

UNIVERSITY OF MAINE SYSTEM
Board of Trustees Meeting

hosted by the University of Maine at Augusta
April 7-8, 2024

Board of Trustees Meeting

Present: **Trustees:** Trish Riley, Chair; Lisa Eames, Vice Chair; Roger Katz, Barbara Alexander, Patrick Flood, Donna Loring, Emily Cain, David MacMahon, Kelly Martin (Zoom), Valerie Landry, Owen McCarthy, John Moore (Zoom), Pender Makin, and Michael Michaud. **Chancellor:** Dannel Malloy. **University Presidents:** Joan Ferrini-Mundy, Ray Rice (Zoom), Jenifer Cushman, Joseph McDonnell, Deborah Hedeem and Jacqueline Edmondson. **Faculty Representatives:** Ivan Manev, Clyde Mitchell, William Otto, Libin Thaikkatti Louis, Lisa Leduc, and Joe Staples. **Student Representatives:** Katie Ashley, Tony Lewis, Aidan Mulrooney, Tristan Mitchell, Jacob Carter, Alec Brooks, Andrew Seile, Olivia Britton and Ava Ellis. **System Staff:** Ryan Low, Paul Chan, Carolyn Dorsey, Jamie Ballinger, Samantha Warren, Gretchen Catlin, John Volin, Rosa Redonnett, Kim-Marie Jenkins, Elizabeth Stickler and Kayla Flewelling.

Sunday, April 7, 2024

Trustee Riley, Chair, welcomed everyone and called the Executive Session to order.

EXECUTIVE SESSION

On a motion by Trustee Michaud, which was seconded by Trustee MacMahon, and approved by all Trustees present and by roll call vote, the Board of Trustees meeting went into Executive Session under the following provisions:

- 1 MRSA Section 405 6-A to discuss the evaluation of personnel and the consideration and discussion of appointments, evaluations, employment and duties.
- 1 MRSA Section 405 6-C to discuss the condition, acquisition or disposition of real property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the UMS.
- 1 MRSA Section 405 6-D to discuss planning for negotiations and communications with AFUM, UMPSA, ACSUM, Police, PATFA, and Service and Maintenance Units.
- 1 MRSA Section 405 6-E to consult with its attorney concerning legal rights and duties of the university.

On a motion by Trustee Michaud, which was seconded by Trustee Cain, and approved by all Trustees present and by roll call vote, the Board of Trustees concluded the Executive Session.

Monday, April 8, 2024

Trustee Riley, Chair, called the public meeting to order and welcomed everyone.

CITIZEN COMMENT

Citizen Comment is a time regularly set aside for comments from the public. The following individuals spoke during the Citizen Comment period:

Derek DeMello – UM Student
Benjamin Cain – UM Student
Willow Cunningham – UM Student
Jacob Hinz – UM Student

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Megan Sauberlich – UM Student
Elsa Molarsky – UM Student
Steven Santiago – UM Student
Matt Marks – Association of General Contractors

UNIVERSITY OF MAINE AT AUGUSTA DISCUSSION

President Cushman introduced a presentation by students attending the University of Maine at Augusta. They discussed diversity, housing at the Hallowell dorms, the Saco center, the aviation program, early college, and the veterans’ center.

CHAIR’S REPORT

Chair Riley thanked President Cushman and UMA staff for the dedicated efforts put into the planning and hosting of the Board of Trustees Meeting.

Presidents’ Round Robin: The University presidents each provided an update on their campus.

FINALIZED BOARD POLICES 202-206

At the direction of Chair Riley and agreement of the Board at the January 2023 meeting, the Bylaws Working Group has completed its review of the current Bylaws and recommended the changes noted in the redline format included in meeting materials. It has been the intent of the Working Group throughout this process to clarify the current wording of the Bylaws, add necessary details to reflect ongoing Board practice, and to include content in the Bylaws derived from our Charter and other operating principles where it was determined that language was important to include.

These initial provisions and redlined changes were presented as an information item at the January 2024 Board of Trustees Meeting for consideration and further recommendations. The proposed Bylaw changes are being presented at the April 2024 Board of Trustees for final approval.

On a motion by Trustee Alexander, which was seconded by Trustee Cain, and approved by all Trustees present and by roll call vote, the Board of Trustees approved the final version of the edited Board Policies 202 through 206 as initially presented in redlined form at the January 2024 Board Meeting and provided at the April 2024 Board Meeting materials in final form.

APPROVAL OF FY2025-2026 BOARD AND COMMITTEE MEETING CALENDAR

In accordance with the University System’s Charter and the Board’s By-laws, the proposed calendar is submitted for approval. In order to allow as much flexibility as possible in planning schedules, the proposed calendar has been developed on a 2-year cycle based on the fiscal year (July to June). The only change to FY25 is the location of the November 17-18 meeting from UMA to UM.

Fiscal Year 2025

July 14-15, 2024 – UM
September 15-16, 2024 – UMF
October 6-7, 2024 -Board Retreat
October 25, 2024 – Special Board Meeting
November 17-18, 2024 – UM

Fiscal Year 2026

July 14, 2025 – UM
September 14-15, 2025 - TBA
October 5-6, 2025 – Board Retreat
October 27, 2025 – Special Board Meeting
November 16-17, 2025 - TBA

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January 12-13, 2025 – USM
March 9-10, 2025 – UM
May 18-19, 2025 – UMPI

January 25-26, 2026 - TBA
March 15-16, 2026 - TBA
May 17-18, 2026 - TBA

The Board of Trustees Office in consultation with the Chancellor and the Board Chair can modify the Board meeting calendar as necessary to accommodate the needs of the Board. Several of the Board meeting locations for FY2026 are “to be announced” (TBA) and will be formulated based on the need to constrain costs and the desire for campuses to host Board meetings.

On a motion by Trustee Cain, which was seconded by Trustee Eames, and approved by all Trustees present and by roll call vote, the Board of Trustees approved the Board of Trustees meeting calendar for FY2025 & FY2026, as presented.

VICE CHANCELLOR FOR ACADEMIC AND STUDENT AFFAIRS

Director of Academic and Enrollment Initiatives Jamie Ballinger updated the Board on the UMS Direct Admissions initiative and answer questions about its progress to date. The University of Maine System's Direct Admissions initiative embodies the principles and aims of Unified Accreditation. As a cooperative function involving all seven universities, this initiative brings together the resources of each university to strengthen university admissions. It also expressly seeks to increase access, particularly among Maine’s rural and underserved populations.

UNIVERSITY OF MAINE SYSTEM 2024 TENURE NOMINATIONS

Candidates recommended for tenure in the University of Maine System are brought forward for approval by the Board of Trustees in April with action to take effect September 1, 2024. The following material and information is relevant to the tenure approval process:

The Academic and Student Affairs Committee approved the following resolution to be forwarded for Board of Trustee approval at the April 7-8, 2024 Board Meeting.

On a motion by Trustee MacMahon, which was seconded by Trustee Cain, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendations for tenure submitted by the Universities of the University of Maine System. Approvals will take effect September 1, 2024 for faculty with academic year appointments and on July 1, 2024 for faculty with fiscal year appointments.

VICE CHANCELLOR FOR STRATEGIC INITIATIVES’ REPORT

Acting Vice Chancellor Carolyn Dorsey updated the Board of Trustees on the progress of developing and reviewing Key Performance Indicators with the Strategic Planning Committee and will briefly discuss next steps as they are continuing in development. VC Dorsey will also offer brief updates regarding Human Resources and Labor Relations.

APPROVAL OF COLLECTIVE BARGAINING AGREEMENT CHANGES, UMS FRATERNAL ORDER OF POLICE EMPLOYEES (MainePERS)

UMS and the Fraternal Order of Police, Lodge # 100 (“FOP”) reached a tentative agreement in negotiations of a successor collective bargaining agreement. This tentative agreement was before the UMS Board of Trustees for ratification at the April 7-8, 2024, meeting.

Within this tentative agreement is a provision that FOP unit members who participate in MainePERS will be able to purchase credit for service at their own cost.

In order for UMS police unit employees who participate in MainePERS to be able to purchase credit, the UMS Board is required to approve limited participation with MainePERS on the terms set forth in the resolution below.

On a motion by Trustee Eames, which was seconded by Trustee Cain, and approved by all Trustees present and by roll call vote, the UMS Board of Trustees accepted the recommendation of the Human Resources and Labor Relations Committee and agreed to allow the purchase of prior service. Prior service is defined as service to the University of Maine System Prior to July 1, 2022. The Board of Trustees agreed to the following terms:

- a) To allow its eligible police union members who elected to join MainePERS, to purchase credit for service to UMS prior to July 1, 2022, upon the employees' full payment of all associated costs. UMS will not participate in the purchase of prior service and so employees who wish to purchase prior service are responsible for paying the full liability associated with it; and
- b) To authorize the UMS Chancellor Dannel Malloy to sign the amended agreement between the University of Maine System and the Maine Public Employees Retirement System.

VICE CHANCELLOR FOR RESEARCH AND INNOVATION

University of Maine System Vice Chancellor for Research and Innovation Dr. Joan Ferrini-Mundy provided an update of activities during the April 8, 2024 board meeting.

VICE CHANCELLOR FOR FINANCE, ADMINISTRATION, AND TREASURER'S REPORT

The Vice Chancellor for Finance and Administration and Treasurer Ryan Low provided 2 updates at the April 8th, 2024, Board of Trustees meeting.

- 1) Investment Update - Flash Reports
- 2) Current Fiscal Year-to-Date Forecast to Budget

ACTION ITEMS

SALE OF 85+/- ACRE PARCEL OF LAND – MAP 2, LOT 7 HARMONY, ME

In 1997, the University of Maine System received a donation of an approximately 85-acre parcel of land, Map 2, Lot 7 in Harmony, Maine. According to the warranty deed, this land was received “for the benefit of its University of Maine at Fort Kent.” Aside from various easements and snowmobile trail use permits throughout the years, the remote parcel has remained inactive since 1997.

The Finance, Facilities and Technology Committee approved this item to be forwarded to the April 8, 2024 Board of Trustees meeting, for approval of the following resolution:

On a motion by Trustee Cain, which was seconded by Trustee Michaud, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System, acting through the

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University of Maine at Fort Kent, to sell an approximately 85-acre parcel of land located on Map 2, Lot 7, in Harmony, Maine. All final terms and conditions of the sale agreement are subject to review and approval of the University of Maine System Treasurer and General Counsel.

UNIVERSITY OF MAINE BOARD OF AGRICULTURE APPOINTMENT CONFIRMATION

In 1998 the Maine Legislature formed the Board of Agriculture to advise the Chancellor and the University of Maine President on matters concerning agricultural research and extension. The legislation forming the board stipulates that members of the board serve five-year terms. They may be reappointed or replaced at the end of that five-year period.

The legislation stipulates that the Chancellor of the University of Maine System makes one appointment to the Board. As you know, you reappointed the Hon. Donald Marean in 2018 to this seat. Mr. Marean's appointment expired as of February 23, 2023, but he has graciously agreed to continue to serve on the Board of Agriculture, subject to Board approval.

We are requesting that the Board of Trustees reappoint Mr. Marean. During his legislative service, he served four terms on the Agriculture, Conservation, and Forestry Committee. He is active in the Standardbred equine industry in the state and is very knowledgeable about the industry. Appointing a representative from the equine industry also adds diversity to the board, as the equine industry is not among the agricultural groups formally designated to have representation. Mr. Marean's viewpoint would also be helpful during Board discussions related to increasing student recruitment to our academic programs, particularly the Animal and Veterinary Sciences program.

On a motion by Trustee Flood, which was seconded by Trustee Cain, and approved by all Trustees present and by roll call vote, the Board of Trustees approved the following research faculty re-appointment to the Board of Agriculture: The Hon. Donald Marean for a five-year term effective April 8, 2024.

UMAINE ADVANCED MANUFACTURING CENTER (AMC) RENOVATIONS – UMS TRANSFORMS MAINE COLLEGE OF ENGINEERING & COMPUTING (MCEC) STUDENT SUCCESS CENTER & INDUSTRY 4.0 RENOVATIONS

The Maine College of Engineering and Computing (MCEC) is launching the Student Success Center to ensure that new students at UMaine and USM, as well as Engineering pathways students UMS-wide, receive the necessary resources and support to graduate within four years.

On a motion by Trustee Cain, which was seconded by Trustee Eames, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System, acting through the University of Maine to expend up to \$4.5 million for renovations within the Advanced Manufacturing Center for the creation of the MCEC Student Success Center and 4.0 Industry Manufacturing Training Innovation Center.

ASCC BUILDING ADDITION UM; GREEN ENGINEERING AND MATERIALS (GEM) "FACTORY OF THE FUTURE"

The University of Maine System, through the University of Maine, is requesting an increase in the authorization for the Green Engineering and Materials (GEM) Factory of the Future project by up to

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\$66,000,000 in external funds, making the new total \$81,300,000. The Board of Trustees authorized the initial expenditure of up to \$15,300,000 at the September 11th/12th, 2022 meeting. This additional funding is required for the full construction of the GEM, scheduled to begin in late summer/fall of 2024. The urgency stems from long lead times for essential components, including mass timber, electrical equipment, and other early-release construction packages to meet critical project milestones required by the funding sources.

GEM is an extension to the south of the Advanced Structures and Composites Center (ASCC) at the University of Maine and represents a convergence between MCEC educational and research objectives and the ASCC's commitment to being a world-leading interdisciplinary center for research, education, and economic development in material sciences, advanced manufacturing, and engineering of composites and structures.

On a motion by Trustee Cain, which was seconded by Trustee Michaud, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System, acting through the University of Maine to expend up to an additional \$66 million for a total of \$81.3 million for the construction of the Green Engineering and Materials (GEM) Factory of the Future.

UNIVERSITY OF MAINE (UM) ELECTRICAL INFRASTRUCTURE UPGRADE/RENEWAL

The University of Maine is seeking authorization to invest up to \$25 million in a crucial electrical infrastructure upgrade/renewal. This upgrade is necessary for the existing campus electrical distribution system, which is beyond its useful life and near its rated capacity. It is a prerequisite for future capital construction projects, including Green Engineering & Materials (GEM), University of Maine Energy Center (UMEC), Harold Alfond Foundation (HAF) UMS TRANSFORMS Athletics projects such as a new multipurpose arena, and high-speed EV charging capacity. Additionally, the upgrade is required to establish a foundation compatible with the future conversion to beneficial electrification of the campus.

On a motion by Trustee Cain, which was seconded by Trustee Eames, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System, acting through the University of Maine to expend up to \$25 million for crucial upgrades and renewal of the university's electrical infrastructure.

UNIVERSITY OF MAINE SOCCER COMPLEX/TRACK AND FIELD COMPLEX/PARKING LOTS & ROADWAYS/ INFRASTRUCTURE – UMS TRANSFORMS ATHLETICS FIELD PROJECTS

The University of Maine System, acting through the University of Maine, requests authorization to spend up to \$27.3 million for the construction of a new soccer complex, new track & field complex, new parking lot to be located north of Alfond Stadium, new roadway to be named Alfond Way connecting the new complexes listed above as well as Field Hockey complex, and infrastructure to support existing and new athletic facilities as part of UMS TRANSFORMS. Projects are included in the UM Athletics 10-year Master Plan.

On a motion by Trustee Cain, which was seconded by Trustee Eames, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System, acting through the University of Maine to expend up to \$27.3 million for the design and construction of the soccer complex, Track & field complex, parking lots, roadway to be named “Alfond Way” and needed infrastructure as part of the UMS TRANSFORMS project and included in the Athletics 10-year Master Plan.

UM STEWARDSHIP/DEFERRED MAINTENANCE: HVAC SYSTEMS UPGRADES – HITCHNER HALL ’87 WING & BENNETT HALL LECTURE WING

The University of Maine System, acting through the University of Maine, requests authorization for expenditure of up to \$8.5 million for Stewardship/Deferred Maintenance: HVAC Systems & Controls Upgrades for the replacement and upgrade of obsolete building HVAC systems within Hitchner Hall ’87 wing and Bennett Hall Lecture Wing.

On a motion by Trustee Cain, which was seconded by Trustee Eames, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System, acting through the University of Maine to expend up to \$8.5 million for the replacement and upgrade of obsolete building HVAC systems within Hitchner Hall ’87 Wing and Bennett Hall Lecture Wing.

UM HANCOCK HALL SINGLE-USE BATHROOM RENOVATIONS

The University of Maine System, acting through the University of Maine, seeks authorization to allocate up to \$1.5 million for renovating existing space to create single-use bathrooms within residential buildings, specifically Hancock Hall. The estimated project cost of \$1.5 million covers materials, labor, design, and associated expenses.

The proposed renovations at Hancock Hall include adding three single-use bathrooms on the basement level, two on the first floor, and six to seven on both the third and fourth floors, without reducing the overall number of residential rooms.

On a motion by Trustee Cain, which was seconded by Trustee Eames, and approved by all Trustees present and by roll call vote, the Board of Trustees accepted the recommendation of the Finance, Facilities, and Technology Committee, and authorized the University of Maine System acting through the University of Maine to spend up to \$1.5 million to make renovations within Hancock Hall for the creating of single-use bathrooms for students that seek upgraded residential hall amenities not currently available within the two existing buildings.

CHANCELLOR’S REPORT

Chancellor Malloy reported on matriculation and the FAFSA process.

CONSENT AGENDA

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On a motion by Trustee Eames, which was seconded by Trustee Cain, and approved by all Trustees present and by roll call vote, the items on the Consent Agenda were approved by the Board of Trustees as follows:

Acceptance Of Minutes

June 6, 2023 – Executive Committee Meeting
September 21, 2023 – Investment Committee Meeting
October 13, 2023 – Audit Committee Meeting – Executive Session
October 16, 2023 – Academic and Student Affairs Committee Meeting
October 16, 2023 – Human Resources and Labor Relations Committee Meeting
October 18, 2023 – Finance, Facilities and Technology Committee Meeting
October 19, 2023 – Strategic Planning Committee Meeting
October 27, 2023 – Audit Committee Meeting
October 27, 2023 – Special Board Meeting
November 5-6th, 2023 – Board of Trustees Meeting
November 13, 2023 – Joint Executive Committee Meeting
December 6, 2023 – Executive Committee Meeting
December 18, 2023 – Investment Committee Meeting
January 8, 2024 – Academic and Student Affairs Committee Meeting
January 8, 2024 – Human Resources and Labor Relations Committee Meeting
January 10, 2024 – Finance, Facilities and Technology Committee Meeting
January 18, 2024 – Strategic Planning Committee Meeting
January 28-29, 2024, Board of Trustees Meeting
February 6, 2024 - Finance, Facilities and Technology Committee Meeting
March 4, 2024 – Academic and Student Affairs Committee Meeting
March 4, 2024 - Human Resources and Labor Relations Committee Meeting
March 4, 2024 - Executive Committee Meeting
March 6, 2024- Finance, Facilities and Technology Committee Meeting
March 7, 2024 - Strategic Planning Committee Meeting

University Of Maine At Fort Kent Fox Facility Renovation

In 1969 the University of Maine System, through the University of Maine at Fort Kent, built the 20,937 square-foot Fox facility, which houses Fox auditorium. The seating capacity of 450 serves as the largest gathering and performing arts center in the St. John Valley.

Approximately 55 years is not only the construction age, but also the renovation age of Fox. Renovation is essential to continued use. The latest Gordian data indicates a Net Asset Value of 27%. Renovations will include installing a sprinkler system, auditorium carpeting, seating, painting, improved ADA accessibility, and lighting and sound system upgrades, with consideration to improvements to the stage, loading, and climate control.

This request is for authorization to spend up to \$4.5 million dollars for the renovation of Fox. Thanks to Maine’s congressional delegation, \$4 million for this project was part of the FY23 appropriations bill for UMS projects. Contingency funding in addition to these earmark funds would be reallocated from other appropriate E&G funding sources if necessary.

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Ground Lease Authorization, Umaine, Delta Tau Delta Fraternity

The University of Maine System, acting through the University of Maine requests authorization of renewal of a ground lease for thirty years with Delta Tau Delta Fraternity for the land located at 111 College Avenue in Orono, Maine.

This request is pursuant to Board Policy 802, Disposition of Real Property, which requires leases with a total value of over \$100,000 and with a term greater than 5 years to be considered by the Board of Trustees or its Finance, Facilities and Technology Committee. In this case, given the duration of the lease, the committee recommendation will be forwarded to the Consent Agenda at the April 7th/8th, 2024, Board meeting.

The chapter is in good standing with the University Office of Fraternity and Sorority Life. The proposed lease carries a term of thirty years with an annual rent of \$1. Delta Tau Delta lease dates back to 1921.

Confirmation Of Student Representatives

To create the environment for interaction among and between Faculty and Student Representatives, the Trustees and System administration, the Trustees have provided opportunities for participation in the meetings of the committees of the Board.

One faculty member and one undergraduate student from each of the seven universities and one graduate student from the University of Southern Maine, one graduate student from the University of Maine, and one graduate student from the Maine Law School will be appointed by the Board as non-voting representatives to the Board of Trustees and invited to participate as non-voting members on the standing committees.

Normally, the representative is expected to complete a two-year term; therefore, it is an expectation that the minimum term of service by Faculty and Student Representatives to the Board be two years. The nominations will be forwarded through the Presidents or Dean of the Law School to the Chancellor for submission to the Board for Trustee approval.

The following nomination is being recommended by the campus:

Undergraduate Student Representative

Tristan Mitchell, UMF – Appointed for a 2-year term – April 2024 to April 2026

Graduate Student Representative

Griffin Goins – UM – Appointed for a 2-year term – April 2024 to April 2026

Date of the Next Meeting:

May 19-20, 2024, meeting will be held at the University of Maine at Fort Kent.

Additional information about the meeting can be found on the Board of Trustees website:

<https://www.maine.edu/board-of-trustees/meeting-agendas-materials/board-of-trustees/>

Adjournment
Elizabeth Stickler, Clerk