

**Brandon University Board of Governors
(Open Session)**

**Thursday, June 25, 2009
Louis Riel Room**

- Present:** Mr. R. Lonstrup (Chair), Ms P. Gardner, Mr. S. Montague, Ms L. Balanko, Dr. T. P. Carrabré, Mr. J. Malik, Mrs. L. McDougald-Williams, Dr. F. Nichols
- Resources:** Mr. S. Lamont, Mrs. K. Fisher (Recorder)
- Regrets:** Dr. L. Visentin, Mr. K. Stifora, Ms J. Biggs, Dr. S. Grills, Ms K. Janz
- Absent:** Mr. S. Stewart, Ms L. Wishart, Dr. D. Brandt
-

1.0 CALL TO ORDER

The Chair called the meeting to order at 5:08 p.m.

2.0 AGENDA AND MINUTES

2.1 Approval of Agenda of June 25, 2009

Motion: Moved and seconded (P. Gardner/F. Nichols)

BE IT RESOLVED THAT the agenda of the June 25, 2009, Board of Governors meeting (Open Session) be approved as amended:

Additions:

3.1 Delegation: Ms Deborah Berkan, Director, Financial & Registration Services, Ms Susan Hay, Principal, Office of the Auditor General Manitoba, Ms Mala Sachdeva, Deputy Auditor General, Office of the Auditor General Manitoba, and Mrs. Jeanne Millis, BDO

5.5 Thank You Card from Brandon University International Students

6.3 b) Motion: Afghanistan Mission Memorial Scholarships

6.6 a) Senate Representative on the Executive Committee

**71 June09
CARRIED
AS AMENDED**

2.2 Move to Closed Session

Motion: Moved and seconded (L. Balanko/L. McDougald-Williams)

BE IT RESOLVED THAT the meeting moves to Closed Session.

CARRIED

2.3 Approval of Minutes of May 28, 2009

Motion: Moved and seconded (L. McDougald-Williams/P. Gardner)

BE IT RESOLVED THAT the minutes of the May 28, 2009, Board of Governors meeting Open session be approved.

**78 June09
CARRIED**

2.4 Motion(s) Raised from Closed Session

BE IT RESOLVED THAT the following motion was raised from Closed Session:

BE IT RESOLVED THAT the Board of Governors approve a paid special leave for Assistant Professor Sherry Peden, Faculty of Education, commencing September 1, 2010 through August 30, 2011 at the rate of 80% salary.

3.0 DELEGATIONS

3.1 Ms Deborah Berkan, Director, Financial & Registration Services, Ms Susan Hay, Principal, Office of the Auditor General Manitoba, Ms Mala Sachdeva, Deputy Auditor General, Office of the Auditor General Manitoba, and Mrs. Jeanne Millis, BDO

The Chair welcomed the delegation.

Ms Deb Berkan, Director of Financial & Registration Services introduced Ms Susan Hay, Principal, Office of the Auditor General Manitoba, Ms Mala Sachdeva, Deputy Auditor General, Office of the Auditor General Manitoba, and Mrs. Jeanne Millis, BDO.

Ms Hay briefly reviewed the audit process and stated that they are prepared to issue the Auditor's Report for the Retirement Plan Financial Statements, the Brandon University Financial Statements and the Public Sector Compensation Disclosure Act following Board approval. Ms Hay stated that the audit was conducted within the general auditing standards and that the Brandon University management and staff were fully cooperative. Ms Hay confirmed the Office of the Auditor General's independence and that of BDO.

Ms Hay stated that no instances of fraud were discovered and asked if the Board is aware of any actual alleged fraud. The Chair responded in the negative.

Ms Hay expressed her appreciation to the Board and the Senior Administration for their assistance and their cooperation with the conduction of the audits.

Ms Millis noted that she has enjoyed working with the University and with the Auditor's Office once again this year.

The Chair called for any questions. Hearing none, the Chair thanked Ms Hay, Ms Sachdeva, Ms Berkan and Ms Millis.

The Chair then asked that the Board refer to agenda item 6.1 e) for the benefit of having the delegation in attendance.

4.0 CONTINUING BUSINESS

4.1 There was no continuing business.

5.0 CORRESPONDENCE

5.1 Letter dated June 9, 2009, from Ms Lisa Murray

Mr. Lamont stated that this letter is specifically related to the hiring of the new Dean of Arts. Ms Murray's frustration is that people who are not faculty do not have the ability to participate within the search process. Mr. Lamont noted that Senior Administration has discussed this issue and agrees with Ms Murray. Dr. Grills will be drafting an amended policy to recommend to the Board.

5.2 Thank You Letters – Board of Governors Advanced Early Admission Entrance Scholarship

Thank you letters for the Board of Governors Advanced Early Admission Entrance Scholarship were received from 10 students.

5.3 Response from BUFA dated June 9, 2009, re proposed Clean Air Policy

Mr. Lamont noted that the Faculty Association disagrees with the proposed Clean Air Policy and with the role that the Campus Beautification Committee (CBC) has played with the development of said policy. With respect to the criticisms aimed at the CBC, Mr. Lamont noted that anyone has the ability to bring items forward to the Board for action. The policy was drafted by the CBC and Senior Administration was asked by the Committee to review the proposal and provide any recommendations. This proposal was also discussed by the President's Advisory Group.

5.4 Letter dated June 9, 2009, from BUFA re Campus Beautification Committee

See comments at agenda item 5.3.

5.5 Thank you card from Brandon University International Students

A thank you card was received from international students thanking the Board for their decision to reject a proposal to increase the international student fee differential.

6.0 **REPORTS**

6.1 Executive Committee

a) Motion: Clean Air Policy

Motion: Moved and seconded (L. McDougald-Williams/J. Malik)

BE IT RESOLVED THAT the Board of Governors approve the proposed Clean Air Policy.

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Mr. Lamont noted that the purpose of the proposed Clean Air Policy is to address two aspects of handling clean air at Brandon University: smoking and the idling of vehicles. At present, smoking is prohibited within Brandon University's buildings and if approved, this policy would extend the ban to the University grounds as well as University owned vehicles. The University would also designate no idle zones around the campus. An exception to this policy would be any traditional Aboriginal spiritual or cultural practice or ceremony.

Mr. Lamont stated that it is important to note that the enforcement of the policy would be through a spirit of cooperation, mutual respect and understanding. Administration has no intention to neither grieve nor fine people. As when the smoking policy was first implemented on campus, it is believed that through a form of mutual respect and peer pressure, people will comply.

Mr. Lamont noted that The University of Winnipeg has a similar policy in place and polls conducted by the Office of the President in 2002 and 2005 show substantive support for this policy.

Mr. Montague asked if there was any discussion with the Faculty Association when revising this policy from its initial 2008 form.

Mr. Lamont stated that the revised proposed policy was provided to the Faculty Association and they responded. Said response was included in the Board package. Mr. Lamont noted that there was no direct discussion with BUFA but stated that there are some fairly substantial differences between this revised proposal and the initial version.

Ms Gardner asked for clarification regarding the support offered by the Human Resources Office.

Mr. Lamont stated that the Human Resources Office has offered to support employees and students who are willing to participate in smoking cessation programs. This would likely involve bringing someone on campus to provide counselling support to those willing to commit to quitting. This would not include smoking cessation drugs.

Ms Gardner noted the harsh Manitoba winters and the common scene of parents idling their vehicles while waiting to pick up children from the School of Music in the evenings.

Mr. Lamont agreed that this is quite common in the winter but also in the summer months. Mr. Lamont stated that during music festivals it is typical for many diesel buses to idle all day causing habitants of the School of Music to complain about the air intake. The idea is to encourage people not to do it which will make people mindful of what this institution is trying to accomplish.

Mr. Montague stated that feedback from students' shows that they are opposed to this proposed policy. Mr. Montague noted that current municipal and provincial by-laws of no smoking within 15' of an entrance are not being observed and stated that if enforced, it may eliminate some of the need for this policy.

Mr. Lamont noted that this will not help address the issue of litter.

Amendment: Moved and seconded (L. McDougald-Williams/S. Montague)

THAT the Policy/Practice section of the policy read “Smoking is prohibited within all University facilities and is prohibited in Brandon University owned vehicles.* Smoking will be permitted on the University grounds at designated smoking areas. Such designated smoking areas shall be at a minimum of 15 feet from all entrances to University facilities.”

Mr. Lamont asked for clarification regarding the amendment.

Mrs. McDougald-Williams stated that the intent is to ban smoking from within University buildings and vehicles and to have designated smoking areas. Mrs. McDougald-Williams stated that smoking is addictive and we need to respect our employees and students who do smoke. She noted that there will be cigarette butts to clean up regardless of where people smoke but hopefully this will help contain the issue.

**AMENDMENT
CARRIED
MOTION
CARRIED**

- b) Motion: Capitalization of Unspent Earnings on Endowment Funds

Motion: Moved and seconded (S. Montague/L. Balanko)

**BE IT RESOLVED THAT the Board of Governors approve the
amendments to the Capitalization of Unspent Earnings on
Endowment Funds policy.**

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Mr. Lamont stated that this amendment is being proposed as a result of poor returns on the Foundation's investments. The proposed wording recognizes the intention to preserve initial capital but acknowledges that there is a requirement under the Charities Act that we spend at least 3.5% of our capital each year. The purpose of the endowment has us working against the rules. Mr. Lamont stated that the University has consulted with legal counsel who confirmed that in Manitoba there is no law which requires capital to be preserved forever. The University's objective is to keep money intended to be perpetual for as long as possible with the understanding that it may eventually be encroached upon. This proposed policy amendment reflects reality but maintains the original intent.

CARRIED

- c) Motion: Trust and Endowment Fund Expenditure

Motion: Moved and seconded (P. Carrabré/L. McDougald-Williams)

**BE IT RESOLVED THAT the Board of Governors approve the
amendments to the Trust and Endowment Fund Expenditure policy.**

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Please refer to the discussion at 6.1 b).

CARRIED

- d) Motion: Amendment to the Long Service Recognition Policy

Motion: Moved and seconded (L. McDougald-Williams/S. Montague)

BE IT RESOLVED THAT the Board of Governors approve the amendments to the Long Service Recognition Policy.

3. All departing faculty and staff with five to nine years of service will be given a gift valued at approximately \$75.00; for ten to fourteen years of service, a gift valued at approximately \$100.00; for fifteen to nineteen years of service, a gift valued at approximately \$125.00; for twenty to twenty-four years of service, a gift valued at approximately \$150.00; for twenty-five to twenty-nine years of service, a gift valued at approximately \$175.00; and for thirty or more years of service, a gift valued at approximately \$200.00, plus applicable taxes and shipping costs. Whenever possible, the gift will be selected by the Long Service Recognition committee after consultation with the recipient's family and/or friends.

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Mr. Lamont noted that the University gives gifts to departing employees who have five or more years of service. The Long Service Committee is proposing to increase the lower gift level by \$25.00, to increase the top gift level by \$25.00, and to break up the increments by five years.

CARRIED

- e) Motion: Public Sector Compensation Disclosure

Motion: Moved and seconded (L. McDougald-Williams/S. Montague)

BE IT RESOLVED THAT the Board of Governors approve the attached document, prepared in accordance with the Public Sector Compensation Disclosure Act, and that the information be released publicly on June 30, 2009.

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Ms Berkan stated that the Public Sector Compensation Disclosure Act requires that we report on all public sector employees whose compensation is in excess of \$50,000. There is a requirement that this report be posted by June 30, 2009.

Mr. Lamont stated that copies of the report will be available in the Office of the President and on the second floor of the library. Mr. Lamont further stated that other public offices share this information and we will be sending our report to other parties as well.

Ms Sachdeva noted that the Office of the Auditor General is in the process of reviewing the public act in general and noted that the threshold of \$50,000 was determined approximately 10 years ago.

CARRIED

- f) Motion: Financial Statements (audited) for the year ended December 31, 2008, for the Brandon University Retirement Plan

Motion: Moved and seconded (L. McDougald-Williams/P. Carrabré)

BE IT RESOLVED THAT the Board of Governors approve the Financial Statements (audited) for the Brandon University Retirement Plan for the year ended December 31, 2008.

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Ms Berkan summarized the actions over the course of the year and reviewed the letter from Dr. Todd Fugleberg, Chair of the Board of Trustees, and Mr. Scott Lamont, to plan members dated May 1, 2009.

Mr. Lamont noted that there was quite a drop in assets with a rate of return of -16.7% and a solvency ratio of 0.979. Mr. Lamont reminded members that two significant changes were made to the Plan in 2008: the normal form of pension for married retirees is now joint and 2/3 and the maximum allowable pension was increased to \$1,975 per year of service. As a result of benefit improvements, the solvency deficiency increased to \$8.3 million as of April 1, 2009.

In January 2009 the University filed an election to be exempt from making solvency deficiency payments. This election comes with a requirement that no amendments to increase Plan benefits be made if the solvency ratio is below 90%.

Mr. Lamont stated that with respect to the Going-Concern Valuation, the University will continue to pay liabilities as they come due. As of December 31, 2007, the Going-Concern shows a surplus of \$5.3 million.

At this time, management is involved in a dispute with the union and it is unknown what the actual pension contributions will be. On April 1, 2009, there was a 0.5% increase in Plan member contributions.

Mr. Lamont stated that he is hopeful that the results of the arbitration regarding the University's election to be exempt will be available in August. Mr. Lamont also noted that the pension trustees did a review of Connor, Clark & Lunn Investment Management Ltd., and that no changes were recommended.

CARRIED

- g) Motion: Financial Statements (audited) for the year ended March 31, 2009

Motion: Moved and seconded (S. Montague/F. Nichol)

BE IT RESOLVED THAT the Board of Governors approve the Financial Statements (audited) for Brandon University for the year ended March 31, 2009.

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Ms Berkan stated that Canadian Generally Accepted Auditing Standards (GAAS) were applied in the preparation of the statements. Ms Berkan referred to the Statement of Financial Position and noted that the \$4.3 million listed as Deferred Capital Contributions represents unspent funds for differed maintenance and the construction of the new Physical Plant. The Statement of Operations illustrates a surplus as of March 31, 2009, of \$1.8 million which is an increase of \$600,000 from 2008. This increase is attributed to repairs that were complete and expenses that were paid over the previous year.

Ms Berkan stated that neither the Foundation nor the Pension Plan are included in the Financial Statements but are reported on in the notes.

CARRIED

The Chair thanked the delegation for being in attendance.

6.2 President (Dr. L. Visentin)

- a) Other Matters

No other matters were discussed.

6.3 Vice President (Academic and Research) (Dr. S. Grills)

- a) Other Matters

No other matters were discussed.

b) Motion: Afghanistan Mission Memorial Scholarships

Motion: Moved and seconded (S. Montague/P. Gardner)

BE IT RESOLVED THAT the Board of Governors approves, in principle, and recommends to the Senate Scholarship Committee the establishment of the “Afghanistan Mission Memorial Scholarships”.

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Mr. Lamont stated that this initiative was organized by General Rick Hillier, Chancellor of Memorial University. The purpose of this scholarship is to recognize the service of Canadian Forces staff and Canada's federal diplomatic corps who have died as a result of an operational mission or training for such mission. These scholarships will date back to the start of Canada's participation in the war in Afghanistan. Scholarships are applicable for a first undergraduate degree and students must undertake their first year of study prior to the age of 21.

Mr. Lamont stated that, at this time, the children of these soldiers are quite young so it will not have much of a consequence in the next few years. Given that Brandon University is so closely located to CFB Shilo, Administration feels it is an important statement to make and hopes that it helps to elevate some of the pressures that they may face.

Mr. Montague questioned what the rationale was for limiting the age to 21.

Mr. Lamont stated that the age of 21 was set as a practical limit but is negotiable.

CARRIED

6.4 Vice President (Administration and Finance) (Mr. S. Lamont)

a) Other Matters

No other matters were discussed.

6.5 Board Budget Committee (R. Lonstrup)

There was no report.

6.6 By-laws and Nominating Committee (K. Janz)

a) Senate Representative on the Executive Committee

The Chair noted that Dr. Patrick Carrabré and Dr. Di Brandt have recently been appointed as Senate representatives on the Board of Governors.

It was agreed that given Dr. Brandt's absence, Mrs. Fisher would contact Drs. Brandt and Carrabré to see if either would be interested in putting forth their name for the position on the Executive Committee. The Board agreed to vote on this position electronically over the summer months.

6.7 Brandon University Foundation (S. Montague/Vacant/J. Malik)

Mr. Montague noted that the Annual General Meeting was held on May 28th.

6.8 Knowles-Douglas Student Centre (S. Lamont/Vacant)

There was no report. The next meeting will be held on July 8, 2009.

6.9 Board of Trustees of the BU Retirement Plan (S. Lamont/A. Gulliver – n/a)

Mr. Lamont reported that Connor, Clark and Lunn came out and made their annual report.

6.10 Review Committee on the Status of Women (J. Malik)

There was no report.

6.11 Senate (D. Brandt/P. Carrabré)

Dr. Carrabré reported that Senate has received the external review of FNAC. Senate continues to work its way through the report and is preparing its response.

6.12 Brandon University Alumni Association (R. Lonstrup)

The Chair reported that the Alumni Association held its wind-up function two nights ago. The Alumni Association also reports a great turnout at Convocation with regards to merchandise sales.

6.13 Brandon University Students' Union (S. Montague/L. Balanko)

Mr. Montague reported that the Students' Union has been busy planning for this year's orientation events. An offer has been made to a potential headline act for Rock the Block which will be held in mid September.

Mr. Montague reported that he will be attending the Brandon City Council meeting on June 29th at which the proposed parking by-law amendment will get its final reading. The Students' Union will also receive its provisions for this year's Rock the Block event at said meeting.

Finally, Mr. Montague reported that BUSU has recently hired a full-time member services coordinator – Ms Karen Marchand.

7.0 NEW BUSINESS

No items of new business were discussed.

8.0 ANY OTHER BUSINESS

The Chair reported that this is the final meeting for OIC appointees Scott Stewart, Lisa Wishart, and Perri Gardner. The Chair thanked these members for their years of service and their interest in the Board.

The Chair reported that he has been advised of four new OIC appointees: Ms Sandra Armstrong, Ms Lillian Turabian, Mr. Mike Abbey, and Mr. Ian Doherty.

The Chair reminded members that the Board of Governors will not meet in July.

9.0 INFORMATION

- 9.1 Report of Staff Changes – May 2009
- 9.2 Transactions of \$25,000 or More – May 9, 2009 to June 5, 2009

Items 9.1 and 9.2 were received for information.

10.0 ADJOURNMENT

Motion: Moved and seconded (P. Gardner/L. McDougald-Williams)

BE IT RESOLVED THAT the meeting adjourn (6:29 p.m.)

CARRIED