

Minutes of the
**NIU Board of Trustees
Special Meeting of the
Executive Committee**
December 10, 2015

CALL TO ORDER AND ROLL CALL

The NIU Board of Trustees Executive Committee was called to order at 8:30 a.m. by Chair Marc Strauss in the Board of Trustees Room, 315 Altgeld Hall. Recording Secretary Kathleen Carey conducted a roll call. Members present were Trustees Cherilyn Murer, Robert Marshall, Vice Chair John Butler; Chair Marc Strauss, President Doug Baker, Ex Officio. Also present: General Counsel Jerry Blakemore, Board Liaison Mike Mann, Provost Lisa Freeman, UAC Representatives Greg Long, Holly Nicholson, and Rebecca Shortridge.

VERIFICATION OF QUORUM AND APPROPRIATE NOTICE OF PUBLIC MEETING

General Counsel Blakemore indicated that appropriate notification of this meeting has been provided pursuant to the Illinois Open Meetings Act. Mr. Blakemore also advised that a quorum was present.

MEETING AGENDA APPROVAL

Chair Strauss asked for a motion to approve the meeting agenda. Trustee Marshall so moved and Trustee Butler seconded. The motion was approved.

CHAIR'S COMMENTS/ANNOUNCEMENTS

There were no comments or announcements.

PUBLIC COMMENT

General Counsel Blakemore indicated that there were no requests for public comment.

EXECUTIVE COMMITTEE REPORT

Agenda Item 6.a. – Presidential Legal Services

Chair Strauss presented the single action item on the agenda. In accordance with Article 9 of the Board of Trustee Bylaws, the President previously requested approval from the Executive Committee for indemnification against reasonable expenses incurred in connection with the provision of separate legal services by the firm of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. Previously, the Executive Committee of the Board approved expenditure for this purpose at a level not to exceed \$100,000.00 and a request is now being made to increase the amount of that approved expenditure. The requested action today is for the approval of the expenditure of funds for the indemnification of separate legal service to the President relating to matters associated with the presidential duties and responsibilities. The Executive Committee's approval is requested to be increased from the \$100,000 cap to a total expenditure of \$150,000. If there is need to extend this approval in the future, staff will bring the matter back to the Executive Committee for review and consideration. Can I have a motion to that effect please?

Trustee Butler moved to approve the requested action and Trustee Marshall seconded.

Trustee Murer responded, I'd be remiss to not make a public comment in this regard. My recollection is that we had first approved \$50,000, we increased it to \$100,000 and now we are being asked to increase

it again. There is, at this time, no known litigation in this regard and I am very concerned that there is no means to try and mitigate the use of these public funds in this regard. In principle, this is appropriate to extend to our President, however, this continued increase in limit gives me great pause and great concern and even by extending it to another \$50,000 my concern is I just don't see where the limit ever stops and so those comments are rhetorical. They don't require any response as it's not a question, it's a comment. When we first approved these funds at the initial \$50,000, I made a request of the President to be prudent, to take responsibility of oversight of this additional resource that this Board was providing in a very difficult time, very difficult financial time. I again renew my request to the President that it is his responsibility to oversee his attorneys and that we have to put faith in that he will be judicious in the use of these resources. I hope that this motion will not come before us again. Thank you.

Chair Strauss called for a vote on the motion was approved.

OTHER MATTERS

No other matters were discussed.

ADJOURNMENT

Trustee Murer made a motion to adjourn and Trustee Butler seconded. The motion was approved.

Meeting adjourned at: 8:36 A.M.

Respectfully submitted,

Kathleen Carey
Recording Secretary

In compliance with Illinois Open Meetings Act 5 ILCS 120/1, et seq, a verbatim record of all Northern Illinois University Board of Trustees meetings is maintained by the Board Recording Secretary and is available for review upon request. The minutes contained herein represent a true and accurate summary of the Board proceedings.