

**Clemson University
Clemson, South Carolina**

MINUTES

of the Meeting of

**THE CLEMSON UNIVERSITY BOARD OF TRUSTEES
Madren Center Board Room
Clemson, South Carolina
Friday, January 31, 2003**

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: Lawrence M. Gressette, Jr., *presiding*; Bill L. Amick, J. J. Britton, Leon J. Hendrix, 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, Allen P. Wood, W. G. DesChamps, Jr., Harold D. Kingsmore, Fletcher C. Derrick, Jr., and J. Thornton Kirby, *Executive Secretary*

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

OTHERS PRESENT: Robin Denny, Cathy Sturkie, Stassen Thompson, Angelo Mitsopoulos, Dexter Hawkins, Dallas Burnett, Angie Leidinger, Byron Wiley, David Martin, Beth Davis, Janice Schach, Tom Keinath, John Robinson, Shawntara Govan, Janice Kleck, Brett Dalton, Bruce Ransom, Dave Fleming, Ross Wilkinson, Alan Godfrey, Jeff Martin, Alan Grubb, Pat Smart, Hannah Hopkins, Justin Batt, Verdale Benson, and Linda Weir

MEDIA PRESENT: Anna Simon, *Greenville News* and Jean Scott, *Anderson Independent*

Item 1. Introductions

Statement: Chairman Gressette called on Robin Denny to introduce any guests from the media in attendance. Ms. Denny introduced Anna Simon of the *Greenville News* and Jean Scott of the *Anderson Independent*. Chairman Gressette welcomed both to the meeting.

Chairman Gressette next recognized Professor Alan Grubb, who was recently elected by his colleagues to serve as Faculty Representative to the Board of Trustees. Mr. Gressette welcomed Dr. Grubb and stated that the Board looked forward to working with him.

Chairman Gressette concluded his introductions by recognizing Professor Pat Smart, the outgoing Faculty Representative to the Board of Trustees. He advised the guests present that Dr. Smart had served with distinction as the Faculty Representative to the Board, and he reported that the Trustees had approved a resolution honoring Dr. Smart for her leadership (Attachment 1). Chairman Gressette called Dr. Smart forward, and Executive Secretary Kirby presented the framed resolution to her. The Trustees and guests expressed their appreciation to Dr. Smart with a standing ovation. Dr. Smart thanked the Trustees for their kind recognition and stated that she looked forward to working with the Board in the future.

Item 2. Approval of Minutes

Statement: The minutes of the October 25, 2002 meeting were submitted for approval.

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

Item 3. Report from the Executive Secretary to the Board

Statement: Thornton Kirby reported the following dates of future Board meetings.

<u>Meeting</u>	<u>Dates</u>
Spring Meeting:	April 24-25, 2003
Summer Meeting:	July 10-13, 2003

Mr. Kirby concluded his report by asking the Trustees to reserve these dates on their calendars.

Item 4. Institutional Advancement Committee

Statement: Chairman Gressette next called on Smyth McKissick for the report of the Institutional Advancement Committee.

A. Transfer of Funds from Henry Stroud Fund to Scholarship for Scholars Account

Statement: Mr. McKissick reported that the family of Henry Stroud established a loan fund in 1948, and it is no longer necessary because loan funds are not used in the current financial aid environment. The corpus is currently \$382,000, and the Administration recommends converting it to a scholarship account as permitted by the original fund agreement. The Committee supported the plan, provided the Administration would make an effort to advise the Stroud family of the modification.

Action: On behalf of the Institutional Advancement Committee, Mr. McKissick made a motion to approve the transfer of funds as proposed and to direct the Administration to notify the Stroud family of the change and convey the University's gratitude for their support. The vote of approval was unanimous.

B. Executive Summary

Statement: Mr. McKissick called on Neill Cameron to present an executive summary of Advancement activities during the past quarter, and Mr. Cameron gave a brief overview of communications, alumni participation, development, endowment, and conference center activity during the last quarter.

Item 5. Executive and Audit Committee

Statement: Chairman Gressette reported that the Executive and Audit Committee had approved the renewal of the University's Tort Liability and D&O Insurance Policy. In addition, the Committee heard the following reports.

- Report of the External Auditor for the Year Ending June 30, 2002
- Report of the Internal Auditor
- Report on Access & Equity

Chairman Gressette noted that the External Auditor found no internal weaknesses or lack of controls, and the University received a clean audit. The auditors had no findings for management concerning the improvement of controls, and the auditors were complimentary of Clemson's financial affairs team. Chairman Gressette commended Scott Ludlow and his team for their outstanding work.

Chairman Gressette also noted that the Commission on Colleges of the Southern Association of Colleges and Schools (SACS) had reaffirmed Clemson's accreditation without conditions in December. Chairman Gressette congratulated President Barker and the University family on this fine achievement.

Item 6. Educational Policy Committee

Statement: Chairman Gressette called on Mr. McCraw for the report of the Educational Policy Committee, and Mr. McCraw advised that the Committee had received a series of informational reports from Provost Helms the prior day. He commended Provost Helms and her staff for their fine staff work on the McAdams renovation and expansion project. Mr. McCraw also noted outstanding reports from the Calhoun Honors College, the National Scholars Program, and the Admissions Office.

A. Faculty Senate Report

Statement: Mr. McCraw called upon Professor Alan Grubb to present the Faculty Senate Report on behalf of Senate President Kinly Sturkie. Dr. Grubb offered highlights of Dr. Sturkie's report (Attachment 2) and offered to answer questions. Mr. McCraw thanked Dr. Grubb and complimented the Faculty Senate on their good work.

Item 7. Agriculture and Natural Resources Committee

Statement: Chairman Gressette next called on Dr. Lynn for the report of the Agriculture and Natural Resources Committee. Dr. Lynn thanked Chairman Gressette, highlighted several informational reports presented to the Committee, and called on Stassen Thompson to present a land management action item.

A. Amendment of Lease to Agricultural Heritage Center

Statement: Stassen Thompson informed the Board that in 1999 Clemson University leased four buildings (and grounds extending 50 feet in all directions from the foundations of the buildings) scheduled to be demolished to the Agricultural Heritage Center (AHC). The AHC renovated the buildings, and they are being used for educational purposes that support the Edisto Research and Education Center (REC). The buildings are also part of the Heritage Corridor. Agriculture Heritage Center has secured funding and construction gifts to build an exhibit building (4194 square feet) adjacent to the Discovery Center (Attachment 3). The building will be used primarily for agricultural exhibits. A portion of the exhibit building and the drain lines lie outside the grounds under lease to AHC. Therefore, in order to permit construction the lease will have to be amended. Like AHC, the exhibit building supports the educational programs at Edisto REC. On behalf of the Administration, Dr. Thompson recommended that the lease to Agricultural Heritage Center be amended to include the footprint of the exhibit building and drain field as shown on Attachment 3.

Action: On behalf of the Agriculture and Natural Resources Committee, Dr. Lynn made a motion to amend the lease to Agricultural Heritage Center as presented by Dr. Thompson. Following discussion, the vote of approval was unanimous.

Item 8. Student Affairs Committee

Statement: Chairman Gressette called on Patti McAbee for the report of the Student Affairs Committee. Mrs. McAbee reported that the Committee had authorized a resolution honoring Thea McCrary; expressed sympathy for the two students lost in the recent airplane crash; and received reports from the Alcohol Task Force, the Fike Renovation Update, and the Fraternity Quad Renovation Project.

Student Government Reports

A. Undergraduate Student Government Report

Statement: Mrs. McAbee next introduced Angelo Mitsopoulos, Student Body President, to present his report. Mr. Mitsopoulos advised the Trustees that he had included his reports in their materials (Attachment 4), and he introduced his fellow officers.

- Beth Davis, Student Body Vice President
- John Robinson, Student Senate President
- Hannah Hopkins, Activities Director
- Justin Batt, Chief of Staff

Mr. Mitsopoulos thanked the Administration for allowing Student Government to participate in the commemoration of Harvey Gantt's enrollment earlier in the week, and he highlighted several items in his report. Mr. Mitsopoulos concluded by thanking John Robinson and Drew Land for their hard work on the academic redemption policy.

B. Graduate Student Government Report

Statement: Mrs. McAbee next introduced Dallas Burnett, President of Graduate Student Government, to present his report (Attachment 5). Mr. Burnett thanked Angelo Mitsopoulos and his undergraduate colleagues for their partnership in restructuring Student Government, and he highlighted Graduate Student Government's efforts to increase financial support and enhance the positive support for graduate students.

Following Mr. Burnett's report, Mrs. McAbee advised the Board that this would be the last regular meeting during the term of our current Student Government officers, and she thanked all the student leaders for their outstanding contributions to Clemson University. The Trustees and guests present joined Mrs. McAbee in a round of applause for the outgoing student leaders.

Item 9. Research Committee

Statement: Chairman Gressette called on Joe Swann for the report of the Research Committee. Mr. Swann advised that the Committee had received several reports, and he highlighted several of them. Mr. Swann noted that Clemson researchers have recently used desktop printers to create living tissue; that externally funded research awards are up \$5,000,000 compared to the same time last year; that the University will host "Focus on Research Week" April 7-11, 2003; that the proposed Advanced Materials Research Building is expected to be complete by summer of 2004; that proposals for state-funded endowed chairs are due today, January 31; and that the Committee had heard reports on commercialization of intellectual property and overhead recovery in research grants.

A. Appointment of Research Committee Representative to CURF Board of Directors

Statement: Mr. Swann asked that the Board approve the appointment of Research Committee member Les McCraw to the Clemson University Research Foundation (CURF) Board for a four-year term. He noted that the CURF Bylaws call for a Trustee to serve on the CURF Board and that closer ties between the Research Committee and the CURF Board will assist the University in achieving its long term goals for research.

Action: On behalf of the Research Committee, Mr. Swann made a motion to approve the appointment of Les McCraw to the CURF Board of Directors. The vote of approval was unanimous.

Item 10. Budget and Finance Committee

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

A. Approval of New Fee: Masters in Human Resource Development for Boys & Girls Clubs of America

Statement: The Eugene T. Moore School of Education will develop and deliver the Masters of Human Resource Development degree in an on-line format to designated employees of the Boys and Girls Club of America (BGCA). This program is consistent with the future plans for the School of Education. Students will be admitted into two cohorts of 15 students each, for a total of 30 students. This schedule will result in 24

courses and 360 registrations for a total of 1080 credits. The courses will be delivered during a three-year period (courses will be taught during Fall, Spring, and Summer terms for each cohort).

The tuition rate for the BGCA program will be \$400 per semester credit hour for both South Carolina residents and out-of-state residents. A single tuition rate is the trend nationally, and a tuition rate between \$375 and \$450 also is common among the schools surveyed by the Office of Off-Campus, Distance and Continuing Education (ODCE). Most importantly, a higher rate is not competitive. Half the tuition will be paid by the BGCA grant, and half will be paid by the student participants. The amount of the BGCA grant for this program is \$379,000. In addition, \$216,000 will be generated from the students for 50% of the tuition. ODCE will receive 30% of the tuition revenue for putting the courses on-line and overseeing the registration and technical support systems for the degree program. The faculty salaries and other direct course expenses will be paid from the tuition revenue. The remainder will be returned to the College of Health, Education and Human Development. Since the courses are being developed under the “work-for-hire” policy established by the Clemson University Intellectual Property Committee, ownership rights remain with Clemson University.

Action: On behalf of the Budget and Finance Committee, Mr. Hendrix made a motion to approve the new fee as proposed. Following discussion, the vote of approval was unanimous.

B. DCIT Lease Renewal

Statement: The Division of Information Technology has requested approval to renew its lease at the Eagles Landing in Seneca, South Carolina. The landlord for this space is Eagles Landing Management. The leased premises consist of 6,556 square feet at \$10.50 per square foot, for a total annual rental rate of \$68,838.00. Operating cost is \$3.50 per square foot, for an estimated annual cost of \$22,946.00. The new lease period will be September 1, 2003 through August 31, 2005. Renewal approval is being sought at this time in order to give adequate notice to the landlord of intent to renew. The lease contains appropriate cancellation language as originally negotiated.

The Clemson University Division of Information Technology has occupied space in this facility since 1999. Lease payments are being processed through the Division of Information Technology. The fund source is a grant with South Carolina Health and Human Services. On behalf of the Administration, Mr. Ludlow requested authorization to renew this lease for an additional two years.

Action: On behalf of the Budget and Finance Committee, Mr. Hendrix made a motion to authorize the lease renewal for an additional two years. Following discussion, the vote of approval was unanimous.

C. Construction Contract: Sirriner Hall Elevator

Statement: Sirriner Hall is the most heavily utilized classroom building on campus. This five story building is served only by a freight elevator. This elevator was last refurbished in the early 1980’s when the building was renovated, and it is becoming increasingly

difficult to maintain. The elevator, while rather large, cannot be adapted to meet accessibility guidelines. Handicapped students, faculty, and staff find the elevator difficult to operate when it is in service. The Office of Access and Equity has identified providing Surrine Hall with a passenger elevator as its top priority for improving physical accessibility. The A/E conducted an in-depth analysis of seven alternate locations for a passenger elevator. The preferred option by the building occupants was to remove the existing freight elevator and use the vacated shaft for a new passenger elevator. This option is also the most cost effective and does not impact the historic fabric of Surrine Hall. Upon authorization by the Board of Trustees, the contract will be awarded in February. Construction will not begin until the end of the spring semester. In the interim, the elevator will be ordered and manufactured, and steel will be fabricated. The Architect-of-Record is Justice Design Studio of Greenville, South Carolina.

Five companies submitted bids. The apparent low responsive and responsible bidder is Yeargin Construction, Inc. of Greenville, South Carolina. Their bid of \$264,000.00 is below the funds available for construction. Yeargin Construction is currently working on the Doug Kingsmore Stadium renovation. They previously completed the new West Campus residence hall. Steed Proctor will be the project manager, and George Johnson will be the superintendent. Both men have successfully completed numerous projects and will be named in the construction contract with the stipulation they cannot leave the project except with the consent of the University and the Architect/Engineer unless they cease to be employed by the contractor. The replacement project manager or superintendent must be approved by the University and the Architect/Engineer. The Administration requests authorization to award a construction contract in the amount of \$264,000.00 to Yeargin Construction, Inc. of Greenville, South Carolina.

D. Construction Contract: Barre Hall Basement

Statement: Barre Hall basement is underutilized core campus space. Until recently, this unfinished space was occupied by University Records, a unit that recently was moved to the old Garrett's Building in the Clemson Shopping Center. The project is intended to consolidate laboratories currently managed by the Department of Computer Information Technology (DCIT). This consolidation will not only allow DCIT to operate more efficiently but will also return much needed space in several campus buildings to academic departments. The 11,000 square foot basement will be upfitted. Restrooms will be constructed, an air handler will be added, and partition walls will be constructed to provide labs and support spaces for DCIT. The construction documents also provide built-in smart classroom furnishings as well as telecom/data wiring. The Architect-of-Record is Davis & Floyd, Inc. of Greenwood, South Carolina.

Eight companies submitted bids. The low responsive and responsible bidder is Zorn Company, Inc. of Seneca, South Carolina. Their bid of \$772,977.00 is below the funds available for construction. Zorn Company has successfully completed many campus projects and is currently working on the addition to the Apparel Research Center. Other recent projects include the football field renovation, the South Concourse renovation, and the R-1 Parking Lot expansion. Greg Harding, co-owner, will be the project manager and Tucker Harding will be the superintendent. Both men have successfully completed

campus projects and will be named in the construction contract with the stipulation they cannot leave the project except with the consent of the University and the Architect/Engineer unless they cease to be employed by the contractor. The replacement project manager or superintendent must be approved by the University and the Architect/Engineer. The Administration requests authorization to award a construction contract in the amount of \$772,977.00 to Zorn Company, Inc. of Seneca, South Carolina.

E. Construction Contract: Phase 2 Renovations of Shoebox Residence Halls

Statement: This project will provide new mechanical and life safety systems for the five Shoebox residence halls: Cope, Benet, Young, Geer, and Sanders. It was originally scheduled for the summer of 2002 but was deferred in order to provide sprinkler piping for the Clemson House, which is now complete. This project will include the following work in all five buildings: new fan coil units in student rooms, one new air handler with duct work to provide conditioned air to corridors & bathrooms, replace existing exhaust fans, new sprinkler & fire main riser piping, new fire alarm system, replace exit lights, upgrade emergency lighting systems, and one new diesel generator to provide emergency power to all buildings. The Architect-of-Record is Justice Design Studio of Greenville, South Carolina.

Four companies submitted bids. The Zorn Company inadvertently switched their base bids and therefore requested permission to withdraw their bids from consideration. The apparent low responsive and responsible bidder is G-M Mechanical, Inc. of Greenville, South Carolina. Their bid of \$3,040,630 exceeded the project construction budget, but in keeping with State guidelines Clemson has successfully negotiated it to \$2,791,130.00. The project was not rebid, since any delay in ordering equipment would jeopardize summer 2003 implementation. Additionally, since the three lowest bidders utilized the same mechanical contractor, the professional staff felt the original bid price would not be significantly different than the negotiated price. G-M Mechanical has successfully completed many campus projects, as both the prime bidder and as a mechanical subcontractor. Most recently they were the prime contractor on the Schilleter Dining Hall renovation and served as the mechanical subcontractor on the new west campus residence hall and Memorial Stadium north concourse renovation. They are also a university IDC mechanical contractor and have executed that work effectively. Tom Minor, co-owner and vice president, will serve as project manager and superintendent. Mr. Minor has successfully completed campus projects and will be named in the construction contract with the stipulation he cannot leave the project except with the consent of the University and the Architect/Engineer unless he ceases to be employed by the contractor. The replacement project manager/superintendent must be approved by the University and the Architect/Engineer. The Administration requests authorization to award a construction contract, pending expiration of the protest period, in the amount of \$2,791,130.00 to G-M Mechanical Corporation of Greenville, South Carolina.

Mr. Hendrix noted the Committee had asked for a comparison of the existing smoke detector system to other systems available in the marketplace. That comparison will be presented at the next meeting of the Committee.

F. Construction Contract: Rhodes Hall

Statement: This project is a component of the University's ongoing effort to improve HVAC systems and air quality in campus buildings. Phase 1 of this project replaced the building's main air handler unit along with the hot and chilled water pumps. Phase 2 work will consist of replacing the existing fume exhaust system with new high plume fans that meet current code and EH&S requirements. The project will also install new supply make-up air ductwork to each lab. This supply air will improve hood performance and allow the labs to comply with code requirements. The Engineer-of-Record is Williams-Russell and Johnson, Inc. of Atlanta, Georgia.

Four companies submitted bids. The apparent low responsive and responsive bidder is G-M Mechanical Corporation of Greenville, South Carolina. Their bid of \$298,863.00 is well within the funds available for construction. G-M Mechanical has successfully completed many campus projects, as both the prime bidder and as a mechanical subcontractor. Most recently they were the prime contractor on the Schilleter Dining Hall renovation and served as the mechanical subcontractor on the new west campus residence hall and Memorial Stadium north concourse renovation. They are also a university IDC mechanical contractor and have executed that work effectively. Tom Minor, co-owner and vice president, will serve as project manager and superintendent. Mr. Minor has successfully completed campus projects and will be named in the construction contract with the stipulation he cannot leave the project except with the consent of the University and the Architect/Engineer unless he ceases to be employed by the contractor. The replacement project manager/superintendent must be approved by the University and the Architect/Engineer. The Administration requests authorization to award a construction contract, pending expiration of the protest period, in the amount of \$298,863.00 to G-M Mechanical Corporation of Greenville, South Carolina.

Action: On behalf of the Budget and Finance Committee, Mr. Hendrix made a motion to approve the four construction projects. Following discussion, the vote of approval was unanimous.

Following the action items, Mr. Hendrix noted that the Committee had received two informational reports from the Administration, a construction project update and a budget update.

G. Classified Staff Senate Report

Statement: Mr. Hendrix next called on Dexter Hawkins, President of the Classified Staff Senate, to present his report. Mr. Hawkins thanked Mr. Hendrix, referred to his written report in the Board's materials (Attachment 6), and highlighted several items from the report. Mr. Hendrix thanked Mr. Hawkins for his good work on behalf of the Classified Staff.

Item 11. President's Report

Statement: Before calling upon President Barker for his report, Chairman Gressette advised the Trustees and guests present that President Barker was recently awarded the 2002 Buck Mickel Award for Business and Community Leadership by the Greenville

Chamber of Commerce. The award, named for the late Clemson Trustee, is given annually to the local leader who is deemed to have made the most outstanding contribution to the community's advancement. The Trustees and guests present congratulated President Barker with an extended round of applause. President Barker thanked the Board and guests for their acknowledgement of his award, and he noted the award was particularly meaningful because of Buck Mickel's long and dedicated service to Clemson University.

President Barker opened his report by discussing the state and University budget crisis. He noted that Clemson will maintain open communication regarding our budget strategy, and he noted three layers of our response. First, Clemson will search for all possible internal efficiencies and savings—nothing will be exempt from review. Second, we will explore all personnel options authorized by the State of South Carolina, including retirement incentive plans, a voluntary separation program, furloughs, and reduced workload plans. Third and finally, we will propose a tuition increase, but only after all other options have been exhausted, and only to enhance the quality of a Clemson degree.

President Barker also presented and highlighted his quarterly report card measuring progress against the University's goals (Attachment 7). Among other highlights, President Barker noted that Clemson's chapter of Alpha Phi Alpha Fraternity Incorporated won the National Scholars Bowl in Las Vegas last August, and he introduced Verdale Benson, Chapter President. The Trustees and guests applauded Mr. Benson and his fraternity brothers for their success in winning a national championship.

President Barker concluded his report by discussing the continuing growth and enrichment of Clemson University as an intellectual environment. To illustrate, he gave an overview of his past week, which included a number of intellectually stimulating activities.

Chairman Gressette congratulated President Barker for the many outstanding accomplishment in recent months, and he thanked him for his report.

Item 12. Executive Session

Statement: Chairman Gressette stated that the Board needed to go into executive session to discuss an employment matter.

Action: Mr. McCraw made a motion to go in to executive session, Dr. Britton 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 2:52 PM.

Item 13. Open Session

Statement: Mr. McCraw made a motion to go out of executive session, Dr. Britton seconded, and the vote of approval was unanimous. The meeting was reconvened in

open session at 3:50 PM. Chairman Gressette reported that no decisions were made and no votes were taken while the Board was in executive session.

Item 14. Adjourn

Statement: There being no further business, Mr. McCraw made a motion to adjourn, Dr. Britton seconded, and the meeting was concluded at 3:50 PM.

Respectfully submitted,

J. Thornton Kirby
Executive Secretary to the
Board of Trustees