

## **THE CLEMSON UNIVERSITY BOARD OF TRUSTEES**

**Friday, April 22, 2005 – 11:00AM**

**The Madren Center Boardroom**

**Clemson, SC**

After notification as required by the Freedom of Information Act, the Chairman called the meeting to order at 11:00 A.M. with the following members present: Leon J. Hendrix, Jr., *presiding*; J. J. Britton, Lawrence M. Gressette, Jr., Bill L. Amick, Thomas C. Lynch, Jr., Louis B. Lynn, Patricia H. McAbee, Leslie G. McCraw, E. Smyth McKissick, III, Thomas B. McTeer, Jr., Robert L. Peeler, William C. Smith, Jr., Fletcher C. Derrick, Jr., W. G. DesChamps, Jr., Harold D. Kingsmore, and Clayton Steadman, Interim *Executive Secretary*. Trustee Joseph D. Swann joined via teleconference.

ADMINISTRATION PRESENT: President Barker, Dori Helms, Chris Przirembel, Almeda Jacks, Steve Copeland, Neill Cameron, John Kelly, Terry Don Phillips, Debbie Jackson, Marvin Carmichael, Lawrence Nichols, Angie Leidinger, and Cathy Sams.

OTHERS PRESENT: Robin Denny, Brett Dalton, Alan Godfrey, Connie Lee, Webb Smathers, Alan Grubb, Stuart Wyeth, Michael Mikota, Bruce Yandle, Katy Bayless, Adam Hammond, Cathy Sturkie, Bryan Simmons, Tom Keinath, Mary Poore, Bobby McCormick, Gene Troutman and Donna Winchell.

### Item 1. Approval of Minutes

Statement: Chairman Hendrix noted that the minutes of the February 2, 2005 meeting (Attachment 1) and the March 29, 2005 board teleconference (Attachment 2) had been previously distributed, and he asked if there were any additions or corrections.

Action: There being no changes, the minutes of the February 2, 2005 meeting and the March 29, 2005 Board teleconference were approved as submitted.

### Item 2. Introductions

Statement: Chairman Hendrix called the meeting to order at 11:00 AM and called on Robin Denny to introduce representatives from the media and other special guests in attendance. Ms. Denny introduced Anna Simon of *The Greenville News* and Stephanie Tracy of *The Anderson Independent*.

Student Affairs Vice President, Almeda Jacks, introduced the newly elected Student Government Officers to the Board: Michael Mikota, Graduate Student Body President and Katy Bayless, Undergraduate Student Body President.

Dr. Steve Wainscott introduced the Honors Students – Finalists and Winners (Attachment 3).

The newly selected Executive Secretary to the Board, Chalmers Eugene Troutman III, was introduced. Mr. Troutman advised he was looking forward to working with everyone and was excited about the opportunity to do so. Chairman Hendrix welcomed him to the administration.

### Item 3. Executive and Audit Committee

Statement: Chairman Hendrix reported that the Executive & Audit Committee had met earlier today. The Committee met our NCAA compliance staff (Rebecca Bowman, Jennifer Ellison, Jess Rigler and Phil Grayson). They also heard a report from Rebecca Bowman regarding NCAA compliance. Mr. Grayson will assume the duties as Associate AD for Compliance and Ms. Bowman will become the Associate AD for Student Development. The Board thanked Ms. Bowman for her outstanding service and contributions to the University as head of athletic compliance.

### Item 4. Educational Policy Committee

Statement: Chairman Hendrix called upon Les McCraw for the report of the Educational Policy Committee. Mr. McCraw advised that the Educational Policy Committee had reviewed one action item and two information items.

#### Action Item:

##### A. Business and Behavioral Science Differential Tuition and Fees Plan

Statement: Provost Helms and Interim Dean of Business and Behavioral Science, Bruce Yandle, reviewed briefly the presentation (Attachment 4) which was presented in greater detail earlier for both the Educational Policy and Finance and Facilities Committees.

Action: Chairman McCraw advised that the Educational Policy Committee passed on its recommendation and deferred motion to approve to the Finance and Facilities Committee.

The committee also presented the following information items:

#### Information Items

##### A. Faculty Senate Report

Statement: Webb Smathers, outgoing President to the Faculty Senate, presented his report to the board (Attachment 5). He reviewed the progress made during his tenure and thanked Provost Helms for her support. He introduced Connie Lee, incoming Faculty Senate President.

##### B. Admissions Report

Statement: Provost Dori Helms reviewed the admissions report. We are now receiving more applications than ever – more than 13,000 to date; the average SAT score of the

applicants is 1258; of the admitted students, 49% were in the Top 10% of their high school class.

Chairman Hendrix thanked both Faculty Senate President Webb Smathers and Provost Dori Helms for their reports. He welcomed Connie Lee as the new President of Faculty Senate.

#### Item 5. Finance and Facilities Committee

Statement: Chairman Hendrix called upon Bill Smith for the report for the Finance and Facilities Committee. Mr. Smith reviewed the following action items reviewed in the committee and brought forward for board approval.

#### Action Items:

##### A. Woodland Cemetery Policies and Procedures Proposed Amendments

Statement: Dr. Bobby McCormick presented a brief overview of the proposed changes to the policies and procedures for Woodland Cemetery. The existing policies and procedures date 1991 (Attachment 6) and therefore certain updates were deemed necessary by the Stewardship Committee. The following amendments were presented:

1. Change of Service Requirements for Burial Eligibility – change service requirements for employees from 10 years to 20 years.
2. Assignment of Duties and Responsibilities - request change of responsibility of assigning burial plots and maintaining of records for Woodland Cemetery be moved to the care of the Secretary of the Board. Further, recommend that the oversight of on-going preservation and enhancement efforts be assigned to the Woodland Cemetery Stewardship Committee, so as to correlate with the official charge given to this group upon its creation by President Barker.
3. Aesthetic Parameters for Woodland Cemetery – Include a number of revisions that will address common questions regarding burial guidelines and limitations.

Dr. McCormick answered questions of the committee and asked for approval to amend the policies and procedures for Woodland Cemetery as indicated and presented above.

Action: Mr. Smith made a motion to approve the proposed amendments. Mr. Gressette seconded and the vote of approval was unanimous.

##### B. Declaration of Restrictive Covenants

Statement: Chairman Smith called upon John Boyette and Mason Ailstock to present a request for approval for a Declaration of Restrictive Covenants for the CU International Center for Automotive Research in Greenville. This placed restrictive covenants on 0.677 acres of land adjacent to the Information Technology Research Building. The purpose of this restriction is the mitigation of certain “wetlands” that were destroyed during the construction of Millennium and Innovation Drives which are the roads constructed through the site by the City of Greenville. This property is currently within the 100-year flood plain and could not be used for building construction in the future. Mr. Boyette then answered questions of the committee. He advised the committee that both CU legal

counsel and attorneys with Nelson Mullins have reviewed the proposed restrictive covenants.

Action: Chairman Hendrix requested a motion to approve Declaration of Restrictive Covenants as presented. Mr. Smith made a motion for approval, Mr. Gressette seconded the motion, and the vote of approval was unanimous.

#### C. Graduate Education Center Waiver

Statement: Mr. Boyette also presented the proposed Graduate Education Center Waiver to the committee for approval. The administration is requesting a waiver from the Clemson University Board of Trustees for approval of a construction contract in excess of \$250,000 in value for the Carroll A. Campbell Jr. Graduate Engineering Center at the Clemson University International Center for Automotive Research. A similar waiver was already granted by the Clemson University Board of Trustees on the Information Technology Research Center.

The Budget and Control Board has approved the Clemson University Procurement Code for Economic Development Infrastructure. This procurement code applies to the Graduate Engineering Center state project budget. Due to a projected fast track project delivery method, the waiver will allow the Clemson University administration to execute the numerous contracts within the tight project schedule. Mr. Boyette requested the approval of the committee.

Action: Chairman Hendrix requested a motion to approve the waiver as submitted. Mr. Smith made a motion for approval. Dr. Britton seconded the motion, and the vote of approval was unanimous.

#### D. FY05-06 Meal Plan Rate Request

Statement: Chairman Smith called upon John Newton, who presented a request for increase of the Meal Plan Rate. Mr. Newton presented a request for a 2.75% increase for the FY05-06 meal plan. Mr. Newton explained to the committee that the request was very reasonable due to the inflationary costs of providing quality food for students, including food, labor, insurance costs, utility charges, and equipment/facility upgrades.

Action: Chairman Hendrix requested a motion to approve the request as presented. Mr. Smith made a motion for approval. Ms. McAbee seconded the motion, and the vote of approval was unanimous.

#### E. Telecommunications State Lease Number 2560

Statement: Chairman Hendrix asked Steve Copeland to present the request for approval for Telecommunications State Lease Number 2560 which would amend and renew the lease at the Center for Applied Technology in Pendleton, South Carolina (Attachment 7). The space is occupied only by DCIT/Telecommunications at this time. The renewal will be effective July 1, 2005 through June 30, 2006. Payments are processed through

DCIT/Telecommunications. Source of funds is revenue from the department's auxiliary operations.

Action: Chairman Hendrix requested a motion to approve the lease as presented. Mr. Smith made a motion for approval. Dr. Britton seconded the motion and the vote of approval was unanimous.

#### F. Lee Hall Accessibility Improvements

Statement: In addressing Lee Hall's inaccessible levels for wheelchairs or those with mobility impairments, Steve Copeland presented a request for construction contract award approval for including studio space and offices. The new improvements will remove these barriers by installation of a new elevator and ramp system in the original portion of Lee Hall. The apparent low bidder was M. L. Garrett Construction Company of Greenville, S. C. (Attachment 8). Their price of \$485,017 for the base bid and Alternates 2, 3, and 4 was within the funds available for construction. The company is currently working on Edwards 2<sup>nd</sup> Floor project. Quality of work is excellent and the project is on schedule. Mr. Copeland asked for approval of the contract for Lee Hall Accessibility Improvements as presented.

Action: Chairman Smith asked for a motion of approval. Bob Peeler made a motion for approval as presented. Lawrence Gressette seconded the motion and the vote of approval was unanimous.

#### G. Lee Hall Auditorium (Room 111) Renovations.

Statements: Steve Copeland reviewed the request for contract approval for Lee Hall renovations (Attachment 9). The original auditorium was built during 1973, with no significant upgrades of mechanical/electrical systems and lighting since that time. The project involves complete removal of existing seating and carpeting, and complete renovation of the entry areas. Each new seat will be wired for power and data. The upgrades will provide aesthetic and functional improvements to the Lee Hall experience. The architect of record is McCleskey and Associates Architects, PA of Hilton Head, SC. This firm was engaged through an Indefinite Delivery Contract.

The apparent low bidder is Zorn Company, Inc. of Seneca, South Carolina. Their price of \$353,777 for the base bid and alternates 1, 2, and 3 is within the funds available for construction. Mr. Copeland asked for approval of the award of contract as presented.

Action: Chairman Hendrix asked for a motion to award the contract as presented. Mr. Smith motioned for approval. Mr. Peeler seconded the motion and the vote of approval was unanimous.

#### H. Division of Information Technology State Lease 2596

Statement: Steve Copeland presented the request for lease approval (Attachment 10) to the committee. The Division of Information Technology has requested approval to renew their lease at the Eagles Landing in Seneca, South Carolina. The landlord for this space is Eagles Landing Management. The lease period will be September 1, 2005, through

August 31, 2007. Appropriate cancellation language is included in the lease. It is requested that the committee approve the lease for two years.

Action: Chairman Hendrix called for a motion of approval. Mr. Smith made a motion for approval. Mr. Peeler seconded the motion and the vote of approval was unanimous.

#### I. Brooks Center Theatrical Lighting Upgrade

Statement: Chairman Smith called upon Steve Copeland to present the request for contract award approval for upgrading the lighting for The Brooks Center and the Bellamy Theatre (Attachment 11). The contract includes the removal of existing computer controlled lighting and the installation of state-of-the-art lighting, meeting current codes and standards. Pace Electric Company, Inc. of Easley, South Carolina was the low and responsive bidder for \$401,945. Mr. Copeland requested approval of the contract award as presented.

Action: Chairman Hendrix asked for a motion to award the contract as presented. Mr. Smith made a motion for approval. Mr. Gressette seconded the motion and the vote of approval was unanimous.

#### J. Smith, Barnett and Mauldin Hall Life Safety Improvements & Elevator

Statement: These dormitories were constructed in the mid-1960's. The dormitories currently do not have sprinkler systems. The elevator will be replaced to meet new elevator codes. The old fire alarm systems neither function adequately nor meet current building codes. The low and responsive bidder was Tyler Construction Company of Columbia, South Carolina, with a bid of \$1,249,000. The bid was within the funds available for construction. Steve Copeland asked the committee to review the construction contract award information (Attachment 12) and grant approval for the improvements as indicated.

Action: Chairman Hendrix asked for a motion to award the contract as presented. Mr. Smith made a motion for approval. Dr. Britton seconded the motion. The vote of approval was unanimous.

#### K. Business and Behavioral Science Differential Tuition Plan

Statement: Chairman Bill Smith called upon Dori Helms and Steve Copeland to present the proposed Business and Behavioral Science Differential Tuition Plan. The proposed plan (Attachment 4) had been extensively reviewed in the Educational Policy Committee meeting with the request that the members of the Finance and Facilities Committee be present as well. Provost Helms and Bruce Yandle addressed any questions or concerns of the trustees regarding this concept, new to Clemson University. Having received approval of the Educational Policy it was brought forward now for approval by the Finance and Facilities Committee. In closing, the Finance & Facilities Committee was asked to approve the Business and Behavioral Science Differential Tuition Plan and recommend its adoption by the full Board of Trustees.

Action: Chairman Hendrix called for a motion to approve the differential tuition plan as presented. Mr. Smith made a motion to approve the plan as presented. Mr. Gressette seconded the motion. Trustee Bob Peeler objected to the differential tuition, therefore the vote of approval was not unanimous.

### Information Items

Finance and Facilities Committee Chairman Bill Smith advised that they had the following informational updates in the committee.

#### A. Baruch Institute

Statement: John Kelly and George Askew provided brief overview of the Belle W. Baruch Institute of Coastal Ecology and Forest Science. Clemson University began a Forest Science program with the formation of the Belle W. Baruch Forest Science Institute. The program has grown and research topics have increased in diversity. With closer review of funding and budget allocations, they may present an in depth report to the committee at a future board meeting.

#### B. Budget Update

Statement: Chairman Hendrix called upon Alan Godfrey to present a budget update for the committee. Mr. Godfrey distributed his report (Attachment 13) and there were no questions.

#### C. Permanent Improvement Project Update

Statement: Bob Wells provided a written report to the committee regarding all current permanent improvement projects (Attachment 14) and the status of each project.

#### D. Classified Staff Senate Report

Statement: Classified Staff Senate President, Ron Addis, provided a written report (Attachment 15) to the committee.

Chairman Hendrix thanked everyone for their reports, verbal and written.

#### Item 6. Student Affairs Committee

Statement: Chairman Hendrix called on Louis Lynn, Chairman of the Student Affairs Committee for his report. Dr. Lynn advised that the committee had one action item for the board's consideration.

### Action Item

#### A. Reappointment of Municipal Judges

Statement: Chairman Lynn introduced Almeda Jacks. Mrs. Jacks introduced Mary Poore to review the request for reappointment of municipal judges Deborah Culler and Dick Mattox, also for the reappointment of Ministerial Recorder Teresa Daniel. Mrs. Poore

advised that these were two-year appointments and requested approval by the board (Attachment 16).

Action: Chairman Hendrix asked for a motion of approval. Dr. Lynn motioned for approval. Mr. Lynch seconded the motion and the vote of approval was unanimous.

#### Information Items

Statement: Dr. Lynn advised that they heard reports regarding Tsunami Relief fundraising efforts, student affairs international exchanges, and Greek Life History. They also reviewed the summer reading programs (books were provided for each trustee). The chosen book is Jonathan Harr's *A Civil Action*.

Dr. Lynn advised that Presidents Adam Hammond (Undergraduate Student Government) and Stuart Wyeth (Graduate Student Government) would present their reports for the Board. Adam Hammond introduced the new Undergraduate Student Government President, Katy Bayless. Stuart Wyeth presented the new Graduate Student Government President, Michael Mikota.

Chairman Hendrix thanked Dr. Lynn for the report. It was suggested that we might like to have a board meeting in the renovated "Greek Village" once renovations are complete.

#### Item 7. Institutional Advancement

Statement: Chairman Hendrix called on J. J. Britton, Chairman of the Institutional Advancement Committee. The committee did not meet but instead heard an update from Dr. Britton. The update highlighted that the Walker Course and The Madren Conference Center and Inn are doing well. Alumni participation is at an all-time high and investment returns for the Foundation are good. He spoke of several marking initiatives planned. The "C Cats" program for recruitment of top 9<sup>th</sup> and 10<sup>th</sup> grade students shows much promise. The Palmetto Pact is underway and participation is off to a good start. A copy of a chapter in the anthology "Inside the Minds", authored by President Barker, has been mailed to all voters in the reputational ranking for U.S. News and World Report's top public university poll.

Chairman Hendrix thanked Dr. Britton for his update.

#### Item 8 President's Report

Statement: Chairman Hendrix called upon President Barker for his report to the full board. President Barker reviewed his latest report card and the remarkable progress the University is making towards reaching its goal. He touched upon the dramatic increase in the quality and credentials of faculty hired by Clemson in the past three years. He noted that Clemson will join the Health Sciences South Carolina consortium with USC, MUSC and several prominent South Carolina hospital systems. Five graduate programs in the College of Engineering Sciences have named among the Top 50 in the U.S. Clemson has opened an educational "portal" in Brussels with opportunities for students and faculty to pursue studies in the capital of the "New Europe". Finally, he commented on the success

of the Emerging Scholars program for economically and educationally-disadvantaged students from targeted South Carolina counties.

Chairman Hendrix thanked President Barker for his good report and the progress toward meeting our goals.

Item 9. Adjourn

Statement: Chairman Hendrix asked for a motion to adjourn as there was no additional business for discussion. Mr. Amick motioned to adjourn and Dr. Lynn seconded. The meeting adjourned at 5:00 pm.

Respectfully submitted,

Clayton D. Steadman  
Interim Secretary to the  
Board of Trustees