

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Regental Action Required Under the State of
Michigan Conflict of Interest Statute

Action Requested: Authorization for the University to Approve a Purchase from Horsley
Archaeological Prospection (University of Michigan Employee Tim Horsley,
Owner)

Background:

The University of Michigan LSA Anthropology Museum seeks approval to purchase geophysical surveys of the Garden Creek site in North Carolina from Horsley Archaeological Prospection ("HAP"). HAP was selected based on their expertise in geophysical techniques which offer a means to locate and study sub-surface archaeological deposits so that the researcher can efficiently target features to excavate as well as analyze the spatial organization of the site.

The proposed purchase falls under the State of Michigan Conflict of Interest Statute as Tim Horsley is a University employee as an Assistant Research Scientist in the LSA Anthropology Museum and would be party to the contract as Owner of HAP.

However, the Statute allows the University to enter into such agreements if the following conditions are met:

- a) The public servant promptly discloses any pecuniary interest in the contract to the official body which has power to approve the purchase, which disclosure shall be a matter of record in its official proceedings.
- b) The purchase is approved by a vote of not less than 2/3 of the full membership of the approving body in open session without the vote of the public servant making the disclosure.
- c) The official body discloses the following summary information in its official minutes:
 - i) The name of each party involved in the contract.
 - ii) The terms of the purchase, including duration, financial consideration between the parties, facilities or services of the public entity included in the purchase, and the nature and degree of assignment of employees of the public entity for fulfillment of the purchase.
 - iii) The nature of any pecuniary interest.

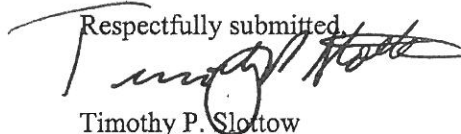
The following information is provided in compliance with the statutory requirements contained in Section (c) above:

- i) The parties to the contract are the Regents of the University of Michigan and its LSA Anthropology Museum and HAP.
- ii) The purchase is for geophysical surveys of the Garden Creek site in North Carolina, for a total cost not to exceed \$7,000.
- iii) The pecuniary interest arises from the fact that University of Michigan employee, Tim Horsley is Owner of HAP.

Tim Horsley has met state law requirements with the disclosure of his pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable under the Medical School's or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

We recommend that the Board of Regents approve the agreement between the University of Michigan and HAP subject to requirements, if any, that either the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Timothy P. Slottow
Executive Vice President
and Chief Financial Officer

September 2012