

**West Liberty State College
Board of Governors**

Minutes

February 11, 2009

Attendance:

Beverly Burke, Richard Carter, Lynne Exley, Roseanna Keller, John Larch, Paul Limbert, Larry Miller, Shane Stack, Mike Turrentine, Jim Stultz

Unable to Attend:

Brian Joseph, Mike Stolarczyk

Administration/Faculty/Staff:

Reid Amos, Robin Capehart, J. D. Carpenter, Scott Cook, John Davis, Mary Ann Edwards, Pat Henry, Susan Herrick, Jeff Knierim, Donna Lukich, John McCullough, Tammi Secrist, Phil Stahl, Brian Warmuth, Jim Watson, Ron Witt, Jack Wright

1. Call to Order:

Chair Exley called the meeting to order at 5:00 p.m.

2. Chairperson Comments:

Chair Exley thanked Sodexo for the great meal and Mary Ann for her work on the meeting minutes. Ms. Exley noted that Board member Larry Miller will be retiring after many years of service with the Ohio County Schools system. She wished him well in his retirement.

Please mark your calendars for May 9 to attend commencement. This will be a very special commencement since it will be the first graduating class from West Liberty University. It would be wonderful if all Board members were able to attend this celebration.

Chair Exley has mentioned previously that Board members do have a fiduciary responsibility to support the College. Please make a donation before June 30th. Last year we had 100% participation from Board members. It doesn't matter how much you're able to contribute, but you should contribute. Please consider a contribution to the College.

The upcoming University Week is a very exciting time. Ron Witt has been coordinating activities for this week and will now take a few minutes to talk about the many events that will be held.

3. University Week Events:

Mr. Witt thanked Chair Exley for the opportunity to speak and distributed a tentative schedule of university week events. It is truly an honor to be a part of this historic occasion, as it should be for anyone affiliated with West Liberty State College, soon to be University. The transition from College to University is arguably the greatest achievement in West Liberty's 172-year existence. Mr. Witt stated he has the opportunity to head the Steering Committee to help facilitate the week long celebration, April 27 through May 3. As can be seen by the schedule, the Committee has worked diligently to make this week one people will remember and talk about for years to come. Mr. Witt noted the many upcoming events, some of which have not been celebrated or observed for many years.

Mr. Witt will keep the Board posted on any changes to the schedule, which will be sent out periodically, along with additional items added to the list. People such as Dr. Javersak, Bob Schramm, Norman Moyes, and Clyde Campbell, folks who have a knowledge and appreciation for West Liberty history, will share this knowledge with the community. Dr. Javersak is working on an updated West Liberty history book which will be published and printed and available for sale that week.

There will be a West Liberty history photo display, most likely set-up in the Library, and a drive-in movie night on the quad has also been discussed. The Committee is not short on ideas, and it looks to be a momentous occasion and milestone in the history of West Liberty State College.

Chair Exley stated she had no idea when she asked Ron to give an update on University Week there was so much going on. Ron has done a great job. At the April Board meeting these events should be nailed down and Mr. Witt will let us know the finalized plans. Chair Exley congratulated the Committee on their efforts.

Chair Exley then introduced Reid Amos, who is now head of the West Liberty Office of Communications and sitting on President's Council. Ms. Exley welcomed Reid and looks forward to working with him.

4. Approval of Minutes*:

Chair Exley asked for a motion to approve the minutes of the full Board of December 10, 2008.

Full Board
12/10/08

A motion to approve the minutes of the full Board of December 10, 2008 was then made by Larry Miller and seconded by Jim Stultz; motion passed unanimously.

5. Approval of Reports*:

Chair Exley noted the reports from Enrollment Services, Provost, Division of Student Affairs, Office of Development, and budget and financial information contained in the Board packet. She asked if there was a request to move any of these reports into the regular agenda to discuss or for further clarification. With no request to move any of the reports to the regular agenda, Chair Exley asked for a motion to approve the reports.

A motion to approve the reports submitted by Enrollment Services, Provost, Division of Student Affairs, Office of Development, and budget and financial information was then made by Roseanna Keller and seconded by Beverly Burke; motion passed unanimously.

6. Outside Legal Counsel Resolution*:

President Capehart stated that the possibility of outside legal counsel has been talked about in prior meetings. This counsel would be used to investigate the possibility of forming a non-profit organization which would allow for control of that organization to be used to develop real estate on campus. This is something that has become very prominent at most colleges and universities. Glenville and Marshall have both hired legal counsel to do their investigations into developing real estate. In order to follow State Code we have contacted the Attorney General's office. They have stated that the Board's approval of legal counsel would help smooth the way for these matters. The fact of the matter is we cannot use College funds and this is the organized first step. The services of Fred Williams, of Steptoe & Johnson, have also been used by WVU, Marshall, Glenville, and some work with Shepherd. West Liberty has used the services of Fred in the past. President Capehart then asked if there were any questions.

Mr. Turrentine asked if these services would be for six months or was this an open-ended contract. President Capehart stated that these services would be on an hourly basis and a not-to-exceed basis. Most fees would be paid out of the bond proceeds. What we would do is form a non-profit 501C3 organization which basically sells bonds, not on the open market. Three or four big contributors give 401 money, then apply this to the construction of revenue producing dormitories. The money that's raised from the room and board is used to payoff the proceeds and basically you have a contractor that comes in and does the work. By handling it this way it's much quicker than the usual State process. This allows bigger contributors to help out by putting money in and getting a quicker return on their dollar. After the organization is established it will dissipate over time. Mr. Williams' job is to set up the organization, the selling of the bonds, and then he's done.

Chair Exley asked for other questions, which there were none. She then asked for a motion to approve this resolution.

A motion to authorize the president to enter into a short-term, reasonable fee contract with attorney L. Frederick Williams, Jr. for the sole purpose of providing advice and preparing documents in regard to a public-private venture, i.e., construction of student housing was then made by Beverly Burke and seconded by Roseanna Keller; motion passed unanimously.

7. Policy Revision Approval - Ethics*:

Mr. Davis thanked Madam Chair. He then stated that last summer President Capehart tasked a number of President's Council members with reviewing Board policies, specifically wanting us to make sure that everything was current. A number of Board policies generally reference West Virginia Code, which in some

cases has been repealed. In a nutshell, this process will take a long time to review. One policy called "Ethics" has a resolution to simply ask the Board to put this policy out for 30-day review.

A motion to approve the dissemination of the draft revised policy "Ethics" to constituent groups for 30-day review and comment was then made by Mike Turrentine and seconded by Jim Stultz; motion passed unanimously.

8. Campus Bookstore Policy*:

Mr. Davis stated that this is a new policy that at the December meeting of the Board was authorized for 30-day review. During these 30-days not a single comment was received. Since there have been no comments received to the draft, Mr. Davis respectfully asked that the Board adopt the Campus Bookstore Policy.

A motion to adopt the new policy entitled "Campus Bookstore" was then made by Roseanna Keller and seconded by Richard Carter; motion passed unanimously.

9. Student Privileges and Responsibilities Policy*:

Dr. Carpenter thanked Madam Chair and stated that this is another policy approved at the December Board meeting to be distributed for 30-day comment. During that period of time there was little interest and comments submitted by one person, that being Mr. Davis. Mr. Davis and Dr. Carpenter went back and forth on several items in the intermediate time. Dr. Carpenter believes, as does Mr. Davis, that they have been able to address the thoughts and concerns that Mr. Davis had. Most of this, if you refer to Mr. Davis' comment page, comes from the first three paragraphs, and one sentence was really non-substantive. The remainder was a non-issue on further reflection that the entire part of Section 7 belonged solely in the Student Code as a procedure and not a Board policy. Section 7 has been removed and now exists as an institutional procedure in Student Code. The only other change of note that wasn't sheer verbage was whether it should be "rights" or "privileges;" now it's both. That being said, everyone feels we have addressed all issues needed and ask that the Board consider passing this policy.

A motion to approve the new policy entitled Student Privileges, Rights and Responsibilities was then made by Richard Carter and seconded by Jim Stultz; motion passed unanimously.

Mr. Turrentine asked if, in referring to the current JUD Board, do these changes have any connection to the JUD Board and our existing procedure, and is he comfortable as far as the initial review by the Board and the process. Dr. Carpenter stated that as it exists right now, what West Liberty does is based on the work of Ed Stoner who has drafted the model student code. His document is used at more institutions in West Virginia than not. It is a very popular document, and colleges and universities across the country use most of it word-for-word and it does fit within the scope of this policy.

10. West Virginia Route 2 Resolution*:

President Capehart stated he has been approached by representatives of the West Virginia Route 2 and Interstate 68 Authorities, along with a number of government entities in the area looking for support to encourage local legislators to commit resources to the finishing of the West Virginia Route 2 widening project, which would obviously be a concern to West Liberty. He stated that he would bring a resolution to the Board for their approval to submit to our local legislative delegation.

Ms. Keller asked if this is an endorsement for all of Route 2 or just certain parts, to which President Capehart stated that it was for the completion of all of West Virginia Route 2.

A motion to approve the resolution that the Board of Governors of West Liberty State College requests and urges that the State of West Virginia place a high priority on the upgrading of West Virginia Route 2 to a modern four-lane highway to serve the Ohio Valley was then made by Jim Stultz and seconded by Roseanna Keller; motion passed unanimously.

11. President's Report:

President Capehart stated that today was the first campus update report of the new semester. The Board will recall the President stating that one of the things he wanted to improve was campus communication. The best way to do this has been through a monthly campus report. He will also update Student Government and Classified Staff Council in separate meetings.

President Capehart then presented an update on various campus items, including spring enrollment which is 2,297. This is a 5.5% increase over spring 2008 enrollment and is the largest spring enrollment since 2002. Fall 2010 enrollment is currently 2,600, a 3.5% increase over Fall 2009.

The budget planning process for fiscal year 2009-2010 is in process and on target with no surprises.

Various studies will be taking place in the future, those being a marginal cost study conducted by Dr. Serkan Catma, and a library and parking study both conducted by Mr. Jack Wright.

West Liberty is in receipt of an internal financial controls report on Bluefield College. Most likely, all of the colleges and universities in the State will receive a financial controls audit and report, and WLSC will be sure to have all of the proper procedures in place.

Mr. Watson stated that we are 99% sure that College Sports TV (CSTV) through CBS will allow WLSC to air a live basketball game on Channel 14. Reid Amos stated that he received confirmation this evening that the men's basketball game with Wheeling Jesuit University at 3:00 p.m. on February 28 will be televised. The game will be made available to 20 million cable homes nationwide and WLSC's channel 14. We will have the rights to replay the game until March 24.

Chair Exley thanked those in attendance and noted that we only have two more meetings this fiscal year. We will need to get some of the committees together to report what has been accomplished this year. Governance Committee will need to get together to prepare for upcoming officer elections. The Finance Committee meets before every Board meeting, but a more intensive meeting will be coming up in preparation to approve the budget for next year. Chair Exley again welcomed new members, along with Reid Amos, Executive Director of Communications, and entertained a motion to adjourn.

A motion to adjourn the West Liberty State College Board of Governors meeting was then made by Mike Turrentine and seconded by Beverly Burke; motion passed unanimously.

12. Adjournment:

The meeting adjourned at 5:50 p.m.

Lynne Exley _____
Chair

Mike Stolarczyk _____
Secretary