

RESOLUTIONS Arising from the May 2001 Meeting of the Gemini Board

1. The Board, noting that the Policy on Data Rights had been reviewed and found acceptable by the legal counsel to the National Science Foundation, as documented in Tab E of the material distributed to the Board, approved the Policy on Data Rights.
2. The Board noted the recommendation on the future role of the Gemini Finance Committee (GFC) as presented in Tab I of materials distributed to the Board, and approved adoption of this plan. They ask the Executive Agency to develop an implementation plan in consultation with AURA management and the Gemini Observatory.
3. The Board, noting the status of the construction project and the work plan for completion in 2001, resolved that it is now appropriate to charge direct staff costs to the construction project only for effort on 'punch list' items. These, as presented to the Board, include remaining work package close-out, contract close out, and the initial tests of silver coatings on samples.
4. The Board notes the financial status of the construction project, and confirms that the construction budget of Gemini can not exceed \$184,000,000.00. It further notes that the Gemini Observatory is required to come to the Board should additional funds be required to complete construction.
5. The Board instructs the Project to proceed to plan for presenting the close-out of construction to the Gemini Finance Committee, and for the GFC to report to the Board at the November 2001 meeting.
 - 5a. The Board approved the revised 2000 year-end report of the construction budget.
 - 5b. The Board approved the revised 2001 construction budget of \$7,606,890.
6. The Board notes the problems encountered with NIRI and accepts the recovery plan developed by the project. The Board is assured that the University of Hawaii will be able to devote sufficient resources to complete the currently identified work by August 2001. Given the importance of NIRI to the early scientific success of Gemini, the Board should be informed immediately if there are any changes to the recovery plan.
7. The Board supports and accepts the proposed Revision for the Selection, Procurement, and Contract Management of Gemini Instruments presented to the Board, and thanks the Gemini instrument team and the National Project Offices for their effort in coming forward with the plan.
8. The Board approves the plan for observing for semester 2001B, namely, that on Gemini North, 45-60% of time will be used for science observations and the remainder for engineering. On Gemini South, 20-30% of time will be used for science observations and the remainder for engineering.
9. The Board approved the revised 2000 year-end operations budget.
10. The Board approved the proposed revisions to the 2001 operations budget, \$28,671,990.
11. The Board notes that AURA and PPARC have stopped the original High Resolution Optical Spectrograph (HROS) program. The Board approves the revised and restated work scope for the Bench High Resolution Optical Spectrograph (bHROS). The Board invites the Director to explore opportunities to enhance the capability of bHROS, to make it more responsive to the community's science requirements.
12. The Board reaffirms that the current priority of the Observatory instrumentation plan is to provide scientifically productive and effective facility instruments in a timely fashion.
13. The Board notes the long-term contribution and spend baseline, as provided under Tab H, section M of the materials distributed to the Board, as consistent with the budget and the implications it carries for the future partner contribution schedule.

14. The Board requests the Executive Agency to pursue the drafting of an Amendment to the Gemini Agreement in discussion with the original signatories, to address the proposal from CONICYT representatives for a change in the status of Chile in the Project, and to present that draft to the Board for their review at the November 2001 Board meeting.

15. The Board approved the creation of a Gemini Visiting Committee in accordance with the plan presented by the study group, with amendments as discussed. The Board requests the Executive Agency to set up an implementation plan to establish the Gemini Visiting Committee, and to circulate this plan to the Board for comment.

16. The Board approved the policy for the use of Director's Discretionary Time proposed by the Director, and included in Tab G, with the following modifications: Item 4 was deleted from the categories of DD time included, the allocation of specific numbers of nights by category was replaced by a total of up to 12 nights per telescope per year.

17. The Board notes with regret the upcoming retirement of Dr. Ian Corbett, one of its founding members. The Board recognizes with gratitude his many contributions to the partnership from its inception and wishes him the best in the next phase of his career.

ACTIONS

1. ACTION TO NSF: The Executive Agency to develop an implementation plan for future Gemini Finance Committee activities in accordance with the recommendation presented to the Board, in consultation with AURA management and the Gemini Observatory, and to present this to the Board at the November 2001 Board meeting.

2. ACTION TO NSF: The Board requests the Executive Agency to set up an implementation plan to establish the Gemini Visiting Committee, and to circulate this plan to the Board for comment.

3. ACTION TO GEMINI OBSERVATORY: The Director to explore the process for proceeding with naming the Gemini North telescope for Fred Gillett.

4. ACTION TO CHAIR: The Chair of the Gemini Board to circulate for Board approval the proposed resolution to provide a plaque in memory of Claudio Anguita.

5. ACTION TO CHAIR: The Chair of the Gemini Board to notify Argentina in writing of the status of their payments for 2000 and 2001 operations and of the Board's intent to have other parties to the Agreement cover the shortfall and assume Argentina's observing time.