

MINUTES
of the meeting of
THE CLEMSON UNIVERSITY BOARD OF TRUSTEES
Madren Center Board Room
Clemson, South Carolina
Friday, April 9, 2004

After notification as required by the Freedom of Information Act, the Chairman called the meeting to order at 1:30 PM with the following members present: Leon J. Hendrix, Jr., *presiding*; Bill L. Amick, J. J. Britton, Lawrence M. Gressette, Jr., Thomas C. Lynch, Jr., Louis B. Lynn, Patricia H. McAbee, Leslie G. McCraw, E. Smyth McKissick, III, Thomas B. McTeer, Jr., William C. Smith, Jr., Joseph D. Swann, Fletcher C. Derrick, Jr., W.G. DesChamps, Jr., Allen P. Wood, and J. Thornton Kirby, *Executive Secretary*

ADMINISTRATION PRESENT: President James F. Barker, Dori Helms, Ben Anderson, Chris Przirembel, Scott Ludlow, Neill Cameron, Cathy Sams, Angie Leidinger, Debbie Jackson, John Kelly, Lawrence Nichols, and Marvin Carmichael

OTHERS PRESENT: Byron Wiley, Robin Denny, Tom Keinath, Janice Kleck, Alan Grubb, Pat Smart, Fletcher Anderson, Mason Ailstock, Dale Linvill, Larry Allen, Mary Poore, Hannelore Rader, Steve Wainscott, Verna Howell, Bob Geolas, Cathy Sturkie, Webb Smathers, Bob Kimmel, Scott Whiteside, Alan Godfrey, Joy Smith, Connie Lee, Mickey Lauria, Jan Schach, Sam Parsons, Stuart Wyeth, and Bruce Ransom

MEDIA PRESENT: Anna Simon, *Greenville News* and Heidi Williams, *Anderson Independent*

Item 1. Introductions

Statement: Chairman Hendrix called on Robin Denny to introduce any guests in attendance. Ms. Denny introduced Anna Simon of the *Greenville News* and Heidi Williams of the *Anderson Independent*. Chairman Hendrix welcomed both to the meeting.

Item 2. Special Introductions

Statement: Chairman Hendrix next called on Thornton Kirby for several special introductions.

A. Extramural Fellowship Candidates

Statement: Steve Wainscott of the Calhoun Honors College introduced the following Clemson students, who competed for prestigious graduate fellowships in 2004.

The Rhodes Scholarship

Christopher Welch	Finalist	Campobello, SC
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British Marshall Scholarship

Matthew Kerr	Finalist	Orangeburg, SC
Brian Harvel	Nominee	Aiken, SC
Christopher Welch	Nominee	Campobello, SC
Stephanie Zabel	Nominee	Simpsonville, SC

Harry Truman Scholarship Foundation

Ann Cade	Nominee	Birmingham, AL
Katherine Chisholm	Nominee	Greenville, SC
Maggie DeHart	Nominee	Sumter, SC

Barry M. Goldwater Scholarship

William Sams	Winner	Anderson, SC
Vijay Ullal	Winner	Mt. Pleasant, SC
Matthew Williams	Winner	Batesburg-Leesville, SC
Jeffrey Young	Winner	North Augusta, SC

National Science Foundation

Thomas Royster	Winner	Thibodaux, LA
Megan Thompson	Winner	Rock Hill, SC
Michael Bishop	Honorable Mention	Fort Mill, SC
Steven Boyd	Honorable Mention	Central, SC
Jack DeSlippe	Honorable Mention	Mt. Pleasant, SC
William Durham	Honorable Mention	Landrum, SC
Cheryl Gomillion	Honorable Mention	Aiken, SC
Erik Lehnhoff	Honorable Mention	Lexington, SC
Brian Leonard	Honorable Mention	Houston, TX
Shaun McCullough	Honorable Mention	Clemson, SC
William McMahan	Honorable Mention	Springfield, VA
Luke Walters	Honorable Mention	Simpsonville, SC
Stephanie Zabel	Honorable Mention	Simpsonville, SC

Hertz

Jack DeSlippe	Finalist	Mt. Pleasant, SC
Megan Thompson	Finalist	Rock Hill, SC

Mr. Wainscott advised the Board that Clemson's four Goldwater Scholars equaled the number won by Harvard, Yale, MIT, Stanford and Princeton. Clemson outperformed such prestigious universities as Duke and California-Berkeley. The Trustees and guests present joined in an enthusiastic round of applause for all of Clemson's outstanding candidates for graduate fellowships.

B. TAPS Yearbook Staff

Statement: Thornton Kirby introduced three members of the TAPS yearbook staff, Lindsey Mathis, Mandy Baker, and Jessica Allen. Mr. Kirby also introduced Whitney Romanowski, Student Services Program Coordinator and advisor for the yearbook staff. The students presented personalized yearbooks to the Trustees, who thanked the editors with a hearty round of applause.

C. Special Presentation by Dr. Louis Lynn

Statement: Trustee Louis Lynn advised the Trustees and guests present that he serves on the Board of Directors of the Governor's School for Science and Math Foundation. Each year the Governor's School presents the Charles H. Townes Award to honor those individuals and organizations that go beyond the basic requirements to raise the quality of science and mathematics education in South Carolina. On Thursday evening, April 8th, the Governor's School presented the 2004 Townes Award to South Carolina's three Research Universities. Since President Barker and the Clemson Trustees were hosting the Board's annual Faculty Awards Banquet on the same evening, Dr. Chris Przirembel represented Clemson at the Governor's School event. On behalf of his colleagues at the Governor's School, Dr. Lynn presented the 2004 Townes Award to President Barker and congratulated him for Clemson's achievement.

Item 3. Approval of Minutes

Statement: The minutes of the February 4, 2004 meeting were submitted for approval.

Action: No corrections or additions were offered, and Chairman Hendrix advised that the minutes would stand approved as submitted.

Item 4. Report from the Executive Secretary to the Board

A. Future Meeting Dates

Statement: Thornton Kirby reported the following dates for upcoming Board meetings.

Summer Retreat in Charleston July 9-11, 2004

Fall Meeting in Clemson October 21-22, 2004

Item 5. Executive and Audit Committee

Statement: Chairman Hendrix reported that the Committee had met earlier in the day and approved an amendment to the Special Defined Contribution Retirement Plan adopted for the benefit of Athletic Director Terry Don Phillips on October 25, 2002. He referred to a resolution and amendment prepared by the Administration (Attachment 1), and he noted that the proposed amendment will not increase the compensation paid to the Athletic

Director, nor will it increase the financial obligations of the University. The effect of the amendment will be to increase the Athletic Director's flexibility with regard to tax planning.

Action: Mr. Gressette made a motion to approve and ratify the amendment to the Special Defined Contribution Retirement Plan and the qualified excess governmental benefit arrangement for the benefit of the Athletic Director. Mr. McTeer seconded the motion, and the vote of approval was unanimous.

Item 6. Educational Policy Committee

Statement: Chairman Hendrix called on Mr. McCraw for the report of the Educational Policy Committee. Mr. McCraw thanked the Chairman and presented three items approved by the Committee.

A. Major Program Modification—M.Ed. in Reading

Statement: The University plans to substantially revise the Masters in Reading degree currently offered by the Eugene T. Moore School of Education (Attachment 2). Dr. Helms advised the Committee during its meeting that this program will eventually be offered entirely on line, and the University seeks approval to offer the Masters in Reading statewide through distance education and limited on-site contract courses.

B. Center for Flexible Packaging

Statement: The second action item was a proposed Center for Flexible Packaging (Attachment 3). During her presentation to the Committee, Dr. Helms noted this center is focused on flexible packaging because that is where innovations are taking place in the industry.

C. Clemson University Restoration Institute

Statement: Provost Helms' final action item was a Clemson University Restoration Institute (Attachment 4), which will be submitted for CHE approval. Clemson is actively pursuing an endowed chair for this institute, and we have already secured \$1.8 million in private support. The proposed institute will study restoration of land, buildings, and other historic items through an interdisciplinary, intercollegiate process. This interdisciplinary process has already led to Clemson being selected as the lead institution in the national Academic Research Network of the Revivalist Institute.

Action: On behalf of the Educational Policy Committee, Mr. McCraw made a motion to approve the proposed modification to the Masters of Education in Reading, the Center for Flexible Packaging, and the Clemson University Restoration Institute. There was no discussion, and the vote of approval was unanimous, with one abstention. Patti McAbee submitted a letter in advance of the meeting abstaining from the vote on the Clemson University Restoration Institute (Attachment 5), noting that she might have financial interests in related businesses in the future.

D. Faculty Senate Report

Statement: Mr. McCraw reported that Faculty Senate President Dale Linvill had presented his written report on issues currently before the faculty (Attachment 6), and he noted this would be Dr. Linvill's last meeting as Senate President. Mr. McCraw thanked

Dr. Linvill for his devoted effort to represent the faculty, and the Trustees gave him a round of applause. Dr. Linvill thanked the Trustees for their support during the past year, and he introduced Webb Smathers and Connie Lee. Dr. Smathers will serve as Senate President during the coming year, and Dr. Lee will serve as President-Elect. Mr. McCraw thanked Dr. Linvill and welcomed the new Senate leaders.

Item 7. Agriculture and Natural Resources Committee

Statement: Chairman Hendrix next called on Tom McTeer for the report of the Agriculture and Natural Resources Committee. Mr. McTeer thanked Chairman Hendrix and called on John Kelly to highlight several informational reports presented to the Committee. After Dr. Kelly had done so, Mr. McTeer concluded the Committee report.

Item 8. Student Affairs Committee

Statement: Chairman Hendrix called on Louis Lynn for the report of the Student Affairs Committee, and Dr. Lynn introduced student leaders to present their reports to the Board.

A. Undergraduate Student Government Report

Statement: Fletcher Anderson presented his Undergraduate Student Government Report (Attachment 7) and offered to answer questions. He advised the Board that Adam Hammond was recently elected Student Body President and Katy Bayless was elected Student Body Vice President. Chairman Hendrix thanked Mr. Anderson for his outstanding leadership during the past year, and especially for adding the 63rd point to the final score of the Tigers' victory over the USC football team. The Trustees gave Mr. Anderson a round of applause for his service as Student Body President.

B. Graduate Student Government Report

Statement: Mason Ailstock submitted a Graduate Student Government Report (Attachment 8), which he highlighted before introducing the incoming President of Graduate Student Government. Stuart Wyeth thanked Mr. Ailstock for his leadership and for his introduction, and he advised the Trustees he looked forward to working with them in the coming year. The Trustees gave Mr. Ailstock a round of applause for his service as Graduate Student Government President.

Before concluding his report, Dr. Lynn noted that Almeda Jacks was missing her first Clemson Board meeting in 29 years on account of her father's illness, and he asked the Trustees to remember the Jacks family during this time.

Item 9. Research Committee

Statement: Chairman Hendrix called on Joe Swann for the report of the Research Committee. Mr. Swann reported that the Committee had received a number of informational reports, including an update on Genomics from Jeff Tomkins; Danny Harris' report on the commercialization of Intellectual Property gifts; and an update on research awards and proposals from Chris Przirembel. Chairman Hendrix thanked Mr. Swann for his report.

Item 10. Finance and Facilities Committee

Statement: Chairman Hendrix called on Bill Smith for the report of the Budget & Finance Committee. Mr. Smith presented the following items for consideration.

A. Approval of Regulatory and Public Service Lease Renewal

Statement: The Regulatory and Public Service Department has leased space in the Center for Applied Technology in Pendleton for over ten years. The current lease expired in February 2004, and the Regulatory and Public Service Department is currently operating within the allowable holdover clause. The department wishes to renew this lease for an additional two years. The total amount of space to be leased is 11,253 square feet, and the landlord is the Clemson University Research Foundation. The State Leasing department approved this request in March. The current lease rate is \$102,173.36 for 10,916 square feet. The new annual lease rate will be \$107,353.62 for 11,253 square feet. The operating cost per square foot will be a fixed rate of \$1.90 per square foot. The term will be for two years. Lease payments and operating cost are being processed through the department. The Administration requests authorization to amend and renew the lease.

B. Approval of Tillman Hall HVAC

Statement: Tillman Hall, when renovated in the early 1980's, complied with all codes and regulations. The building is heated and cooled with a four-pipe system through fan coil units in the office and classroom spaces. Fresh air enters the building only through open doorways and when windows are opened. Tillman Hall is heavily utilized and air quality complaints have been continuous over the years. Environmentally friendly interior finishes and attic exhaust fans have been installed in an attempt to improve air quality. Additionally, the level of janitorial service has also been increased to reduce dirt and dust in the building. While these efforts have improved air quality, a problem still exists that can only be solved by introducing fresh air into the building. A new air-handling unit will be installed on an existing, but hidden, flat roof area. This unit will induce fresh air into the building, thus improving indoor air quality. Associated work includes ductwork, new ceilings with lay-in light fixtures, and updated controls. Although the project will be accomplished in phases, the occupants have opted to remain in the building during the renovation. The Engineer of Record is RMF Engineering, Inc. of Charleston, South Carolina.

Bids were opened on Tuesday, April 6, 2004 at 2:00 PM. Prices were requested for a Base Bid and one alternate. This alternate requested a price to replace the existing air-handler that serves Memorial Chapel. Seven firms submitted bids. The low responsive and responsible bidder is H. R. Allen, Inc. of Charleston, South Carolina. Their bid of \$849,900 for the Base Bid and the alternate is well within the funds available for construction. H. R. Allen has successfully executed numerous campus projects, both as a prime contractor and a subcontractor. They are currently the mechanical subcontractor on the Advanced Materials Research Laboratory. The bid documents state that both the University and the Architect/Engineer (A/E) must approve the project manager and the superintendent and that these individuals be named in the construction contract. The documents further state that neither can leave the project except with the consent of the University and the A/E unless they cease to be employed by the contractor. The replacement project manager or superintendent must also be approved by the University and by the A/E. In accordance with State procurement law Clemson is required to award contracts to the lowest responsible bidder regardless of minority business enterprise (MBE) status of the bidder or subcontractors. However, Clemson University encourages

and accounts for MBE participation in its capital construction program. All bidders are requested to make a good faith effort to solicit subcontractor and supplier bids from certified minority businesses. After contract award, the contractor must submit with the first pay application an initial report with the name of any MBE firms, their South Carolina MBE certification number, the nature of the subcontract, and the value of the subcontract. Subsequent quarterly reports that update the MBE list are required until the project is substantially complete. The Administration requests authorization to award a construction contract, pending expiration of the protest period, in the amount of \$849,900 to H. R. Allen, Inc. of Charleston, South Carolina.

Action: On behalf of the Budget and Finance Committee, Mr. Smith made a motion:

- to approve the Regulatory and Public Service Lease as proposed; and
- to award a construction contract, pending expiration of the protest period, in the amount of \$849,900 to H. R. Allen, Inc. of Charleston, South Carolina.

There was no discussion, and the vote of approval was unanimous.

C. Approval of 2004-05 Meal Plan Rates

Statement: John Newton presented a request to increase meal plan rates by 2.61 percent for fiscal year 2004-05 and provided justification for the request. Mr. Newton explained that increased operating costs for the food service provider stem from changing food preferences (away from carbohydrates and toward more expensive proteins) as well as the increasing cost of health and unemployment insurance rates. Mr. Newton advised that meal plan rate increases between FY 1997-98 and FY 2003-04 have continued to lag behind the rate of inflation.

D. Acceleration of Sprinkler Installation in Residence Halls

Statement: Mr. Smith noted the Committee had received an overview of fire safety measures in place for all University housing units, and the Administration shared a proposal to accelerate the existing plan to install sprinklers in all housing units. The existing plan would require four to five years to complete, whereas the accelerated plan would complete the installation of sprinklers in all housing units by the end of the summer of 2006.

Action: On behalf of the Budget and Finance Committee, Mr. Smith made a motion to approve the accelerated plan to install sprinklers in all housing units by the end of summer 2006. There was no discussion, and the vote of approval was unanimous.

Item 11. Institutional Advancement Committee

Statement: Chairman Hendrix next called on J.J. Britton for the report of the Institutional Advancement Committee. Dr. Britton called on Neill Cameron for an executive summary of the reports presented to the Committee.

A. Executive Summary

Statement: Neill Cameron presented an executive summary of Advancement activities during the past quarter, including marketing, alumni participation, development, endowment, and conference center activity.

Item 12. President's Report

Statement: Chairman Hendrix next called on President Barker for his report. President Barker updated the Board on a number of issues, including:

- A recent article featuring ICAR in the *International Journal of Racecar Engineering*, entitled "The American Dream;" and
- President and Mrs. Barker's recent meetings with National Scholars who are preparing to travel to England.

President Barker next circulated his quarterly report card (Attachment 9) and reviewed progress since the last Board meeting. He highlighted two new national championships won by Clemson students, one by the Pershing Rifles (their second consecutive national championship) and one by the Debate team (Clemson's first ever national title in debate). President Barker concluded his report by noting that our students are leading the way in Clemson's drive to Top 20.

Item 13. Executive Session

Statement: Chairman Hendrix stated that the Board needed to go into executive session to discuss a matter related to employment.

Action: Mr. McKissick made a motion to go into executive session, Mrs. McAbee seconded, and the vote of approval was unanimous. The Chairman stated that no decisions would be made and no votes would be taken while the Board was in executive session, and he invited guests to wait outside the room. The Board went into executive session at 2:35 PM.

Item 14. Open Session

Statement: The meeting was reconvened in open session at 4:30 PM. Chairman Hendrix reported that no decisions were made and no votes taken while the Board was in executive session.

Item 15. Adjourn

Statement: There being no further business, Mr. McTeer made a motion to adjourn, Mr. McCraw seconded, and the meeting was concluded at 4:31 PM.

Respectfully submitted,

J. Thornton Kirby
Executive Secretary to the
Board of Trustees