

SOUTH DAKOTA BOARD OF REGENTS

Budget and Finance

AGENDA ITEM: 6 – D
DATE: December 11-12, 2019

SUBJECT

Resolution to Remove Waneta Hall at South Dakota State University from the Auxiliary Facilities System

CONTROLLING STATUTE, RULE, OR POLICY

[BOR Policy 5:25](#) – Auxiliary Revenue System

BACKGROUND/DISCUSSION

The Board is requested to authorize the removal of Waneta Hall, a residence hall on the campus of South Dakota State University (SDSU), from the SDSU Housing and Auxiliary Facilities System (the “System”) created pursuant to the Amended and Restated Bond Resolution adopted by the Board on October 21, 2004, as amended and supplemented.

The action item includes a resolution making the determination of the Board that (1) Waneta Hall located on the campus of SDSU and part of the SDSU Institutional System, is physically and structurally unfit for use as a student residence hall and should therefore be abandoned for economic non-feasibility and removed from the SDSU Institutional System; and (2) prior to its removal from the SDSU Institutional System, Waneta Hall will be demolished, with the cost of such demolition payable from available revenues of the SDSU Institutional System.

IMPACT AND RECOMMENDATIONS

SDSU requests authority to remove Waneta Hall from its Auxiliary Facilities System as it is structurally unfit for use as a residence hall. They further request authority to demolish Waneta Hall prior to its removal from the Auxiliary Facilities System, utilizing funds available in its Institutional System.

ATTACHMENTS

Attachment I – A Resolution Removing Waneta Hall at South Dakota State University from the Auxiliary Facilities System

DRAFT MOTION 20191211_6-D:

Approve the recommendation as set forth in detail on Attachment I. The action should be approved on separate motion and seconded, and a roll call vote should be taken and recorded.

A RESOLUTION REMOVING WANETA HALL AT SOUTH DAKOTA STATE
UNIVERSITY FROM THE HOUSING AND AUXILIARY FACILITIES SYSTEM

* * *

WHEREAS, under the terms and provisions of South Dakota Codified Laws, Chapter 13-49, the Board of Regents (the “*Board*”) was created to, among other matters, control and have jurisdiction of six state-supported universities, including Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University (“*SDSU*”) and the University of South Dakota (collectively, the “*Institutions*” and each, an “*Institution*”); and

WHEREAS, the Board on October 21, 2004, did duly adopt a resolution (herein called the “*System Resolution*”) amending and restating previous resolutions and establishing a combined system of housing and auxiliary facilities (the “*System*”) pursuant to which each Institution continues to operate its existing system (collectively, the “*Institutional Systems*” and each, an “*Institutional System*”) but the revenues of which are subject to being used by the Board to avoid a potential default on revenue bonds issued by the Board on behalf of any Institution in the System pursuant to the System Resolution; and

WHEREAS, pursuant to Section 14(A) of the System Resolution, the Board is authorized to abandon facilities for economic non-feasibility and remove them from the System upon a determination that such facilities are not suitable for the use for which the same were initially acquired; and

WHEREAS, the Board has reviewed evidence that Waneta Hall, located on the campus of SDSU and part of the SDSU Institutional System, is physically and structurally unfit for use and occupancy as a student residence hall and should therefore be abandoned for economic non-feasibility and removed from the list of facilities of the SDSU Institutional System; and

WHEREAS, the Board has reviewed evidence that Waneta Hall has no further use to SDSU and should therefore, prior to its removal from the SDSU Institutional System, be demolished, with the cost of such demolition payable from available revenues of the SDSU Institutional System;

NOW, THEREFORE, Be It and It is Hereby Resolved by the South Dakota Board of Regents, as follows:

Section 1.1. Removal of Certain Facilities from the System. Pursuant to Section 14(A) of the System Resolution, the Board hereby determines that Waneta Hall is physically and structurally unfit for use and occupancy as a student residence hall, the purpose for which it was originally acquired, and therefore such residence hall is hereby abandoned for economic non-feasibility and removed from the SDSU Institutional System. As required by Section 14(A) of the System Resolution, a copy of this Resolution shall be filed with the Executive Director and

each Bond Registrar under the System Resolution. The updated list of existing facilities comprising the System is attached hereto as Exhibit A.

Section 1.2. Demolition of Waneta Hall. Prior to the removal of Waneta Hall from the SDSU Institutional System, it will be demolished, with the cost of such demolition payable from available revenues of the SDSU Institutional System.

Section 1.3. Severability Provisions. If any one or more sections, clauses, sentences, and parts of this Resolution shall for any reason be questioned in any court of competent jurisdiction, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions hereof, but shall be confined to the specific section, clause, sentence and part so determined, and that all resolutions or parts thereof in conflict herewith are hereby repealed.

THIS RESOLUTION shall take effect upon its adoption.

Adopted this ___ day of _____, 2019.

President

ATTEST:

Executive Director

(Seal)

EXHIBIT A
EXISTING FACILITIES

BHSU:

Housing Facilities:

- Heidepriem Hall
- Bordeaux Hall
- Wenona Cook Hall
- Thomas Hall
- University Apartments

Student Union

Parking Facilities

Dining Services

Bookstore

DSU:

Residence Halls:

- Zimmerman Hall
- Higbie Hall
- Richardson Hall
- Emry Hall
- The Courtyard

Student Union

NSU:

Residence Halls:

- Briscoe Hall
- Great Plains East
- Great Plain West
- McArthur-Welsh Hall
- Steele Hall
- Kramer Hall
- Wolves Memorial Suites

Student Union

SDSMT:

Residence Halls:

- Connolly Hall
- Palmerton Hall
- Peterson Hall
- Placer Hall

Surbeck Student Center

Wellness Center

SDSU:

Housing Facilities:

- Binnewies Hall
- Brown Hall
- Caldwell Hall
- Hansen Hall
- Jackrabbit Grove (Ben Reifel, Theodore W. Schultz, Hallie Walker Hyde, and Honors Halls)
- Jackrabbit Village (Spencer, Abbott and Thorne Halls)
- Mathews Hall
- Meadows North
- Meadows South
- Pierson Hall
- Young Hall
- Skylight Apartments
- Huggins Apartments
- Garden Square Units
- Thornber Apartments
- Southeast Neighborhood Apartments

Student Wellness Center

Dining Facilities:

- Larsen Commons
- Student Union Building

Parking Facilities

USD:

Residence Halls:

- Beede Hall
- Brookman Hall
- Burgess Hall
- McFadden Hall
- Mickelson Hall
- Norton Hall
- Olson Hall
- Richardson Hall

Cherry Street Rentals

Muenster University Center

Student Wellness Center, including parking lot

Coyote Village Housing, including parking lot