

## Minutes

### University of West Florida Board of Trustees Conference Call Meeting

B12/R150  
June 26, 2006

Board Chair K.C. Clark called the meeting to order at 9:00 a.m. 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  
Mr. Bert Hartley, Interim Vice President of Administrative Affairs  
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](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](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](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 reviewed individual fund groups. He indicated those requiring a permanent base cut, and also noted the utilities budget is being grown to cover the anticipated deficit for 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. UWF's priorities include: 1) Recurring funding for Emerald Coast initiatives. 2) Targeted degree programs: (critical need in Florida) will be 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 and they are 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](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, and 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/Proposed_EmergencyTandFFall2006Regulation_Notice.pdf)  
[http://uwf.edu/trustees/Jun26\\_06/20062007Appropriations\\_Language.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/NOTICE_PROP_EmergencyFeeWaiverRegulation.pdf)

[http://uwf.edu/trustees/Jun26\\_06/Analysis.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 in 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\\_12.9.05.pdf](http://uwf.edu/trustees/Jun26_06/President_Cavanaugh_Contract_Supplement_Approved_12.9.05.pdf)  
[http://uwf.edu/trustees/Jun26\\_06/Pres\\_Salary\\_Statute.pdf](http://uwf.edu/trustees/Jun26_06/Pres_Salary_Statute.pdf)

1. A motion was made to approve an amendment to Terms of President's Employment Contract: so that it effects 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.

Motion by: Trustee Fetterman

Seconded by: Trustees Smith/Gilluly

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.

Motion Approved Unanimously

2. A motion was made to address the state auditor's preliminary opinion regarding counting the cash equivalent value of the president residing in the Dorr house for the purposes of computing the statutory limit on presidential compensation from State sources. The motion was to approve a method of calculation of presidential cash compensation by: 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 cash equivalent value of the Dorr house on a 12 month basis in order to comply with the statutory maximum with regard to presidential salary from state sources, and

3. Approve that pending further discussion regarding the state audit opinion, the cash equivalent value of the Dorr House will be treated as income and reported in the appropriate manner. This action will be retroactive to January 1, 2006 and the appropriate catch-up reductions will be made to the president's cash compensation 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 Board of Governors and the State Legislature to seek appropriate interpretations of or amendments to this statute and/or consultation with and appeal to the Board of Governors and the State Legislature 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 in an operational audit since salary cap put into effect.

Trustee Kelly expressed concern of necessary action and the impact on president's cash compensation, asking if it is retroactive once determination is made on house value.

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](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](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 a majority of the 11 members in the union ratified the agreement. Changes are acceptance of by the group of SWAN (Separation with Advanced Notice) with increase in sick leave and annual leave, so officers are in line with other university staff, including tuition and benefits, as well as and uniforms.

[http://uwf.edu/trustees/Jun26\\_06/20062009PBAUWFagreementsignature.pdf](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](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 secure 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. Trustee Genualdi inquired whether students would be included. Chair Clark confirmed.

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.