

Clemson University
Clemson, South Carolina

MINUTES

THE CLEMSON UNIVERSITY BOARD OF TRUSTEES
Hayden Conference Center
Clemson, South Carolina
February 4, 1994

After notification as required by the Freedom of Information Act, the Chairman called the meeting to order at 1:30 P.M. with the following members present: Bill L. Amick, presiding; Louis P. Batson, Jr., J. J. Britton, W. G. DesChamps, Lawrence Gressette, Doug Kingsmore, Louis Lynn, Patricia McAbee, Thomas McTeer, Buck Mickel, Philip Prince, Joe Swann, Allen Wood, D. Leslie Tindal and Manning N. Lomax, Secretary.

Administration Present: Max Lennon, Jay Gogue, Almeda Jacks, Charles Jennett, David Larson, Gary Ransdell, Milton Wise, Ben Anderson and Robin DeLoach

Media Present: Ron Barnett, *Greenville News* and Allen Bowie, *Anderson Independent and Mail*

Item 1. Minutes

Statement: The Minutes of the September 1, 1993 Joint Meeting of the Boards from Clemson University, University of South Carolina and Medical University of South Carolina and the October 1, 1993 Minutes of the CU Board were distributed previously to Trustees.

Action: Mr. Mickel moved that the minutes be approved as submitted, Mr. McTeer seconded the motion and the vote was unanimous.

Item 2. Report from the Secretary of the Board

Statement: Nick Lomax announced the dates for the remaining 1994 Board of Trustees meetings as follows: April 8 in Clemson; July 29-31 (Board meeting and Retreat) place to be announced and September 30 in Clemson.

Item 3. Institutional Advancement Committee - Mr. Batson

Informational Item A - Fund-raising Report

Statement: Pierre Allaire, Associate Vice President for Development, gave the report which summarized gifts received by the University for the first seven months of FY 1994. Gifts total \$11,983,240.50 which is 36.52% ahead of the same

date last year. All donor categories are ahead of last year with the exception of corporate matching gifts (-8.06%). Gifts-in-kind total \$1.87 million which is 75.09% over last year. Proposals under consideration by individuals, corporations and foundations total approximately \$23 million. Alumni participation is down by 1154 gifts compared to last year.

Informational Item B. - Legislative Report

Statement: Jim Daniels, Associate Vice President and Executive Director of Governmental Affairs, reported that the number one priority for higher education is to get \$36.8 million in non-recurring funds back on a recurring basis and asking for an additional \$20 million. The PSA budget process is progressing with Dr. Daniels and his staff working to secure partnerships to enhance that effort. Dr. Daniels stated that they are monitoring all legislative matters which are important to the University.

Informational Item C. - Restructuring Higher Education in South Carolina

Statement: Dr. Daniels reported that the University, along with other public institutions in the State, are supporting an effort to restructure the management of higher education in the State. Two Bills are presently pending in the General Assembly, House version H 4636 and Senate version S 1053, which are being supported by the University. Dr. Daniels provided an update to Trustees on the results of this effort to date.

Dr. Daniels introduced Mrs. Cathy Novinger, Senior Vice President for Governmental and Public Affairs for the SCANA Corporation. Ms. Novinger is Chair of the Business Advisory Council on Higher Education. She explained that the Business Advisory Council on Higher Education (BAC) was formed in 1991 at the request of college and university presidents of South Carolina to address the concerns of business leaders regarding higher education in this State. The BAC has devised a proposal to restructure the management of higher education in South Carolina. This proposal has been introduced in the Legislature as the South Carolina Higher Education Coordinating Council Act of 1994. She stated that the purpose of the proposal is to give the Governor oversight powers in higher education and to restructure the higher education policy making apparatus of state government to achieve better coordination among the 33 public colleges and universities of South Carolina. The Bill calls for replacing the present Commission on Higher Education with a 10-member Higher Education Coordinating Council. The new council would report directly to the Governor, who would appoint the chair. The other nine members would be trustees from the existing institutions in a balanced formula of three from the state's technical colleges, three from the four year universities and three from the senior research institutions.

Item 4. Executive Committee Report - Mr. Mickel

Action Item 1. Resolution - S. C. Higher Education Coordinating Council Act of 1994

Statement: Mr. Buck Mickel stated that, after consulting with other members of the Executive Committee of the Board, he would like to read a Resolution to endorse the South Carolina Higher Education Coordinating Council Act of 1994 (Attachment 1).

Action: Mr. Mickel made a motion on behalf of the Executive Committee that the Resolution be approved by the Board. Mr. Gressette seconded the motion and the Trustees gave standing unanimous approval. The Board directed that the Resolution be sent to all members of the General Assembly.

Item 5. Audit Committee Report - Mr. Mickel

Informational Item - Audit Committee Report

Statement: Mr. Mickel stated that at its meeting on December 9, 1994, the Audit Committee received a report and briefing from members of the staff of the State Auditor's Office on the audit of the University's financial records for the 1992-93 fiscal year. He reported that the report was excellent. There were a few areas where some improvements or changes in procedure were suggested.

Item 6. Budget and Finance Committee - Mr. Gressette

Action Item 1 - Architect Selection Policy

Statement: David Larson stated that results of a survey of the architectural and engineering consultant selection processes at 11 other institutions resulted in the proposal from the Administration to change the composition of the selection committee composition for major \$1,000,000+ permanent improvement projects. The recommended composition is as follows:

Campus Master Planner

End Users of Project: End user Vice President and end user selected by the VP. (If more than 1 VP is an end user of the project, each area will participate as noted.)

Director, Architectural & Engineering Services

Project Manager

Member, Board of Trustees (appointed by Board Chairman)

Vice President for Business and Finance (chair)

The University also selects Indefinite Delivery Contract (IDC) consultants and occasionally advertises for major deferred maintenance projects. It is recommended that members of the professional staff continue to compose the Selection Committee for these consultants provided the Vice President for Business and Finance retains his ability to review both the short list and the priority order. In the event an IDC consultant is proposed by the staff to be

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contracted for a major project, a recommendation to this effect will be sent to the Vice President for Business and Finance, the end user Vice President and the Trustees' representative for approval.

Action: Mr. Gressette stated that this was approved by the Budget and Finance Committee of the Board on December 9, 1993. He made a motion on behalf of that committee that the Board approve the recommendation. Mr. Swann seconded and the Board unanimously approved.

Action Item 2 - Bond Schedules and Resolutions (Attachment 2)

Statement: Mr. Larson outlined four major financing efforts projected for 1994 as follows: (1) utilize \$450,000 in excess bond proceeds from the 1991 Auxiliary Facilities Revenue Bonds, (2) refund outstanding bond issues where it is economically feasible to do so, (3) issue \$620,000 in Auxiliary Facilities Revenue Bonds for construction of new parking lots and (4) issue State Institution Bonds of \$10,133,000 to fund campus projects.

Mr. Larson also presented four resolutions for implementation of the first two financing proposals listed above: (1) Transfer of \$450,000 to partially fund construction of food service area in proposed Continuing Education and Conference Center and (2) Issue three refunding bond issues -- Student and Faculty Housing Refunding Revenue Bonds, Plant Improvement Refunding Bonds and Auxiliary Facilities Refunding Revenue Bonds -- for a present value savings of approximately \$1,300,000.

Action: Mr. Gressette indicated that the Budget and Finance Committee of the Board approved the bond schedules and resolutions at its meeting earlier today. He made a motion for full Board approval, Mr. Wood seconded and the vote was unanimous.

Action Item 3 - Debt Service Fees

Statement: Mr. Larson stated that in order to issue debt, the prior year's collection of debt service fees must meet certain bond test requirements. To have sufficient funds on hand to meet the State Institution bond test requirements so Clemson University can issue \$10,133,000 of 15 year bonds to finance the East Campus Activity Center and certain maintenance and utility projects, an amendment to the FY 1993-94 fees is requested (Attachment 3).

Action: On behalf of the Budget and Finance Committee of the Board, Mr. Gressette moved that the request, which was approved at the committee's meeting on December 9, 1994, be approved by the full Board. Mr. Kingsmore seconded and the vote was unanimous.

Item 7. Student Affairs Committee - Mr. Prince

Informational Item 1 - Student Government Association Report

Statement: Martin Driggers, President of the Student Body, provided an update on efforts of Student Government in conjunction with other State supported schools to amend legislation regarding land lord and leasing regulations. A bill is upcoming in the General Assembly.

Mr. Driggers reported that Student Government, along with students from other State supported schools, is continuing to work to promote awareness for funding higher education in the State. A constitution has been drafted by this group and will be signed in Columbia on February 11, 1994. Students are joining faculty to support increased funding for higher education and also the effort to restructure higher education.

Of great concern to Student Government, is the issue of student safety on campus. Mr. Driggers reported that the Housing Office and other administrative units are working with students in this regard.

Informational Item 2 - Graduate Student Association Report

Statement: Lisa Hanks, President of the Graduate Student Association (GSA) reported that there are presently 4500 graduate students at the University. GSA is committed to promoting better communication between their organization and the administration and faculty. Some of the major projects that the GAS is involved in are: increased membership, establishing a sponsorship program with the deans, and establishing an honor society for graduate students (the first ever at the University). Ms. Hanks thanked Dr. Wayne Bennett, Senior Provost and Dean of the Graduate School, for his efforts in improving graduate education at the University.

Informational Item 3 - Student Death

Statement: Almeda Jacks briefed the Board on the recent suicide by a student. She reported that the parents of the student thanked the University police as well as the local and State law enforcement officials for their handling of the investigation into the death of their daughter.

Informational Item 4. - New Director of Health Services

Statement: Mrs. Jacks introduced Carol Seager who is the new Director of Health Services. She replaced Dr. Bob Burley who retired from the University.

Informational Items 5 & 6 - Updates on Student Center and Holmes and McCabe Halls and other Housing Initiatives

Statement: Mrs. Jacks deferred these items.

Item 8. Agriculture and Natural Resources Committee - Dr. Lynn

Action Item for ANR Committee - Lease Request by Anderson County

Statement: Dr. Stassen Thompson, Chairman of the Land Use Planning Board, presented the request for a lease on approximately four acres of University property to be used as a convenience center where the public may bring household trash and dispose of it in large metal bins. The center will be secured with a fence and manned during operating hours. The waste will be compacted and taken to a landfill. The proposed site is adjacent to property leased to Waste Management for a transfer station and the existing Anderson County Landfill in Pendleton. Anderson County has agreed to pay a rental fee of \$1,200 per year with the lease payment indexed to the CPI at five year intervals with a maximum change of 25% for a five year period. The term of the lease is to be 10 years with two five year options to renew. Clemson retains the right to proceeds from any timber harvested.

Action: Dr. J. J. Britton made a motion that the ANR Committee recommend approval of the lease to the full Board, Mr. DesChamps seconded and after some discussion, the vote of the Committee was unanimous. Dr. Lynn, on behalf of the ANR Committee, recommended approval to the full Board, Mr. Prince seconded the motion and the vote by the Board was unanimous to approve.

Informational Item - American Cyanamid Presentation

Statement: Milton Wise introduced Mr. Bob Wilbur of the American Cyanamid Company to make a presentation. Mr. Wilbur presented a check in the amount of \$50,000 and a plaque to the University for support of the partnership that exists between his company and The Institute of Wildlife and Environmental Technology. Chairman Amick thanked Mr. Wilbur and the American Cyanamid Company for their support and involvement with the University.

Item 9. Educational Policy Committee - Dr. Britton

Ratification Item for Educational Policy Committee - Honorary Degree Guidelines and Procedures

Statement: Charles Jennett presented a proposal to expand these guidelines.

Action: Dr. Britton stated that the Educational Policy Committee approved this proposal by mail ballot of November 18, 1994. He asked for a motion from the Committee to ratify that mail ballot. Mr. Batson made a motion and Dr. Lynn seconded. The vote of the committee was unanimous to ratify. Dr. Britton, on behalf of the Educational Policy Committee, moved that the full Board approve the expanded guidelines with one change to the proposal as presented to the Committee. The change is in the "SELECTION" section of the policy, the last bullet - change "Chairman of the Board" to "Chairperson of the Board" and add the words "or his/her designated Trustee." The full board approved the policy as amended. A copy of the corrected policy is at Attachment 4.

Item 10 Research Update - Dr. Gogue

Statement: Dr. Jay Gogue reported that research proposals were down for the first six months of the FY year. However, he sees a great improvement in the month of January.

He reported that discussions are continuing with local legislators from Anderson, Pickens and Oconee counties and the council members from the three counties regarding a landfill for the area. A business plan is expected by March 1, 1994.

Mr. Kingsmore asked Dr. Gogue if the Research Center is active with the Savannah River project. Dr. Gogue stated that the Clemson University Research Foundation is a part of that effort.

Item 11. Ratification of Mail Ballots

Statement: The Secretary of the Board presented the following mail ballots for approval:

- (1) Waste Transfer Station Lease to Waste Management - November 16, 1993. The Board approved revisions to the original lease for approximately 6 acres of University land to Waste Management. The changes to the lease are as follows:
 - (a) The following paragraph was added to item 6:

Pursuant to P.L. 84-237 proceeds (Waste Management will pay Clemson University \$.50 per ton for all solid waste delivered to the transfer station from all licensed, private commercial hauling companies, excluding volumes delivered by Waste Management of South Carolina and solid waste which originated from Clemson University) shall be maintained by Clemson University in its Land Use Lands account specifically established pursuant to Section 2 thereof.
 - (b) Item 15A was changed to:

This lease Agreement may be terminated at any time by the mutual written consent of both parties.
 - (c) An addition was made as 15c, which reads:

In the event that the use of the property is determined by appropriate authorities not to meet the conditions of Public Law 84-237 or any other law related to the public use restrictions, then Waste Management has the option to purchase the property (facilities excluded) with the price based on two MAI appraisals subject to appropriate Clemson University Board of Trustees, State and Federal approval. Clemson University shall take all

steps reasonable and necessary to meet the requirements of Public Law 84-237 or other required mandates on behalf of Waste Management for the purchase of the property.

- (2) Pesticide Storage Facility Contract - November 17, 1993. Approval was given to award a contract to Colley's Sales and Construction Company of Moncks Corner, SC in the amount of \$263,441.00 for the project.
- (3) Jervy Athletic Center Addition - November 18, 1993. The Board approved awarding a contract to Marsh/Bell Construction Company of Piedmont, SC in the amount of \$2,923,116.00 for the project.
- (4) New Student Housing - East Campus Commons Building - December 14, 1993. The Board approved awarding a contract to Clark and Company, Inc. of Seneca, SC in the amount of \$623,077.00.
- (5) Elimination of Non-resident Fees for Study Abroad - December 22, 1993. Approval was granted to eliminate non-resident fees for study abroad and one-for-one international exchange programs.
- (6) Byrnes Hall Elevator Replacement - January 10, 1994. Approval was given to award a contract to Dover Elevator Company of Greenville, SC in the amount of \$253,776.00 for replacement of the elevator.
- (7) Manning Hall Elevator Replacement - January 10, 1994. The Board approved awarding a contract to Dover Elevator Company of Greenville, SC in the amount of \$253,776.00 for replacement of the elevator.
- (8) Lease Renewal between CU and Carter Properties, Inc. - January 11, 1994. Approval was given to renew the lease for three years beginning on April 1, 1994 - March 31, 1997. The annual rental rate will be \$16,412.00.
- (9) Animal Research Compliance Facility - January 14, 1994. Approval was given to award a contract to Triangle Construction Company of Greenville, SC in the amount of \$4,343,426.00.

Action: Mr. Prince moved that the mail ballots be ratified, Dr. Britton seconded and the vote was unanimous.

Item 12. Report from the President

Statement: President Lennon reiterated the goals and priorities of the University's Strategic Plan to the Board. These goals are excellence in education, extending the outreach mission university-wide, creating a community of scholars, embracing a global perspective and a commitment to collegiality and a sense of community. He also stated four areas of emphasis where Clemson can excel -- undergraduate education, advanced materials, biotechnology and the environment.

He then talked about the University's embarking on the task of "reinventing the University." He discussed four serious weaknesses in our present system, namely, (1) our faculty and staff reward systems, (2) our budgeting and funding system, (3) our organizational structure and (4) our professional development infrastructure. Four task forces have been formed and charged, in essence, with removing the roadblocks which impede the accomplishment of the goals which have been set and developing options for the Board of Trustees to consider. Dr. Lennon asked the Board to designate a committee of the Board of Trustees to approve the final charge to the strategic task forces and to approve the process each task force will utilize to accomplish its specific charge.

Action: Chairman Amick, on behalf of the Board of Trustees, pledged the Board's full cooperation and assured the President that he has their support and confidence. He also expressed appreciation of the Board to the faculty, staff, students and administrators who have agreed to serve on these task forces. Mr. Amick suggested that the Executive Committee of the Board, which is composed of Chairs of all the standing committees, be designated as the liaison to these task forces through which they will report to the full Board.

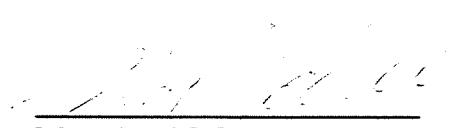
Mr. Prince made a motion that the Board of Trustees endorse the task forces, pledge the Board's full support of their efforts and designate the Executive Committee as the vehicle through which their recommendations will come back to the Board. Dr. Britton seconded the motion and the vote of the Board was unanimous.

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Item 13. Adjournment

Statement: The meeting adjourned at 3:20 P.M. with Mr. Gressette making the motion for adjournment, Mr. Wood seconded and the Board voting unanimously to do so.

Respectfully submitted,



Manning N. Lomax
Secretary of the Board
of Trustees