

MINUTES
LOUISIANA UNIVERSITIES MARINE CONSORTIUM
EXECUTIVE BOARD

North Dakota Room 1-155, Claiborne Building, 1201 North Third Street
Baton Rouge, LA
January 6, 2015, 10:00 am

I. Call to Order (Dr. Ramesh Kolluru)

Dr. Ramesh Kolluru, Chair, LUMCON Executive Board, called the meeting of the Executive Board for the Louisiana Universities Marine Consortium to order on January 6, 2015 in the North Dakota Room of the Claiborne Building, Board of Regents, Baton Rouge, at 10 a.m. Dr. Kolluru recognized special guest, Dr. Joseph Rallo, Commissioner of Higher Education.

Dr. Rallo expressed his appreciation for the recognition and his pleasure at meeting everyone. He announced his plan to conduct state tours and to visit campuses and facilities throughout the state.

II. Roll Call (Dr. Nancy Rabalais)

LUMCON Executive Board members present for the meeting:

* **Dr. Kalliat T. Valsaraj**, Louisiana State University and A&M College
Vice Chancellor for Research and Development

***Dr. Neal Weaver**, Nicholls State University
Vice President, University Advancement

***Dr. Ramesh Kolluru**, University of Louisiana at Lafayette
Interim Vice President of Research

***Dr. Kenneth Sewell**, University of New Orleans
Vice President for Research & Economic Development

***Dr. Stan Napper**, Louisiana Tech University,
Vice President for Research and Development

***Dr. Laura Levy**, Tulane University
Vice President for Research

***Dr. Eric Pani**, University of Louisiana at Monroe
Vice President for Academic Affairs

Dr. Christopher D'Elia, Louisiana State University and A&M College
Dean, School of the Coast & Environment

Dr. John Doucet, Nicholls State University
Dean, School of Science and Engineering

Dr. Paula Carson, University of Louisiana at Lafayette
Assistant Vice President for Institutional Planning and Effectiveness

Dr. Nicholas J. Altiero, Tulane University
Dean, School of Science and Engineering

***Denotes voting members of the LUMCON Executive Board.**

Dr. Rabalais determined that 7 of 8 voting members of the LUMCON Executive Board constituted a quorum, and Dr. Kolluru called the meeting to order.

LUMCON Science and Education Advisory Council Members present for the meeting:

Dr. Gary LaFleur, Nicholls State University
Associate Professor of Biological Sciences

Guests in attendance:

Dr. Joseph Rallo, Commissioner of Higher Education; Board of Regents Staff: Uma Subramanian, Dr. Kerry Davidson; LUMCON: Dr. Nancy Rabalais, Dr. Alex Kolker, Dr. Brian Roberts, Dr. Edward Chesney, Joe Malbrough, Heidi Boudreaux, John Conover, Holly Hebert, Debbie Cenac; DeCuir, Clark and Adams: Winston Decuir, Brandon Decuir; Attorney General's Office: Patricia Wilson

III. Closed Session – Consideration of Litigation

Dr. Kolluru explained that since there is a legal matter to attend to the board will have to enter an executive session for discussion in accordance with R.S. 42:17 (A) (2) which allows a public body to go into executive session to discuss litigation when an open meeting would have a detrimental effect on the litigating position of the public body. He further clarified that no action will be taken nor will any polling or voting take place during this executive session. Dr. Kolluru called for a motion.

MOTION BY DR JOHN DOUCETT, SECONDED BY DR. STAN NAPPER, for the board to enter into executive session.

AYE: Valsaraj, Weaver, Kolluru, Sewell, Napper, Levy, Pani

NAY: None

ABSTAINING: None

CARRIED: 7-0

All non-board members were excused and the executive session was convened.

When regular session was reconvened, Dr. Kolluru stated for the record that no action or votes were taken during the closed session.

IV. Public Comments

Dr. Kolluru called for public comments. Dr. Rabalais explained that the call for public comments is now a part of the by-laws and has to be included in the agenda. Dr. Edward Chesney requested that during the discussion of faculty appointments with universities that public comments be allowed. Dr. Kolluru requested the opinion of Patricia Wilson with the Louisiana Department of Justice Civil Division for clarification of the public comments section in the bylaws. Ms. Wilson explained that boards can have public comments on the agenda either at the beginning or the end of an agenda. Many boards allow for public comments prior to any action being taken on any specific agenda item. It is completely appropriate to call for public comments after the board has considered a matter on the agenda. Dr. Kolluru stated that he would allow for the opportunity for public comments after an agenda item.

V. Approval of Prior Minutes

Dr. Kolluru recommended the approval of the minutes from the last Executive Board meeting on January 25, 1013.

MOTION BY DR. ERIC PANI, SECONDED BY DR. KALLIAT VALSARAJ, to approve the minutes of the Executive Board Meeting held on January 25, 2013.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani

NAY: None

ABSTAINING: Weaver

CARRIED: 6-0

Dr. Kolluru signed the signature page of the minutes thus certifying them for historical purposes.

VI. Reports and Recommendations of Standing and Special Committees

A. Consideration of Proposed Bylaws

Dr. Kolluru explained that the proposed new Executive Board bylaws were needed in order to comply with 2012 legislation. He recognized Dr. Rabalais' and Uma Subramanian's contribution in updating the proposed bylaws. Dr. Rabalais stated that the proposed bylaws are consistent with the 2012 legislation. She further noted that these Bylaws were more streamlined and did not repeat information already contained in the 2012 legislation. Dr. Kolluru asked members to recall that at the previous meeting there was a preliminary draft of the bylaw changes but there was still significant work to be completed. Dr. Kolluru called for a motion to adopt the proposed bylaws.

MOTION BY DR. KENNETH SEWELL, SECONDED BY DR. LAURA LEVY, to approve the new Executive Board Bylaws.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani

NAY: None

ABSTAINING: Weaver

CARRIED: 6-0

B. Consideration of Strategic Plan

Dr. Kolluru opening remarks: Dr. Carson should be recognized for her work in the presented Strategic Plan. The product for review was the result of meetings by an ad hoc committee of the board, and numerous stakeholders who conducted a SWOT analysis. Dr. Robert Twilley and Dr. Earl Melancon subsequently developed the first version of the Strategic Plan. Modifications from the LUMCON faculty and staff and several meetings with Dr. Kolluru, Dr. Carson, and Dr. Rabalais produced the document presented in the Executive Board briefing book

Dr. Kolluru opened the Strategic Plan up for discussion.

Dr. D'Elia expressed two concerns with the plan. The first concern is that given the financial resources available to LUMCON the plan seems overly ambitious. Secondly, the facilities and vessels that are critical to LUMCON's success are not given enough emphasis within the document. Infrastructure maintenance should be given a higher priority in the document. The facility should be highlighted as a primary asset that requires significant maintenance. Dr. Rabalais agreed that the facilities are important but the faculty and personnel that staff the facilities are also vital. Much of the facility is run off the revenues generated by faculty grants. She also noted that there is a deferred maintenance plan that while not fully funded is

keeping up with the environmental degradation of being a coastal facility. She acknowledged the help of the Board of Regents in that regard. Dr. Carson suggested an alteration of order of goals to meet Dr. D'Elia's concern. Dr. Valsaraj asked whether the plan could be rearranged in order to better prioritize the items within it. Dr. Kolluru suggested an Action Plan or set of annual goals to better capture the high level overview provided by the Strategic Plan. Dr. D'Elia countered that if everything is a priority then nothing is a priority. Everything is given the same weight and that puts achieving the goals at risk. Dr. Kolluru stated that through the plan development it was decided not to establish quantitative goals which appear to be what this discussion is asking for. Dr. Pani concurred with Dr. Kolluru that the strategic plan is a broader document and not an implementation plan. Dr. D'Elia disagreed with this assessment. He stated that he felt in order for the plan to be truly strategic the items within should be placed in an order that clearly defines LUMCON's priorities. He further stated that he is not suggesting an implementation plan be included within the document just the plan's items be arranged in a way that shows the prioritized progression. Dr. Kolluru specified that, as currently numbered, the goals are not indicative of the level of importance but rather key goals that LUMCON is striving to achieve. Dr. D'Elia argued that the largest benefited derived from LUMCON is having world class facilities that give access to the coast that people would not ordinarily have and that that should be reflected in Strategic Goal #1 which should read: "To maintain world-class facilities that provide Louisiana university researchers access to the coast." Dr. Sewell agreed that the goals set forth are valid strategic plan goals but what the board is now discussing is more of an over-arching strategic priority to ensure that the key facility assets are maintained, developed and leveraged. Dr. Rabalais added that one of LUMCON's unique capacities is the faculty members who generate the focus of many research projects that take advantage of the facilities. She stated if you have a world-class facility without world-class people you just have a building.

Dr. Kolluru asked whether there was anything in the plan that was objectionable enough that it prevented the board from going forward with voting and adopting the Strategic Plan today with the caveat that the plan be modified to make sure the facilities component is more clearly articulated and clarified as a priority. Dr. D'Elia recommended that the board should take another 6 months to revise the plan. Dr. Valsaraj asked about the Strategic Plan submission deadline. Dr. Rabalais stated it was due February 2013.

Dr. Valsaraj inquired as to how LUMCON has been operating without the plan in place. Dr. Rabalais answered that an operational plan is submitted every year to the Division of Administration and the LaPAS takes care of performance indicator reporting for that. The Board of Regents and the Division of Administration provide guidance and checks on LUMCON's fiscal matters. Father discussion was on whether to adopt and amend later, or designate it as an interim plan.

MOTION BY DR. KENNETH SEWELL, SECONDED BY DR. STAN NAPPER, to adopt the current Strategic Plan document as LUMCON's transitional Strategic Plan, to be modified by the Executive Board on an on-going basis based upon feedback from stakeholders and/or recommendations from an ad hoc strategic planning committee.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani

NAY: Weaver

ABSTAINING: None

CARRIED: 6-1

C. Consideration of Faculty Joint Appointments

Dr. Kolluru indicated that this particular agenda item has been a challenging issue for the board to consider. Dr. Kolluru indicated that the future of LUMCON is reliant on the ability to recruit quality faculty. This capacity is directly tied to the ability to offer tenure, the chance to fully collaborate and advise students, and research opportunities through affiliations with universities. Dr. Kolluru opened the floor for discussion, which was considerable.

Main comments:

- A university could not be held responsible for a tenure appointment that was funded by LUMCON in the case that LUMCON was no longer able to fund the position. Alternatively, a university would be held responsible for the tenure line and the university could not forfeit unless there was a financial exigency that removed a complete department.
- Positions titled Research Professor allow for faculty to maintain a position as long as funding is in place. Countered that such a position would not help with recruiting since it is not tenure.
- At a minimum this policy would involve a system level rule change to account for this scenario.
- The issue is complex but the driver is a financial problem that all research and service units that do not have student credit hours are not getting budget increases like teaching institutions. As a result their budgets are decreasing and LUMCON in particular is being strangled by this problem. The idea of moving the salaries to degree granting institutions has some merit in the financial sense. However, then re-filling of any positions could jeopardize the overall goals of LUMCON.
- Another driver is the ability to attract, retain and recruit the best scientist into Louisiana with the incentive of tenure and as it stands right now this is outside of LUMCON capability
- The current policy document (Policies Concerning Faculty Appointment, Promotion and Contract Renewal) appoints faculty for 6 years with a 3 year review. After the 6 years, faculty is again evaluated, very much like a tenure review, and can be moved into the associate level. After the next 6 year review, faculty can move to professor, stay as an associate, or given a one-year terminal contract. Currently faculty can seek and receive adjunct appointments at member universities so that they can be either chair or co-chair a graduate student committee and/or teach courses at the university
- There could possibly be a framework that gives a university the option that if they desired to create a tenure position within the university knowing that at some future time the university could potentially be held responsible for the position. The tenure policy would work in the rare circumstance not the normal circumstance, and when there is a candidate who wants to come to Louisiana because of the assets of LUMCON, the individual wants to be a tenured professor, and university is willing provide a tenure line.
- Comment that there is not a mechanism for LUMCON faculty to be more fully invested in the university system.
- Response from the faculty: the current agreements for adjunct appointments have worked well for 30 years. The faculty has been productive and has collaborated broadly within the consortium members. There are concerns for teaching commitments that would require commutes and that would disrupt ongoing research activities. However, teaching can and does occur at the Marine Center already. A commitment to a particular university through tenure would reduce collaboration. LUMCON needs more university involvement, engagement and support of LUMCON-offered courses, and to fill vacant faculty positions to continue providing the collaborative efforts with member

universities... The universities need to recognize that they are members of the consortium and utilize LUMCON resources to further the overall consortium goals.

Action: Discussion was closed. The Executive Board should organize a committee to look at the document and make improvements to be considered at a later time.

VII. Reports and Recommendations of the Executive Director

Dr. Rabalais explained that a lot of the items are pro forma but in accordance with the duties assigned to the Executive Board, the board must approve grants, contracts, personnel changes, budgets and execute cooperative agreements. Appendices are provided for a more detailed overview.

A. Fiscal Year Budgets for Approval

i. FY 14 State budget close out

Dr. Rabalais stated that this fiscal year budget was never approved. The fiscal year has come to completion and it is her recommendation that a vote to approve the FY 14 budget be made. Dr. Kolluru called for a motion.

MOTION BY DR. ERIC PANI, SECONDED BY DR. LAURA LEVY, to approve the Fiscal Year 14 State Budget.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani

NAY: None

ABSTAINING: Weaver

CARRIED: 6-0

ii. FY 15 State budget

Dr. Rabalais explained that the fiscal year 15 budget is the current budget under which LUMCON is operating. The budget has been submitted to the Division of Administration, approved by the Board of Regents, and approved by the legislature based on their funding formula but the Executive Board is responsible for approving the budget for LUMCON. LUMCON will receive some WISE funding (\$143,652) based on LUMCON's external research dollars. This money is allotted for faculty hires to generate more research funding. Dr. Levy called for an explanation of self-generated funds. Dr. Rabalais explained that self-generated funds are composed of certain federal funds, research grants and ancillary fees (i.e., usage fees from the R/V *Pelican* and other vessels, cafeteria and dormitories). Dr. Levy asked how the state allocation compares to other funds received by LUMCON. Dr. Rabalais replied that the state's portion has been decreasing for the past seven years, two years included furloughs, and the first cost-of-living raise in six years was in the FY15 budget. Dr. Kolluru called for a motion.

MOTION BY DR. LAURA LEVY, SECONDED BY DR. KENNETH SEWELL, to approve the Fiscal Year 15 State Budget.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani

NAY: None

ABSTAINING: Weaver

CARRIED: 6-0

iii. FY 16 State budget request

Several questions were raised and answered by Dr. Rabalais and Ms. Heidi Boudreaux who explained the process with the Division of Administration, the Board of Regents and the Legislative budget office for LUMCON as a part of higher education. Questions were raised concerning the high percentage of the FY16 increase request. Concern was raised that universities would probably not be allowed to ask for such a high percent increase and that the \$800,000 increase would be taken away from the overall higher education budget and potential affect their universities. Ms. Boudreaux explained that there was seldom an increase, at least for the last eight years and further that LUMCON's budget was unable to keep up with inflation because LUMCON is unable to collect, and thus raise, tuition. LUMCON did not receive a share of deferred maintenance funds because they are not part of the formula. Dr. Sewell stated that he felt that the members of the Executive Board, members should approve the budget request that best serves the organization. Dr. Kolluru called for a motion.

MOTION BY DR. Kalliat T. Valsaraj, SECONDED BY DR. LAURA LEVY, to approve the Fiscal Year 16 State Budget Request.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani
NAY: None
ABSTAINING: Weaver
CARRIED: 6-0

iv. Capital Outlay Request

LUMCON capital outlay requests have not been funded in many years. The current requests include a new vessel feasibility study and the funds to purchase, the paving of grounds, and rebuilding the bulk head. Dr. Rabalais asked that these requests be approved by the Executive Board.

MOTION BY DR. ERIC PANI, SECONDED BY DR. KENNETH SEWELL, to approve the FY16 Capital Outlay Request

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani
NAY: None
ABSTAINING: Weaver
CARRIED: 6-0

A. New and Extended Grants (beginning Jan 1, 2013)

Dr. Rabalais summarized the new or extended grants being proposed for approval (\$3.7 million). She explained that the board approval is acknowledgement of money received by LUMCON and approval of grant funding. Dr. Kolluru called for a motion to approve.

MOTION BY DR. LAURA LEVY, SECONDED BY DR. ERIC PANI, to approve the New and Extended Grants presented.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani
NAY: None
ABSTAINING: Weaver
CARRIED: 6-0

v. **Gulf of Mexico Research Initiative RFP-IV award to Coastal Waters Consortium, LUMCON and collaborators**

Dr. Rabalais presented the Gulf of Mexico Research Award for the board information purposes. She explained it based on the success of the first three years and a strong proposal for an additional three years. The award is \$16.1 million over three years among 15 collaborating institutions.

B. Personnel Changes (beginning Jan 1, 2013)

Dr. Rabalais briefed the board on the LUMCON personnel changes over the last two years and noted the retirement of Dr. Michael Dagg and Kerry St. Pé, the death of Mr. Jerry Walker, and the resignation of Nicole Cotten. Dr. Rabalais stated that there are additional personnel changes for the board to discuss that will require an executive session pursuant to R.S. 42:16. Consideration of the appointment of the BTNEP Director is pro forma following a BTNEP Management Conference search and selection in conjunction with LUMCON as the fiscal partner for the BTNEP.

The second concerns employee, Dr. Brian J. Roberts, with regard to his professional competence, who was been given written notification of the executive session as is required under R.S. 42:17 (A) (1) on January 2, 2015. Dr. Roberts has opted in writing to allow the discussion to occur in private as opposed to an open meeting. Both actions documented.

Dr. Kolluru reminded the Executive Board will take no action nor will there be any voting or polling conducted during this executive session. All members of the Board are allowed to be present, including the executive director, counsel(s), Regents members and necessary staff.

Dr. Kolluru called for motion to go into executive session. Such a motion requires a 2/3 majority vote.

MOTION BY DR. ERIC PANI, SECONDED BY DR. STAN NAPPER, to approve the board to enter an executive session.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani, Weaver

NAY: None

ABSTAINING: None

CARRIED: 7-0

All non-board members were excused and the executive session was convened.

When regular session was reconvened, Dr. Kolluru stated for the record that no action or votes were taken during the closed session.

MOTION BY DR. NEAL WEAVER, SECONDED BY DR. STAN NAPPER, to approve all personnel changes that have taken place since January 1, 2013.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani, Weaver

NAY: None

ABSTAINING: None

CARRIED: 7-0

Dr. Rabalais proposed that the board approve the hire of Ms. Susan Testroet-Bergeron as the new director of the BTNEP program.

MOTION BY DR. ERIC PANI, SECONDED BY DR. STAN NAPPER, to approve the hire of Susan Testroet-Bergeron as the new Director of the BTNEP program.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani

NAY: None

ABSTAINING: Weaver

CARRIED: 6-0

Dr. Rabalais recommended the board approve the promotion of Dr. Brian Roberts from assistant professor to associate professor according to the existing LUMCON rules for promotion.

MOTION BY DR. NEAL WEAVER, SECONDED BY DR. STAN NAPPER, to approve the promotion of Dr. Brian Roberts to associate professor.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani, Weaver

NAY: None

ABSTAINING: None

CARRIED: 7-0

Dr. Kolluru congratulated Dr. Brian Roberts

C. Second Research Vessel for the Gulf

Dr. Rabalais presented for the board's information the proposal for a second research vessel for the Gulf to be owned by the University of Southern Mississippi and operated by LUMCON. The Point Sur which is currently owned by the National Science Foundation is being removed from the UNOLS fleet, the ownership will refer to Moss Landing Marine Laboratory, the current operator, and placed for sale. LUMCON and USM have come to a conceptual agreement concerning their collaboration. Dr. D'Elia inquired on how the finances would work. Dr. Rabalais answered that LUMCON and USM were currently negotiating the details. She indicated that the Board Book contains budgets on the preliminary cost agreement. Dr. Rabalais assured the board that LUMCON will not lose any money on this project.

Dr. Rabalais indicated that this last item concluded her reports.

VIII. Reports & Recommendations by the Chair of the Executive Board

Dr. Kolluru expressed what an extraordinary journey it has been to serve the board, work with Dr. Rabalais, the LUMCON faculty and staff, and the members across the academic community for the last two years. He added that LUMCON is a great asset, and it needs to be fully embraced and supported. Dr. Kolluru acknowledged that there are budgetary pulls for the universities but to the extent that the board can, they should put their weight and influence behind LUMCON to make it successful. Then it will not only succeed as a unit but further succeeds for the state.

IX. Other Business – Election of the Chair and Vice-Chair of the Executive Board

Dr. Kolluru again expressed the pleasure he and Dr. Valsaraj had in serving as chair and vice-chair. He opened the floor up for nominations for chair and vice-chair of the Executive Board.

MOTION BY DR. STAN NAPPER, SECONDED BY DR. NEAL WEAVER, to approve the selection of Dr. Laura Levy as Chair of the Executive Board.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani, Weaver
NAY: None
ABSTAINING: None
CARRIED: 7-0

MOTION BY DR. LAURA LEVY, SECONDED BY DR. NEAL WEAVER, to approve the selection of Dr. Kenneth Sewell as Vice-Chair of the Executive Board.

AYE: Valsaraj, Kolluru, Sewell, Napper, Levy, Pani, Weaver
NAY: None
ABSTAINING: None
CARRIED: 7-0

X. Adjournment

Dr. Ramesh Kolluru announced adjournment of the meeting at 2:46 pm.

Respectfully submitted:

Dr. Ramesh Kolluru*, Chair
LUMCON Executive Board

*Transcribed and edited by Debbie Cenac, LUMCON Executive Assistant, audio tapes archived.

*Further edited by Dr. Nancy Rabalais, Secretary to the Executive Board.