

BOARD OF TRUSTEES FOR ALABAMA STATE UNIVERSITY
MINUTES OF CALLED MEETING
NOVEMBER 17, 1999

The Board of Trustees for Alabama State University was convened in a called meeting on November 17, 1999 at Alabama State University in the Board Room of the Joe L. Reed Acadome. Chairlady Catherine W. Wright called the meeting to order at 1:00 p.m. and declared a quorum present –**Agenda Item I**. In attendance were Trustees B. Maxine Coley, Oscar Crawley, Buford Crutcher, Joe L. Reed, Lanny S. Vines, and Donald V. Watkins. Absent were Trustees James C. Cox, Toreatha M. Johnson, Robert A. Jones, Jr. Larry H. Keener, and Patsy B. Parker.

Invocation was given by Trustee Coley–**Agenda Item II**.

Chairlady Wright called for **Adoption of the Minutes of October 14, 1999–Agenda Item III**. It was moved by Trustee Vines, seconded by Trustee Crutcher, that the minutes be adopted. The motion was carried by unanimous vote.

Chairlady Wright called for the **President's Report–Agenda Item IV**. President Harris updated the Board on three items and one on-going project. **Item A–Salary Increases for 1999-2000**. President Harris told the Board that he had discussed with Chairlady Wright the Board's mandate to him regarding the compensation for the 1999-2000 year about which some Trustees had received correspondence. He reiterated the specifics of the mandate–1) to determine whether the University could afford a 2 ½ % to a 5% increase in salaries; 2) his recommendation that probably a 3% increase could be given and 3) the Board's authorization to proceed with the 3% increase. He explained the system that was used to get the largest amount of money into the hands of the more experienced members of the faculty. He told the Trustees that it was called to his attention that some faculty did not get the 3% raise plus the appropriate experience increment. And that to correct the situation, the cost of the change was \$22,900 which was within the budget of unallocated faculty salary lines. President Harris informed the Trustees that the project had been completed; that Vice President Steptoe was currently informing the affected individuals who did not get the experience increment and less than the 3% raise of the changes.

Trustee Crutcher noted that the Finance Committee was not aware of any other increase beyond the 3% increase that was authorized and he asked that all increases be included in the committee deliberations in the future rather than after the Finance Committee's recommendations are made to the full Board. President Harris noted it was his mistake and that he did not recognize that committee members did not understand the automatic increment requirement. He said that he would make sure that it is clear in the future. There was other discussion regarding the experience increment.

Chairlady Wright informed the Trustees that the agenda had not been adopted as she previously stated, and she called for action on the agenda. It was moved by Trustee Watkins and seconded by Trustee Crutcher, that the agenda be adopted with the deletion of the Fund Raising Committee report and with Institutional Analysis remaining on the agenda as a committee report.

The motion was carried unanimously.

President Harris informed the Trustees of **Item B** of his report. He stated that the Board had asked him to advertise requests for proposals for a campus master plan architect and for a construction manager for the Lockhart Building. He informed the Board that the searches had been conducted and that his recommendations are for Chambliss and Associates to be contracted to provide the campus master planning service at the estimated cost of \$48,000 and the minority firm—Magic City Construction of Birmingham, Alabama—to be contracted for construction management service for the Lockhart Building. That firm submitted a bid of \$150,000. President Harris explained the rationale for selecting the second lowest bidder for the construction management job by request of Trustee Watkins. He informed the Trustees that Tiger Construction Company submitted the low bid of \$147,000 and is currently handling the construction management at the Buskey Health Sciences Building. President Harris noted that Magic City Construction does not have offices in Montgomery but would be obligated to spend full time in Montgomery to perform the job. President Harris gave information regarding other companies that submitted bids and the bid amounts on the two projects at the request of Trustee Reed who asked for a copy of the bid information. Trustee Vines indicated an interest in getting that information also. President Harris gave some detail information regarding the renovation of Lockhart Hall and uses that will be made of building.

Trustees Vines inquired whether there had been some specific study on the need for the Lockhart renovation. President Harris informed Trustees Vines that several studies and analyses of the availability of sufficient student recreation facilities had been made which showed that ASU had much less than needed; that the Lockhart Building will be the only facility of major proportions that provides recreational areas for the general student body. He further informed Trustee Vines that whole reviews of the master plan are available which were provided to the Court; that needs of the University, availability of funds; priority of facility construction have been analyzed; that the Board has been involved in the renovation plans; that the contract for the Lockhart renovation had already be let; that the University has a plan that shows availability of funds over the next 20 years and the uses that will be made of those funds. There was much discussion regarding plans for construction of facilities and a master plan; approving a contract for construction management; minority employees of both Tiger Construction and Magic City Construction; and the recommendation for Magic City Construction to be given the contract..

Trustee Watkins asked that the question be divided and moved that the professional services of Magic City Construction as construction manager for the Lockhart renovation project be approved. The motion was seconded by Trustee Vines. On the call for discussion, in answer to questions from Trustees Reed and Vines, President Harris stated that the renovation time is 18 months; that the magnitude of the work requires considerable and regular oversight; that the industry standards supports the rate submitted in the bid and that Attorney Kenneth Thomas will oversee the contract for form and purpose. Vice President Frazier stated that the administration was instructed by the Board to go forward with employing a construction manager. Trustee Vines indicated his wish to see the contract when it is drafted. President Harris stated that the contract will be modeled after the Tiger Construction Company contract and will be made available to Trustee Vines along

with a copy of the Tiger Construction Company contract. There was further discussion regarding contracting a construction manager. On the call for the vote, the motion carried by majority vote. Voting aye were Trustees Coley, Crawley, Vines, Watkins and Wright. Voting nay was Trustee Reed. Abstaining was Trustee Crutcher.

In response to Trustee Watkins's question regarding President Harris's second recommendation, President Harris explained the work done by campus master planners. Trustee Vines asked for credentials on the campus master planning contractors, information on the existing master plan and the date of it. President Harris stated that the latest plan was done in-house and dates back to six months ago. He further explained that about a year ago the Trustees declined to accept a proposal from the administration for a master planning contractor and that the administration has continued to develop a plan with the focus on what it believes are the needs of the University over the next several years. There was discussion regarding getting a highly qualified expert to deal with the master plan; the resources available and how they will be allocated based on priority, and the need for plans prepared by the administration being provided to the master planning contractor. President Harris stated that the administration requested proposals and three responses were received. Trustee Vines made comments regarding the importance and necessity of the Board and of a master planning contractor having certain financial information in order to work up a master plan. Trustee Vines requested the resumes of the responding contractors. President Harris gave background information, beginning with the 1995 decree from Judge Murphy and the funds provided by the Court for future facilities constructions and renovations, and how ASU got to its present position including plans made by the administration with the Board's knowledge and approval. There was much discussion regarding the administration doing master planning in-house, the current master plan not having been done by experts, and a fiscal institutional analysis taking place prior to contracting a master planning contractor, who if employed at this time would be using a non-expert plan.

Trustee Crutcher commented that the master plan presented to the Board approximately six months ago was not a master plan and on the need for developing such a plan at this time. Trustee Reed commented that the University has master plans dating back to the administration of President Levi Watkins; on having a master plan done by experts, and not employing a master plan contractor at this time.

In response to Trustee Coley's question, President Harris explained what is included in the master plan. Trustee Crutcher made comments regarding the need to hire a master planner within the next 60 days; but conceded that the University would not be in an at-risk position if a master planner is not hired within the next 60 days. President Harris made comments regarding extensive involvement of experts who have given advise on the future physical planning of the University in a wide range of areas over the past five years. He noted for experts to have any meaningful advisement impact, the culture of the University and the interest and needs as the University sees itself must be brought into the mix as a part of the analysis as it is developed. Trustee Vines noted that this will be done.

Chairlady Wright noted some unreadiness to make a motion on the recommendation.

President Harris stated that he wanted to withdraw his recommendation. Trustee Watkins moved that the Chambliss Group be engaged on an at-will contract as the campus master planning consultants, effective as soon as the contract can be drawn up and reviewed by the attorney at a cost of \$48,000. The motion was seconded by Trustee Coley. President Harris responded affirmatively to Trustee Reed's inquiry whether other companies submitted proposals. Trustee Watkins spoke to his motion and stated, with the concurrence of President Harris, that the announcement for a consultant went out on a request for proposals; that anyone who claimed to be world class and wanted to submit a proposal could have done so; that the proposals which were submitted were processed and the President's best recommendation came from those proposals. Chairlady Wright called for other discussion. Trustee Watkins responded to Trustee Reed's question and explained that an at-will contract is one in which a clause in the contract allows either party to terminate the contract upon so much notice to the other. On the call for the vote, the motion was carried by majority vote. Voting aye were Coley, Crawley, Watkins, and Vines. Voting nay were Reed and Wright. Abstaining was Trustee Crutcher.

President Harris reported on the research done regarding the plaque for the Acadome—~~Item C~~. He explained that he was to do the research and prepare an appropriate plaque that would include the names of all of the Trustees and his predecessors who were involved in the preconstruction and construction stages of the Acadome. He told the Trustees that the research had been completed; that it is a monumental task to figure out how the plaque can be developed to show the names of approximately 50 people with dates; that he will continue to consult with an architect to see how this can be done.

Following a five minute recess, President Harris continued his report on the wall plaque. He stated that he would report on and advise what can be done at the next Board meeting. In answer to Trustee Crawley's question, President Harris explained that he was to include the names of everyone who served as a Trustee during the 13 years of planning and construction of the building, for recognition on the plaque.

President Harris gave information the on-going Acadome repair project. He stated that he was advised by an expert of the leaks in the roofs and other places at the Acadome as well as of backup of sewage coming into the building and that if a major storm occurs there could be a backup of water into the electrical boiler room that could cause a major electrical problem. The estimated cost to repair the problem will be \$15,000 to \$20,000. President Harris recommended that the Board proceed to authorize correction of the problem. He further explained that it will be only a temporary cure and will not correct the major problems that affect the building. President Harris told the Trustees that he is having conversations with Attorney Thomas regarding proposals from the lawyers who are representing ASU on the case according to the decision of the Trustees. A budget has been proposed of \$345,000 to prosecute the case. He expects to have the advice of Attorney Thomas as to whether the proposed budget is a reasonable one very soon.

Trustee Reed inquired about a report on a request he made for information about inter-room visitation. President Harris explained that the Vice President for Student Affairs has been asked to develop data on what is done at other places in the state and region and the Chair of the Student

Affairs Committee wishes to conduct a review of the situation and report committee recommendations to the Board.

Agenda Item V–Committee Reports. Chairlady Wright told the Board that Trustee Parker, asked that she give the **Student Affairs Committee Report**. She reported that Trustee Parker wants the Board to know that from the list of items that came out of the last Student Affairs Committee meeting, there were none that were critical; there were no actions items required; a full report will be made at the next meeting.

Trustee Wright called for the **Institutional Analysis Report**. Trustee Vines asked Mr. Wray Pearce to give information regarding Mr. Larry Ladd who is assisting with the financial analysis project. Mr. Pearce reported on the review of ASU's financial systems that is in progress. He complimented the Fiscal Affairs employees who have been working with him and particularly Vice President Gallot as well as President Harris who have been helpful and cooperative. He noted that the University has a very fine accounting system. He distributed a resume of Mr. Larry Ladd, a consultant with Grant Thornton, an accounting firm that has a department that just does academic work, and who is being asked to help Mr. Pearce and his partner, Mr. Larry Fine. Mr. Pearce gave information regarding Mr. Ladd's credentials and experience and explained that his work will be at levels above the work that he and Mr. Fine are doing. Mr. Pearce explained that they have engaged Mr. Ladd on their side as accountants to point them in the direction they should go and to assure that they are not asking for something that does not make sense. He stated that their goals are to find out where ASU is now in terms of using resources—money, personnel and facilities—and to see how that fits into the ASU mission; to compare ASU with national standards for colleges of equal size as well as with HBCUs in order to try and understand how ASU uses its resources. He stated that he expects to report to the Trustees information that can be easily reviewed which will enable them to put dollars with mission by the end of the year. In answer to Trustee Vines' question, Mr. Pearce stated that he hopes January 1 will be a good time to get the report to the Trustees. Trustee Vines asked Mr. Pearce if a deadline of January 10 could be set for the detailed financial analysis that will be sent to all Trustees after which a committee meeting could be held to recommend the additional experts.

Chairlady Wright called for **Agenda Item VI–Bylaws Amendment**. President Harris reported that the item developed out of the discussion that occurred in the October meeting at which time he was asked to propose what needs to be done to meet the expectations of the Trustees. He indicated that he circulated to the Trustees on October 19th the information which he feels will accommodate the changes in the **Bylaws** that would be necessary to meet what was discussed in the meeting. President Harris gave the gist of the amendment. There were questions and discussion of the amendment. Following much discussion, it was moved by Trustee Watkins, seconded by Trustee Coley, that the amendment to Article IV, Section 9 be adopted. The motion was carried by unanimous vote. On motion by Trustee Watkins, second by Trustee Crutcher, the amendment to Article III, Section 3 was adopted by unanimous vote.

Chairlady Wright called for **Agenda Item VII–Reports**. The Faculty Senate Chair, Mr. Michael Howley, reported for the Faculty Senate. He distributed a copy of his report to the Trustees. Mrs. Jessyca Coles gave an oral report for the Non-Academic Staff Council and indicated that

written reports will be prepared in the future. She reported three issues of concern that require action—1) revision of the **Non-Academic Staff Handbook**. She requested the Board Committee that deals with personnel and staffing matters to set up a committee in whatever manner they felt best to handle it and requested that a member of the Non-Academic Staff Council be a member of the committee and perhaps allowing some other non-academic staff to have input. 2) input of the members of the Board Personnel and Staffing Committee to insure that mandatory yearly training seminars designed for the various administrative levels be conducted for employees in supervisory positions which would include directors, deans, chairpersons, assistant vice presidents, vice presidents and office managers—any persons with supervisory responsibilities. The seminars would be designed to develop interpersonal relationship skills and job knowledge skills because the matter of staff/employee morale is still a critical issue. 3) appeal to the Chairlady to schedule a meeting with the non-academic staff to have an interaction/dialogue forum to give the large segment of the workforce the opportunity to air some of their concerns. She asked Trustees of their feelings regarding receiving anonymous complaints of how individuals are treated because of fear of intimidation and retaliation if formal complaints are made.

President Harris answered questions from Trustees Watkins and Crawley regarding complaints of sexual harassment and the University's procedures for resolution of such complaints.

The Student Government Association President, Mr. Mark Liggins, gave a status report on the efforts being undertaken to revise their constitution. He informed the Trustees of the students desire to be given some information regarding the plans for renovation/construction of the University Center; that students have expressed concerned about the student activities. He noted that the budget shows that there is a Student Activities Administration with a budget of \$120,000 with approximately \$106,000 allocated for salaries and approximately \$12,000 for student activities. Mr. Liggins stated that his concern is that of understanding the logic of the large allocation for overseeing activities and the small allocation for implementation of activities. He made comments about the registration process and indicated that pre-registration seems to be working better. Chairlady Wright requested that he prepare a written report for the Board.

The Board went into **Executive Session –Agenda Item VIII** to discuss the good name and character of individuals at 3:50 p.m.

Agenda Item IX—Report from Executive Session. The Board reconvened in open session. It was noted that there were no items to report out of the Executive Session.

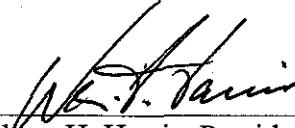
Agenda Item X—Personnel Actions. It was moved by Trustee Watkins that the Personnel Actions be approved with the amendment of a category titled Consultant placed at the end of the report with the name of E. B. McClain and that his current contract be extended through May 31, 2000. The motion was seconded by Trustee Crutcher. Chairlady Wright called for discussion. In answer to Trustee Reed's question, President Harris stated that Mr. McClain would continue to help develop the Center for Public Policy program over the next several months; that he has been on the payroll for four or five months and that he will provide the exact date of appointment. It was noted that a detailed report on Mr. McClain's activities and involvement with the Center for Public Policy

will be provided to the Board at the February meeting. Chairlady Wright called for the vote. The motion was carried by majority vote. Voting aye were Trustees Coley, Crawley, Crutcher, Vines, Watkins and Wright. Voting nay was Trustee Reed.

Agenda XI—Other Business. Trustee Watkins asked if Chairlady Wright would add herself to the Ad Hoc Committee on the Center for Leadership and Public Policy. He explained that the work of the Center is unfolding and it is basically essential that the Chair help with the development of projects that are underway; that it would help with the work load and statute of the committee working with the President, Dr. Arrington and different governmental entities. Chairlady Wright stated that with the Board's general consensus she would have no difficulty being on the committee.


Trustee Watkins asked if the administration could work on providing the service of an OB/GYN physician for female students. Vice President Williams will look into the matter.

There was no other business to come before the Board and it was moved by Trustee Reed that the meeting be adjourned at 5:10 p.m.—**Agenda Item XII.** Chairlady Wright adjourned the meeting.



 William H. Harris, President of the University and
 Secretary to the Board

AFFIRMED



 Catherine W. Wright, Chairlady
 Board of Trustees for Alabama State University