

MINUTES OF THE BOARD OF REGENTS
OF HIGHER EDUCATION
MONTANA UNIVERSITY SYSTEM

CONFERENCE CALL
July 13, 1979

In the absence of Chairman James and Vice Chairman Pace, the Regents' conference call was called to order by Commissioner of Higher Education John A. Richardson at 9:35 a.m. Participating in the call were Regents Jack Peterson, Lewy Evans, Lola Hansen and Shelley Hopkins. Also present was a member of the press, Tom Kotynski of the Great Falls Tribune.

Commissioner Richardson explained that the first item on the agenda was the request by the University of Montana to apply to the federal government for approximately three acres of surplus land in the approximate value of \$15,000 which would be used in conjunction with Yellow Bay Biological Station. Commissioner Richardson read the following resolution and recommended its adoption:

Whereas, certain real property owned by the United States, located in the County of Lake, State of Montana, has been declared surplus and is subject to assignment for disposal for educational or public health purposes by the Secretary of Health, Education, and Welfare, under the provisions of section 203(k)(1) of the Federal Property and Administrative Services Act of 1949 (63 Stat.377), as amended, and rules and regulations promulgated pursuant thereto, more particularly described as follows:

Whereas, University of Montana needs and can utilize said property for educational purposes in accordance with the requirements of said Act and the rules and regulations promulgated thereunder of which this Board is fully informed, including commitments regarding use and time within which such use shall commence.

Now, Therefore, Be It Resolved, that University of Montana shall make application to the Secretary of Health, Education, and Welfare for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservations, terms, covenants, agreements, conditions, and restrictions as the Secretary of Health, Education, and Welfare, or his authorized representative, may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto; and

Be It Further Resolved that University of Montana has legal authority, is willing and is in a position financially and otherwise to assume immediate care and maintenance of the property, and

that Richard C. Bowers, President, be and he is hereby authorized, for and on behalf of the University of Montana, to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents, the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, and the payment of any and all sums necessary on account of the purchase price thereof; fees (including the service charge, if any, assessed by the State Agency for Surplus Property) or costs incurred in connection with the transfer of said property for surveys, title searches, appraisals, recordation of instruments, or escrow costs, together with any payment by virtue of nonuse or deferral of use of the property.

If the applicant is unable to place the property into use within the time limitations indicated below (or determines that a deferral of use should occur), it is understood that the University of Montana will pay to the Department for each month of nonuse beginning 12 months after the date of the deed, or 36 months where construction or major renovation is contemplated, the sum of 1/360 of the then market value for each month of nonuse.

If the application is approved, a copy of the application and standard deed conditions will be filed with the permanent minutes of the Board.

In response to questions by the Regents, Commissioner Richardson explained that the resolution was requested for approval by conference call because of time constraints in filing the necessary papers with Washington; that no structure would be erected on the land; that the land is located across the lake from Yellow Bay and equipment would be placed on the land to monitor surface currents and other scientific data to increase knowledge of this important inland lake.

Regent Peterson moved approval of the application subject to taking the deed at a regular meeting of the Board of Regents. Seconded by Lewy Evans. Motion carried.

Commissioner Richardson stated that the next agenda item was to request approval of the contract for Dr. Robert H. Thomas as president of Western Montana College at a salary of \$37,500 prorated to the actual starting date of his employment, plus perquisites and moving expenses. Regents Lewy Evans so moved, seconded by Shelley Hopkins. Motion carried.


Commissioner Richardson explained the request by Montana State University for permission to proceed with the work necessary to arrange a land swap to acquire a strip of privately owned land south of the veterinary science complex. The consensus was that this should be addressed at the next regular meeting of the Board.

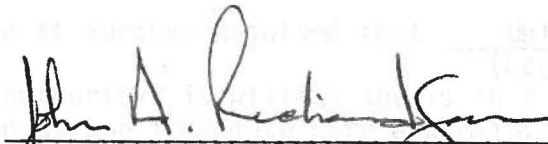
Regent Jack Peterson requested that the subject of honorariums being paid to the Commissioner, presidents, or other employees of the University System for their participation on other boards be placed on the agenda for discussion at the next regular meeting of the Regents.

Commissioner Richardson advised the Regents that the next meeting of the Board of Regents might be put forward to September 10 to allow the Regents to meet with the Board of Public Education as the State Board of Education. There was no objection to this date from those Regents participating in the conference call.

The conference call meeting was adjourned at 9:54 a.m.

APPROVED:


Chairman, Regents of Higher Education,
Montana University System


Secretary