

**SOUTH DAKOTA BOARD OF REGENTS**

**Budget and Finance**

**AGENDA ITEM: 7 – K**  
**DATE: December 13-14, 2023**

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**SUBJECT**

**Resolution to Remove Briscoe Hall at Northern 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 Briscoe Hall, a residence hall on the campus of Northern State University (NSU), from the NSU 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) Briscoe Hall located on the campus of NSU and part of the NSU 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 NSU Institutional System; and (2) prior to its removal from the NSU Institutional System, Briscoe Hall will be demolished, with the cost of such demolition payable from available revenues of the NSU Institutional System.

**IMPACT AND RECOMMENDATIONS**

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

**ATTACHMENTS**

Attachment I – Resolution Removing Briscoe Hall at Northern State University from the Auxiliary Facilities System

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**DRAFT MOTION 20231213\_7-K:**

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

A RESOLUTION REMOVING BRISCOE HALL AT NORTHERN 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 (“*NSU*”), South Dakota School of Mines and Technology, South Dakota State University 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 Briscoe Hall, located on the campus of NSU and part of the NSU 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 NSU Institutional System; and

WHEREAS, the Board has reviewed evidence that Briscoe Hall has no further use to NSU and should therefore, prior to its removal from the NSU Institutional System, be demolished, with the cost of such demolition payable from available revenues of the NSU 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 Briscoe 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 NSU 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 Briscoe Hall.* Prior to the removal of Briscoe Hall from the NSU Institutional System, it will be demolished, with the cost of such demolition payable from available revenues of the NSU 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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
- Van Eps Place
- Residence Village

Student Union

**NSU:**

## Residence Halls:

- 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