucus;
- vii. Consultant will provide assistance to Client in the planning and coordination of legislative social activities and functions which provide benefit to the legislative program of Client;

- viii. Consultant will attend and participate, as appropriate, in University Executive Staff meetings; and,
- ix. Consultant will attend and participate in University meetings, functions, etc., as requested by the University President's office.

2. Term of Agreement

The term of this Agreement shall be for a one-year period beginning August 1, 2017 through July 31, 2018 ("Agreement Term").

3. Consultant's Fee

In consideration for the representation and services provided under this Agreement, Client shall pay Consultant Eighty-Six Thousand Four Hundred Seventy Eight Dollars (\$86,478.00) ("Consultant's Fee"), payable in twelve (12) equal monthly installments of Seven Thousand Two Hundred Six Dollars and 50 cents (\$7,206.50) per installment. The first monthly installment shall be due and payable immediately upon the signing of this Agreement, with each subsequent installment due and payable on the first day of each month thereafter.

4. Costs and Other Expenses

Reasonable costs incurred by Consultant in advancing Client's cause are to be borne by Client (filing fees, postage, long distance telephone calls, copying, travel and entertainment, etc.). All such reasonable expenses shall be payable on a monthly basis, with a detailed invoice of such items provided to Client by Consultant. Payment shall be made within thirty (30) days of the invoice date.

5. Fee in Event of Discharge

Client reserves the right to terminate this Agreement at any time; *provided*, Client provides Consultant thirty (30) days written notice of such termination. Notwithstanding, in the event Client elects to terminate this Agreement, Consultant shall be compensated by Client for services rendered and expenses incurred until the date of such termination. Such compensation shall be determined through an equitable adjustment of Consultant's Fee based upon the date of discharge in relation to the Agreement Term.

6. Association of Others

Consultant, with approval of Client, may employ, retain and/or consult with other persons to assist Consultant in representing Client, at Consultant's expense. All such persons shall report exclusively to Consultant.

7. Withdrawal of Consultant

Consultant may withdraw from Client's representation at any time; *provided*, Consultant provides Client with thirty (30) days written notice. Notwithstanding, Consultant shall be compensated by Client for services rendered and expenses incurred until the date of such withdrawal. Such compensation shall be determined through an equitable adjustment of Consultant's Fee based upon the date of withdrawal in relation to the Agreement Term.

8. Notice

Any notice required or contemplated under this Agreement shall be in writing and shall be deemed to have been duly served if delivered in person to the party for whom it is intended, or if delivered at or sent by registered or certified mail to the address of the person for whom it is intended. All notices for Washburn University of Topeka shall be provided to University counsel, Washburn University of Topeka, 1700 SW College Avenue, Topeka, Kansas 66621. All notices for Pinegar, Smith & Associates, Inc. shall be provided to Pinegar, Smith & Associates, Inc., 513 SW Van Buren Street, Topeka, Kansas 66603-3302.

9. Favorable Outcome Not Warranted

Consultant agrees to faithfully and diligently represent Client, but Consultant makes no warranties or representations concerning the success or results obtained from Consultant's services or representation under this Agreement. All statements of Consultant on these matters are statements of opinion only.

10. Modifications of Agreement

Any modifications of this Agreement or any additional obligations assumed by either party in connection with this Agreement shall be binding only if evidenced in writing and signed by both parties.

11. Entirety of Agreement

This Agreement embodies the entire agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained in this Agreement. This instrument supersedes and modifies all previous communications, representations or agreements, either verbal or written, between the parties.

12. Law to Govern Contract

It is agreed that this Contract shall be governed by, construed and enforced in accordance with the laws of the State of Kansas.

13. Confidentiality of Information

To the extent this paragraph is not superseded by law, each party agrees that all of the information, data, processes and procedures related to the subject matter of this Agreement is and shall be maintained as confidential information.

14. Nondiscrimination

Neither party shall discriminate against any person during the performance of this Agreement because of race, color, religion, age, national origin, ancestry, disability, sex, sexual orientation, gender identity, genetic information, marital or parental status, or any basis prohibited by federal, state or local law or University's equal education opportunity statement.

15. Miscellaneous

The parties hereby acknowledge that it is their intent to consummate this Agreement, and further agree to cooperate in good faith to effectuate and implement all the terms and conditions of the Agreement. This Agreement or any section thereof shall not be construed against any party due to the fact that said Agreement or any section thereof was drafted by said party. If any portion, provision or part of this Agreement is held to be invalid, unenforceable, unconscionable, or void for any reason whatsoever, that portion shall be severed from the remainder, and shall not affect the validity or enforceability of the remaining provisions, portions or parts.

IN WITNESS WHEREOF the parties of this Agreement have caused it to be executed in duplicate and one copy provided to each party.

Pinegar, Smith & Associates, Inc.

Washburn University of Topeka

By: _____
John D. Pinegar

By: _____
Jerry B. Farley, President

Date

Date

Agenda Item No. VI. B. 3.
Washburn University Board of Regents

SUBJECT: Tennis Complex Scoreboard Project M16010

DESCRIPTION:

At the February 5, 2015 Board of Regents meeting the Board approved fund raising for the planning and installation of a scoreboard for the Tennis Complex. Fundraising goals have been met and the planning and design efforts have concluded. The Athletics Department is now ready to proceed with the purchase and installation of the scoreboard, along with construction of a free standing wall to mount the scoreboard. The scoreboard will contribute to an enhanced student athlete and fan experience.

<u>CONTRACTOR</u>	<u>BID</u>
Kelley Construction	\$75,500
Mohan Construction	\$104,600

FINANCIAL IMPLICATIONS:

An expenditure from the Washburn University Tennis Complex Fund. Total project costs of \$130,311 to include design services, construction, and purchase of the new scoreboard will be paid using funding through the Washburn University Foundation:

- \$75,500 to Kelley Construction for general construction activities
- \$9,500 to Schwerdt Design for design services
- \$45,311 to Daktronics Scoreboards for purchase of new scoreboard.

RECOMMENDATION:

President Farley recommends the Board of Regents award a bid for construction for \$75,500 to Kelly Construction for the Tennis Complex Scoreboard Project.

Date

Jerry B. Farley, President

Agenda Item No. VI. B. 4.
Washburn University Board of Regents

SUBJECT: Washburn Tech Specialized Training Equipment for Mars Chocolate NA

DESCRIPTION:

Washburn Tech is the training institution of choice for Mars Chocolate NA, based on a 2013 incentive agreement executed in partnership with Go Topeka, Mars Chocolate and Washburn Institute of Technology. To meet their training needs due to the continued production expansion, funds required to purchase a proprietary piece of equipment manufactured by Quality Machining Services LLC for Mars are requested.

VENDOR	AMOUNT
Quality Machining Services LLC	\$50,625

FINANCIAL IMPLICATIONS:

No impact to the General Fund will take place. Upon receipt of an invoice from Quality Machining Services LLC, Washburn Tech will request funds from Mars Chocolate NA, plus administrative fees to reimburse Washburn University for their role in this process.

Total costs of \$50,625 were included in the FY18 Washburn Tech Business & Industry expense budget for third party training needs.

RECOMMENDATION:

President Farley recommends the Board of Regents approve the purchase of this proprietary training equipment in the amount of \$50,625 to meet the training needs of Mars Chocolate NA.

Date

Jerry B. Farley, President