

Minutes
University of West Florida
Board of Trustees Conference Call Meeting
B12/R150

Board Chair K.C. Clark called the meeting to order at 9:00 a.m. on June 26, 2006 welcoming those in attendance and those joining via conference phone. Clark then asked Faye Bowers to call roll with the following trustees in attendance. Those attending via conference call are designated with an asterisk* following their names. Sharon Hess Herrick was unable to participate.

Mr. Honor Bell
Mr. K.C. Clark*
Mrs. Nancy Fetterman
Ms. Christina Genualdi
Mrs. Marny Gilluly*
Mrs. Jeanne Godwin*
Dr. Jay Gould
Gen. Chuck Horner*, ret.
Mrs. Catherine Kelly*
Mr. Collier Merrill*
Mr. Roy Smith
Mr. J. T. Young*

Others attending:

Dr. John C. Cavanaugh, President
Dr. Sandra Flake, Provost
Dr. Hal White*, Executive Vice President
Dr. Debbie Ford, Vice President for Student Affairs
Dr. Dean Van Galen, Vice President for Development
Ms. Anita Schonberger, General Counsel
Ms. Kim Spear, Chief of Staff/Assistant Corporate Secretary/BOT
Ms. Faye Bowers, Executive Specialist/Assistant Corporate Secretary/BOT

Consent Action items

- 1 Approve Minutes of May 4 and 5, 2006**
- 2 Review and certify the UWF Bright Futures Scholarship Program Audit by the Auditor General**
http://uwf.edu/trustees/Jun26_06/BrightFuturesAudit2006173.pdf
- 3 Approve Revised Student Code of Conduct**
<http://uwf.edu/trustees/procedures/documents/StudentAffairsNoticeofRegStudentCodeofConduct.pdf>
- 4 Approve Depository of University Funds**
- 5 Approve Authorization to Sign UWF Checks**
- 6 Approve revised 2006/2007 Work Plan for UWF Internal Auditing and Management Consulting**
http://uwf.edu/trustees/Jun26_06/Revised200507_Time_AnalysisBudget.pdf

Chair Clark called for a motion to approve the above consent action items. A motion was made to approve the above consent items as presented by Chair Clark
Motion by: Trustee Merrill

Seconded by: Trustee Gilluly
Motion approved unanimously.

Action Items

I. Estimated 2006-07 Consolidated Operating Budget

1. A motion was made to approve the estimated 2006/07 Consolidated Operating Budget for the fiscal year July 1, 2006 to June 30, 2007 for both appropriated and non-appropriated funds and;
2. Authorize the President to make subsequent changes to the budget as needed, including the changes between the estimated budget and the budget to be submitted to the Florida Department of Education-Division of Colleges and Universities by August 2006, and other changes during the year.

http://uwf.edu/trustees/Jun26_06/Estimated2006_2007Consolidated_Operating_Budget.pdf

Mr. Barry Brighton, Director of Budgets addressed the board reviewing a roll up of all fund groups and perused through individual fund groups indicating permanent base cut, noting the utilities budget being grown to cover the next year. Although the legislature provided assistance for utilities, it was not enough. Footnote: Athletics budget does not include the NCAA Sports Festival Budget which will change significantly.

Chair Clark inquired as to whether the Finance Committee has reviewed the budget. No committee members had reviewed previously.

Motion by: Trustee Young

Seconded by: Trustee Gilluly

Motion approved unanimously.

II. Approve UWF Legislative Budget Request for 2007-2008 as presented by President Cavanaugh who gave a brief overview of the LBR focusing on the three top requests: He reminded the trustees that the Board of Governors has capped requests limits to 8% of the E and G budget 1) Recurring funding for Emerald Coast initiatives. 2) Targeted several programs: (critical need in Florida) will be a K-12 partnerships nursing, teacher Ed, alternative teacher Ed, allied health, engineering, and computer technology. 3) Student retention and transition programs.

Chair Clark added that he has had very informal discussion with the legislature who is very supportive of the UWF Emerald Coast expansion. A motion was made to approve the UWF Legislative Budget Request for 2007-2008.

http://uwf.edu/trustees/Jun26_06/LBR_20072008.pdf

Trustee Smith asked if the first priority translates into faculty lines. The President reported that it does translate into faculty lines, military programs, liaisons between military and university to work with development of educational programs.

Motion by: Trustee Smith

Seconded by: Trustee Fetterman

Motion approved unanimously.

III. Tuition and Fees

1. A motion was made to approve an increase in the undergraduate matriculation fee by 3% in accordance with legislative mandate and
Approve an increase in financial aid fees which are based upon a percentage of tuition and

2. Approve amendment of UWF/REG 4.008 Tuition Rates, Fees, Fines and Penalties effective July 17, 2006 by *emergency* adoption procedures and
3. Delegate to the BOT Executive Committee the authority to approve the amendment of UWF/REG 4.008 Tuition Rates, Fees, Fines, and Penalties by *regular* adoption procedures.

http://uwf.edu/trustees/Jun26_06/Proposed_EmergencyTandFFall2006Regulation_Notice.pdf

http://uwf.edu/trustees/Jun26_06/20062007Appropriations_Language.pdf

Chair Clark asked Trustee Genualdi for any input as well as welcoming her to the Board. Genualdi commented that she is pleased that the tuition increase was reduced from the initial proposal of 5% to the legislatively approved 3%.

Motion by: Trustee Horner

Seconded by: Trustee Godwin

Motion approved unanimously.

IV. **Waiver of Out-of-State Fees**

1. A motion was made to authorize the UWF President or designee to approve out-of-State fee waivers for graduate and undergraduate students where to do so will support and enhance the mission of the University. With the exception of waivers provided to individuals as a result of extenuating circumstances, all such waivers shall be reported by the President or designee to the Board of Trustees at the time of implementation and
2. Approve amendment of UWF/REG 4.002 Waiver of Tuition and Fees by *emergency* adoption procedures. (This requires conversion of Rule 6C6-4.002 to UWF REG 4.002 and
3. Delegate to the BOT Executive Committee, the authority to approve of the amendment of UWF/REG 4.002-Waiver of Tuition and Fees through the *regular* adoption procedures.

http://uwf.edu/trustees/Jun26_06/NOTICE_PROP_EmergencyFeeWaiverRegulation.pdf

http://uwf.edu/trustees/Jun26_06/Analysis.pdf

Dr. Sandra Flake and Dr. Podemski addressed the board on the need to recruit more broadly throughout the U.S. Podemski said UWF has potential to draw archaeology, public history, biology, and Ed D. program with more competitive offers. UWF currently has 53 students qualifying assistantships.

Motion by: Trustee Gilluly

Seconded by: Trustee Bell

Motion approved unanimously.

V. **Presidential Compensation**

http://uwf.edu/trustees/Jun26_06/President_Cavanaugh_Contract_Supplement_Approved_1_2.9.05.pdf

http://uwf.edu/trustees/Jun26_06/Pres_Salary_Statute.pdf

1. A motion was made to approve an amendment to the Terms of the President's Employment Contract: so that, effective July 1, 2006, 1) the UWF Foundation will provide the President with an annual automobile allowance of \$14,000, and 2) the UWF Foundation will discontinue providing the President with an automobile and paying for his automobile insurance, maintenance and fuel expenses. Trustee Kelly inquired about

bringing individual pieces of the President's contract rather than all elements. Chair Clark reported the need for this to occur is due to the Foundation making a change in its portion of the president's compensation.

2. A motion was made to address the state auditor's preliminary opinion that the cash equivalent value of the President residing in the Dorr house should be counted as state compensation for purposes of computing the application of the statutory cap of \$225,000 per year in presidential compensation. The motion was to approve the Method of Calculation of Presidential cash compensation as follows: 1) authorizing the General Counsel to work with the Executive Vice President, the Associate Vice President for Internal Auditing and Management Consulting and other appropriate staff to reduce the President's cash compensation by a value exactly equal to the estimated cash equivalent value of the Dorr house on a 12 month basis; and

3. Approve that pending further discussion regarding the state audit opinion, the cash equivalent value of the Dorr House will be treated as state income (salary) and reported in the appropriate manner as a part of the \$225,000 maximum salary previously authorized by the Board, effective July 1, 2006. This computation action with regard to the cash equivalent value of the Dorr House will be retroactive to January 1, 2006 and the appropriate catch-up reductions will be made to the president's cash salary during the remainder of 2006; and

4. Authorize a recalculation of the cash equivalent value of the Dorr house taking into account the public nature of the terms of residence, in order to ascertain the appropriate reduction by approving a new assessment, and empower the Chair to approve the results; and

5. Endorse an appeal of the state auditor's opinion as it specifically applies to the Dorr House, including consulting with appropriate external experts. Should the audit decision be reversed on appeal, the cash equivalent value of the house that has been deducted from the president's cash compensation will be replaced with cash; and

6. As may be necessary, authorize a consultation with and appeal to the State Auditor, the Attorney General, the Board of Governors, the State Legislature or other appropriate venues to seek appropriate interpretations of or amendments to this statute and/or in consultation with and by appeal to the Board of Governors, to seek appropriate interpretations of or amendments to this statute. Ms. Schonberger said as a result of this measure, the president's cash compensation will be about the same as what he began with upon employment at UWF. Trustee Fetterman noted that military quarters are not open to the public and that the President's home is open every day to public and this should be taken into consideration. Trustee Young inquired as to other presidents' compensation differentials. Executive VP Hal White noted that UWF is first in line for an operational audit since the statutory salary cap was put into effect. Trustee Kelly expressed concern regarding the necessary action and the impact on the president's cash compensation, asking if it is retroactive once determination is made on house value. Executive VP White noted that it would be retroactive to January 1 in order to avoid exceeding the salary cap. Associate Vice President Betsy Bowers noted that the Dorr House is owned by state of Florida. Ms. Schonberger said there are two other universities owned homes but they have not been audited as of now. Trustee Young said the nuance is that the State owns the home and WFHPI manages it.

Motion by: Trustee Merrill

Seconded by: Trustee Fetterman
Motion approved unanimously.

VI. A motion was made to **approve construction of a 40-space minimum parking lot on the L & N Marine Terminal lot**. Mr. Richard Brosnaham, Executive Director of WFHPI reported that WFHPI is renovating the Terminal for the home of Florida Public Archaeology Network renovation. He proposed development into parking lot.

http://uwf.edu/trustees/Jun26_06/ParkingLotfromCity.pdf

Motion by: Trustee Bell
Seconded by: Trustee Gould
Motion approved 12-0.

Trustee Collier Merrill- abstained from this item due to conflict.

VII. A motion was made to **approve West Florida Historic Preservation, Inc. Property Trade with the City of Pensacola**. During the development of the parking lot on the L & N Marline Terminal Lot, Mr. Brosnaham was approached by City CRA director David Bailey. The currently abandoned right of way that WFHPI inherited is part of the L & N lot and the City of PNS wants to make trade of property just to the east of L & N and Bartram Park approximately 100 X 200 ft. on Cedar St.

http://uwf.edu/trustees/Jun26_06/ParkingLotfromCity.pdf

Trustee Gould inquired as to whether Cypress is meant to be Cedar. Brosnaham confirmed.
Motion by: Trustee Fetterman
Seconded by: Trustee Gould/Kelly
Motion approved unanimously.

VIII. A motion was made to **ratify Police Benevolent Association / UWF Collective Bargaining Agreement for 2006-2009**. Anita Schonberger confirmed that 11 members in union ratified the agreement. Changes are acceptance of group of SWANS (Separation with Advanced Notice) with increase in sick leave, annual leave, so officers are inline with other university staff including tuition and benefits as well and uniforms.

http://uwf.edu/trustees/Jun26_06/20062009PBAUWFagreementsignature.pdf

Trustee Smith asked for confirmation of terms. Schonberger said all were in line with university workforce staff.
Motion by: Trustee Smith /Kelly
Seconded by: Trustee Young
Motion approved unanimously.

IX A motion was made to review and approve the 2005-2006 UWF Florida Educational Equity Act Update as presented by Cindy Faria who reported this is in compliance with federal and state laws.

http://uwf.edu/OHR/2006_FEEA_GEA_EAP.pdf

Motion by: Trustee Young
Seconded by: Trustees Fetterman/Merrill
Motion approved unanimously.

Trustee Young excused himself from the meeting.

Informational Items

1. Presidential Performance Assessment as presented by Chair Clark who noted that progress is being made toward conducting a comprehensive presidential

assessment. Clark noted that experts have been contacted and references are being secured as well as work samples as progress continues.

Chair Clark said that he and Kim Spear have been working to securing the appropriate group/individual and that he anticipates completion by end of summer. Trustee Gould noted the Faculty Senate is considering an evaluation of the President and other administrators in the fall and wanted to know if this information might be used by the consultants or how the two might interact or conflict. Chair Clark said the consultant would meet with different selected members of the campus, including faculty leadership.

2. Future WFHPI projects that may require UWF BOT approval was presented by Richard Brosnaham who reported that during the West Florida Historic Preservation, Inc. Board of Directors meeting on May 13,2006 several future projects were identified and may require approval of the UWF Board of Trustees.
 - o Acceptance of two historic houses by WFHPI and relocation of these buildings to Historic Pensacola Village for restoration
 - o Possible demolition of the McCullough Building (non-historic and non-contributing) to make way for the development of the property for university related purposes
 - o Possible acquisition of the Governor E.A. Perry House (2 E. Wright Street) from the Scottish Rite
 - o Possible acquisition of the old Escambia County Court House from the Escambia County BOCC for university related purposes
 - o Possible merger of the Pensacola Historical Society under the umbrella of WFHPI

Trustee Smith commented that it was a great idea. He inquired whether the acquisition of so many historic buildings restoration would impact restoration of campus buildings. Brosnaham said no, the funding for restoration comes with the building.

Trustee Bell commended Brosnaham and WFHPI for their service to the community.

Chair Clark reported that Faye Bowers will notify trustees of the Closed Session Conference Call for Collective Bargaining Update.

Adjournment

With no further items to be brought before the Board, Chair Clark asked for a motion to adjourn the meeting at 10:04 a.m. noting that there would not be a Closed Session today. A motion was made to adjourn the meeting.

Motion by: Trustee Gilluly

Seconded by: Trustee Fetterman

Motion approved unanimously.