

**West Liberty University  
Board of Governors**

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**Minutes**

**October 13, 2010**

Attendance:

Beverly Burke, Richard Carter, George Couch, Brian Joseph, Patrick Kelly, Paul Limbert, Ann Thomas, Michael Turrentine, Richard Whitehead

Unable to Attend:

Robert Steptoe, Michael Stolarczyk, Jim Stultz

Administration/Faculty/Staff:

Robin Capehart, Scott Cook, John Davis, Mary Ann Edwards, John Gompers, John McCullough, Jack Wright, Susan Herrick

**1. Call to Order:**

Chair Joseph called the meeting to order at 5:12 p.m.

**2. Chairperson Comments:**

Chair Joseph welcomed the group to the meeting, along with George Couch and Patrick Kelly, new members of the Board to be sworn in this evening.

**3. Swearing in of New Board Members:**

Chair Joseph issued the Oath of Office to George Couch and Patrick Kelly. Chair Joseph stated what an amazing Board WLU has with its skill level and camaraderie. He is pleased with the direction of this Board.

**4. Approval of Minutes\*:**

<b><u>Full Board</u></b>	<b><u>Executive Committee</u></b>
08/18/10	08/11/10

Chair Joseph asked if there was any discussion with regard to the August 18, 2010 minutes of the full Board. There being none he asked for a motion to approve said minutes.

**A motion that the West Liberty University Board of Governors approve the minutes of the full Board of August 18, 2010 was then made by Beverly Burke and seconded by Mike Turrentine; motion passed unanimously.**

Chair Joseph then asked if there was any discussion with regard to the August 11, 2010 minutes of the Executive Committee. There being none he asked for a motion to approve said minutes.

**A motion that the West Liberty University Board of Governors approve the minutes of the Executive Committee of August 11, 2010 was then made by Richard Carter and seconded by Beverly Burke; motion passed unanimously.**

**5. Campus Bookstore and Textbooks Policy Revision\* - 30-Day Comment:**

Mr. Davis stated that most of the Board members will remember that two years ago the Board passed a policy about bookstores and in the time since then new federal legislation has come out aimed at making textbooks more affordable, among other things. Some of West Virginia Code has changed since then; in addition a statewide taskforce was formed and they had hearings to discuss the federal legislation and State Legislation. Between them they came up with their own ideas which were suggested to the Higher Education Policy Commission. Now HEPC is requiring each of the member institutions to go back and look at their policies and if they don't have one regarding bookstores and textbooks they need to create one. If they have a policy they need to change and revise the policy. This item is to simply ask the Board for approval for dissemination of the draft or revision to the existing policy so that constituent groups will have 30-days to review the draft. The draft is not contained in the packet because it has not been completed.

Mr. Carter asked if this policy will be similar to the one passed two years ago, to which Mr. Davis stated that the policy we have now doesn't run afoul with federal legislation. The federal legislation and ideas that the taskforce came up with were so much broader he feels we need to draft a new policy. This resolution simply asks the Board to disseminate the draft document once it's prepared.

Mr. Turrentine asked when we should expect the draft policy and when will the 30-days commence. Mr. Davis stated that the 30-days will begin when the policy is disseminated. He hopes to have the draft out for comment and have the 30-days completed before the December Board meeting. Chair Joseph stated that the Policy will be voted on at that meeting.

**A motion that the West Liberty University Board of Governors approves the dissemination – to constituent groups for review and comment – of a new or revised policy governing the campus bookstore and the selection of textbooks was then made by Paul Limbert and seconded by Richard Carter; motion passed unanimously.**

#### **6. Renaming of the College of Business\*:**

President Capehart stated that a review of some of the Board policies that are currently in force, in particular Policy No. 5, states the requirements in order to change the name of a building or organizational unit. The president of the institution is responsible for making the recommendation to the Board, consistent with the naming guidelines outlined in WLU's gift acceptance policy. Naming a school requires a \$2 million donation. When the policy was written, what we are now calling a College was a school. The policy in regard to gifts is currently under review. The Board Chair has questioned having a monetary amount in order to name a building or area, which is one thing we are starting to consider, but it is in place now.

The recommendation deals with naming the College of Business after Gary E. West. The naming has already been proposed and the timing is a little off, but it was a time to get a lot of enthusiasm about the name change. President Capehart met with the Executive Committee of the Board last week and the change passed unanimously with the Executive Committee. On June 30, 2010 Mr. West contributed \$1,563,675; also, on August 3, 2006 Gary gave 992,344 shares of stock. In addition under a memorandum of understanding for 2011-2012, Gary will donate \$500,000 to the College of Business and for 2012-2013 another \$500,000. In addition to this there is a planned gift in Gary's will. We are not sure exactly how much the gift will be, but one-half of his Foundation, upon his death, will go to the University. This could be \$10 to \$25 Million or \$50 to \$60 Million to the University upon Gary's passing.

A lot of the stock appreciated and part of the money was used for turf on the football field. Although this money did not go to the College of Business, there is still the fact that Gary gave half a million dollars almost entirely on scholarships to business students. We don't have to wait until a person dies to name something after them. Clearly Gary West has exceeded the expectation of the policy and clearly Gary West is the most generous person ever to give money to this school. With that I would open up the floor for any discussion and make recommendation that we change the name of the College of Business to the Gary E. West College of Business.

Mr. Turrentine stated that before the vote, for the purpose of clarification, he will abstain from the vote. Mr. Turrentine works in the College of Business and because of Mr. West's generous donation, he certainly may directly benefit from that donation, so to give no appearance of any impropriety, but not to be misinterpreted in any way; those are his reasons for conflict at this time.

Dr. McCullough stated that he has served as the Dean of the College of Business and thinking of what Mr. West has done over the years, it is a significant point that he is a graduate of WLU, a graduate of our Business Program, and the fact that Gary West does not have to leave WLU a penny. It is certainly of his own volition and from this year and beyond, that he believes he can benefit the College of Business, its students, faculty, and the entire University. What he's doing now and his involvement in the College of Business goes back several years. This is not spur of the moment. Mr. West is an astute business man who spends a lot of time on his investments, how they're managed and truly does look at it as an investment in the future of the University. WLU is simply appreciative of an individual such as Gary West to have taken this truly momentous step. As far as the dollar amount, there is nothing even close to that type of amount ever being donated at WLU.

Chair Joseph stated that many know Gary West and what he's done and who he is; this is a person who starts a business effectively in South Wheeling, which was a heavily industrial area at the time. He built his business to 84 locations with \$2,140 million in sales. This is someone who has come out of WLU and done very well. We should consider naming a school after someone like this whether they made a donation or not; it's the right thing to do. Dr. McCullough stated that he is on the College of Business Advisory Board and as a member

knows this is a gift, but also a gift with some fairly finite goals and objectives associated with it. Mr. West has identified some very specific objectives to be achieved by the College of Business.

Mr. Turrentine stated that Mr. West was on campus a week ago Thursday and met with the Business Advisory Council, a group of Wheeling business people the College of Business depends on greatly. Gary is a part of this Council and has been for some time. He was here the entire day, contributing with his insight and knowledge. This is a person we need to keep here helping and working with the College. We were happy to see him give a full day to the Council and we appreciate him very much.

Mr. Couch stated that he is not familiar with the policy, but in regard to the \$10 to \$25 million, is this irrevocable? President Capehart stated that it is in Mr. West's will so it is not irrevocable. Mr. Couch stated that this is a wonderful gift and great for the school. His concern is that if there is a controversial issue and the gift is later revoked he didn't know how it could affect the future of the school. He had seen this happen previously at a school his son attended. President Capehart stated that Mr. West has given over \$2 million to the University already, with a commitment for an additional million over the next two years. Gary only has two charities; Oglebay Park and WLU. His Foundation, we believe, is divided between those two upon his death. When Mr. West started his business he had grown up on Wheeling Island; the only place to go college was WLU. In conversations with him you realize he appreciates the College of Business and how important it is to this institution, the valley, and the students who pass through. Mr. Joseph stated that he also represents many of us who send our children to colleges and universities to get good jobs and start businesses. You don't hear colleges and universities talk enough about the second possibility; an education may not be right for everybody.

Mr. Limbert asked if there are any restrictions to any of those gifts and if so, are they acceptable restricts. President Capehart stated that the Memorandum of Understanding stated half a million dollars a year, every year at a certain time. We will meet with him and plan how the money will be spent for the next year and he signs off. So much of the money will be put into salary enhancements, to hire professors, fund additional training, etc.

Mrs. Burke asked that upon his death, is this money restricted to the College of Business, to which President Capehart replied yes. Mrs. Thomas stated that she has known Gary since the days of him owning his business in Wheeling. She stated that it is inspiring to see people from our valley who grew up working class to be where he is now.

**A motion that the West Liberty University Board of Governors approves the name change of the College of Business to the Gary E. West College of Business, effective October 13, 2010, was then made by Richard Carter and seconded by Ann Thomas; motion passed unanimously with one abstention, Mike Turrentine.**

#### **7. President's Report:**

The fall enrollment headcount is 2,733. This is a 3.3% increase over fall 2009 and the largest headcount since 1977. New student enrollment is 874; the largest since 1976. There are 333 transfer students for the fall 2010 semester, the largest groups of transfer students to WLU. Full-time students enrolled are 2,342; the largest number of full-time students since 2001. We have 1,265 residence hall students; this is a 4.5% increase over fall 2009. The number of international students has doubled this semester with 31 international students.

Mr. Carter asked if part of the gifting and goals for the College of Business is to increase the College's enrollment to 800 students over the next five years, to which President Capehart stated yes. Mr. Carter then asked how many students were in the College of Sciences four or five years ago; to which Dr. McCullough stated approximately 400.

With regard to finances and the budget, President Capehart noted that the state experienced a significant surplus last year and WLU has been advised that there will be no cut in State appropriations this year or next. WLU ended FY 2010-11 with approximately \$1.9 million in cash reserves. Some of this money is committed to other projects that fell into the new fiscal year. Growth in summer school was up almost 70% with classes located at The Highlands, which also contributed to these reserves, along with growth in the graduate program. WLU budget managers also contributed to these reserves; they were asked to review their budgets for savings and had a substantial amount remaining at the end of the fiscal year. Mr. Carter asked if the appropriation for Fiscal Year 2011-12 will be the same as 2009, to which President Capehart responded yes.

As of September 30<sup>th</sup> twelve people have signed up to take advantage of the severance benefit plan including four faculty, seven classified staff and one non-classified employee. Salary enhancements were given to employees based on the following: classified staff with 15 plus years of service were given a 3% increase,

faculty were given a combination of merit/longevity per policy from a 3% pool, and non-classified employees were given merit from a 3% pool. These increases are due to expire June 30, 2011 but WLU will make the recommendation that they be made permanent. Although WLU has the money to give permanent increases, the HEPC and another agency of State government would not let this happen. Classified staff with less than 15 years of service received a step increase according to the Mercer scale; these increases are permanent in order for WLU to remain fully funded within the Mercer scale. Mrs. Burke asked for clarification on the classified staff increases; classified staff members with 15 plus years received a 3% raise; those with less than 15 years received their Mercer scale step increase.

The Accreditation review for the Physician Assistant program made suggestions WLU needs to do to make sure the Program is ready to grow, which could cost us four to six months in getting the program started. The upside to this is an initial increase in the first class to as many as 34 people. The International MBA Program intent to plan was approved by the HEPC. We are starting to move quickly on the B.A. in Leadership and Administration degree completion program. This program is geared toward those non-traditional students with more than 60 hours and takes about 18 months to receive the bachelor degree. The first cohort had 12 students. Dr. McCullough stated that Dr. Michaud is working on the second cohort, which will probably be starting in February.

An update on Shaw Hall was given as follows:

Shaw Hall – Estimate \$3,500,000

- a. East bonds placed - \$2,750,000
- b. Perfido, Weiskopf, Wagstaff, Goettel of Pittsburgh – Architects
- c. Floor layouts complete
- d. Departments in process of being moved – complete 10-31-10
- e. Hazard material survey complete
- f. Remedial contractor hired (\$45,000) – begin 11-01-10 complete 11-30-10
- g. Architects/engineering working on utility layouts
- h. Architects presenting plans to WV Preservation
- i. Construction planned to start January 2011 complete October 2011
- j. Outfitting building is question mark

Mr. Carter asked about the procedure of floating bonds. After the bids for the project come in and there is an overage on the project; is WLU responsible for the overage. Mr. Wright stated that we will be responsible and will take the money out of capital improvements; we will not be able to float any more bonds. Mr. Wright stated that 21 firms bid the Shaw Hall project.

An update on Main Hall windows replace was given as follows:

Main Hall – Estimate \$750,000

- a. ARRA funded
- b. Perfido, Weiskopf, Wagstaff, Goettel of Pittsburgh – Architects
- c. Hazard material survey complete – older end sections okay; 1961 center section caulk and glaze problem.
- d. Window selection in process – must be approved by WV Preservation office
- e. Construction planned to start late Spring 2011 – must complete August 31, 2011

Mr. Turrentine asked Mr. Wright to address the Main Hall heating and cooling problems and if there is a way to correct the problem. Is this being looked at with the upgrade to the windows in Main Hall? Mr. Wright stated that this was the best summer for Main Hall in years. There are only two window air conditioners left in the building. The two end buildings were built in 1929 and 1931, the middle section in 1961, with a group of air systems put in probably 20 different times. Mr. Wright stated that, unless we receive funding, replacement of the system is not on the list.

An update on the Health Care/Science building was given as follows:

New Science Building - \$15,000,000+

- a. HEPC bonds (\$12,750,000) expected to be let late 4<sup>th</sup> Quarter 2010
- b. University match (\$2,250,000) required
- c. Core boring on three sites to start October 13, 2010 complete October 16, 2010
- d. University commitment to date \$42,000
- e. No RFP out for architects

- f. Five (5) architectural firms have made presentations of current laboratory technology – two more to present.
- g. Current estimates \$250 to \$300/square foot construction – does not include furniture/lab equipment.
- h. To do 60,000 square foot building with internal items – estimate \$18,000,000

A location for the building is yet to be determined, but we are looking at either side of Faculty Drive. Some of bungalows in this area have serious problems, but there is also the parking issue to address. WLU has not installed a lab since 1973 and this has been a real education for everyone involved. Seven firms have come in for the College of Science facility, with another coming in Friday. The firms who have come in have Ivy League schools as clients.

The Learning Center, a faculty initiative, has various locations under consideration. The Library is the preferred location but no decision has been made. Another important step is to determine demand for the Center. There is no question students' need remedial learning; it's never been a question of need, but we need to determine the space.

An update on timbering WLU property was given as follows:

#### Timber

- a. Met with Department of Natural Resources (DNR) and our forester on September 23, 2010. DNR considered University's plan to be excellent.
- b. Met twice with Department of Science – have requested to spare approximately 10 acres on east side that is used as ecology lab.
- c. State has timber inspector from Middlebourne that will inspect once per week
- d. Plan to bid in mid October – process will take to end of November – will have bid for Board consideration in December.
- e. Extreme interest by logging companies – export

The DNR considers the WLU managed timber plan to be excellent. Ten acres will be set aside for the ecology lab and the inspector will meet with WLU once a week. The project will be bid mid-October to November 30, 2010; interest in this project is high. This property should have been timbered many years ago. This type of property needs to be timbered for light and new growth on the property.

Mr. Turrentine asked who faculty members can contact with regard to concerns about the environmental impact of the timbering or will there be more information forthcoming to the general campus. Mr. Wright stated that we need to get more information because there are probably some questions we cannot answer right now. There will be no activity on the campus; all activity will be kept to Weidman's Run Road. Mr. Davis stated that, for the edification of the new Board members, WLU is not doing a clear cutting; trees timbered will be a diameter of 16" at shoulder height. The sale of the timber will be just like selling the Warwood building. The money does not go back to the University but to the State, we apply for the money to be appropriated back to WLU.

An update on natural gas drilling was given as follows:

#### Natural Gas

- a. Only one response to request for proposals – Chesapeake
- b. Met with Chesapeake on September 16, 2010 – discussion points attached
- c. Proposal due mid-month

Discussion points with regard to natural gas drilling were leases with other State agencies. If drilling does happen at WLU there will be no activity above ground, the University must approve the pipeline location, traffic will use Weidman Run Road and they may drill only on non-campus land. These companies are looking for bigger plots of lands to drill on; our 164 acres is not big as far as they're concerned. They could also drill on neighboring land and take the gas out from underneath our property.

Mr. Turrentine asked about the Research Corporation and if they are currently located on campus and are there any plans for them to physically separate for the University. President Capehart stated that there is no plan to physically separate and they are actually up and started right now. We have had problems in the past with grants that were not followed up on and tracked and ended up with problems with them. The Research Corporation actually administers grants and makes sure deadlines are met so we don't get disqualified from getting further grants for organizations.

President Capehart stated, taking information from the report from the Office of Community Engagement, that the first year experience classes have been conducting public service project and keeping track of their time in

a sweat monkey database. This helps our students get out into the community and become visible. Building a culture of public service is extremely important. Mr. Cook stated that this has been a good initiative in his class, which held a clothes drive for Good Will, assisted at the soup kitchen, and letter writing to armed forces. Students are excited about these projects and wanted to participate.

President Capehart noted the passing of Robert Burke, a graduate of WLU. Bob owned Warwood Tool Company and knew of countless stories of kids he helped in the area; financially and otherwise. He was one of those people out there working for West Liberty but did so quietly and discretely. Many kids would not have gotten a degree if not for Bob Burke.

Mrs. Thomas thanked President Capehart for his words about Bob and asked that everyone briefly introduce themselves and give their background to the new Board members.

**8. Adjournment:**

The meeting adjourned at 6:20 p.m.

Brian Joseph \_\_\_\_\_  
Chair

Richard Carter \_\_\_\_\_  
Secretary