

**Florida Gulf Coast University Board of Trustees
September 15, 2009**

SUBJECT: Minutes of June 16, 2009 Meeting

PROPOSED BOARD ACTION

Approve minutes

BACKGROUND INFORMATION

The Florida Gulf Coast University Board of Trustees met on June 16, 2009. Minutes of the meeting were kept as statutorily required.

Supporting Documentation Included: Minutes of June 16, 2009 Meeting

Prepared by: Executive Assistant to the President Barbara Krell

Legal Review: N/A

Submitted by: President Wilson G. Bradshaw

MINUTES
FLORIDA GULF COAST UNIVERISTY
TUESDAY, JUNE 16, 2009 – 8:30 A.M. – 12:15 P.M.

STUDENT UNION BALLROOM #230-B

Trustee David Lucas for Chair Scott Lutgert convened the meeting of the FGCU Board of Trustees in the Student Union Ballroom at 8:30 a.m. on Tuesday, June 16, 2009 with the following members present:

Lindsay Harrington
Bernie Lester
David Lucas
Isaac Roman
Halcyon St. Hill
Jerry Starkey
Doug St. Cerny
Jaynie Whitcomb

Steve McIntosh, FGCU Foundation Board Liaison

Members of Staff Present:

Wilson Bradshaw, President
Ron Toll, Provost and Vice President for Academic Affairs
Joe Shepard, Vice President for Administrative Services and Finance
Steve Magiera, Vice President for Advancement
Mike Rollo, Vice President for Student Services
Susan Evans, Chief of Staff
Vee Leonard, General Counsel
Kathy Bottoms
Barbara Krell

Guests: Ken Kavanagh, Carol Slade, Cheryl Seals-Gonzalez, Jennifer Goen

1. Call to Order, Roll Call and Call for Executive Session – Trustee David Lucas for Chair Scott Lutgert

Trustee Lucas called the meeting to order and Ms. Evans stated there will be two different roll calls, one for the meeting of the Board of Trustees and one for the Executive

Session. She announced that a roll call vote will be taken from this point forward on all votes by the Trustees. Ms. Evans called the roll and the above list reflects those in attendance. Trustee Lucas stated that we will first go into Executive Session and he called on Ms. Leonard for comments. Ms. Leonard stated that at this time she is requesting to see the Board on matters of litigation, particularly the case of Bonnie L. Yegidis versus Florida Gulf Coast University Board of Trustees. Trustee Lucas stated the FGCU Board of Trustees will meet from 8:35 A.M. until 9:50 A.M. in Room 213 of the Student Union to discuss Matters of Litigation. The estimated length of the Executive Session will be one hour and 15 minutes. At the conclusion of the Executive Session, the Board will return to this room to resume the public meeting no earlier than 10:00 A.M. The individuals who will be in attendance in the Executive Session are as follows: (1) The members of the FGCU Board of Trustees, including trustees Scott Lutgert, Larry Hart and Jim Malone joining us by telephone; (2) President Wilson Bradshaw; (3) General Counsel Vee Leonard; (4) Outside Counsel Theresa Gallion from Fisher & Phillips, LLP, and (5) A court reporter from Fort Myers Court Reporting.

2. Executive Session – Matters of Litigation, Pursuant to 286.011(8),F.S.
3. FGCU Board of Trustees Meeting Resumes – Trustee David Lucas for Chair Scott Lutgert

For the record, Trustee Lucas stated that the Executive Session has concluded, and we now will reconvene the regular meeting. He asked for a roll call for attendance and those in attendance were: Trustee Harrington, Trustee Lester, Trustee Lucas, Trustee Roman, Trustee Starkey, Trustee St. Cerny, Trustee St. Hill, Trustee Whitcomb. Trustee Lucas called on President Bradshaw to introduce each of our standing reports this morning and then to make his report.

4. Remarks from FGCU Staff Advisory Council (SAC) – President Ruth Rodrigues

Ms. Rodrigues updated trustees regarding SAC activities this semester. President Bradshaw thanked Ms. Rodrigues for her service as SAC President and noted this is her last meeting as President.

5. Remarks from FGCU Student Government President – Isaac Roman

President Bradshaw noted that this is Trustee Roman's first meeting as a trustee and welcomed him. Trustee Roman reported on student activities during this past semester.

6. Remarks from FGCU Faculty Senate – President Halcyon St. Hill

Trustee St. Hill summarized faculty activities during this past semester. President Bradshaw noted that this was Trustee St. Hill's last meeting and thanked her for her service.

7. Remarks from FGCU Foundation Board of Directors – Chair Steve McIntosh

President Bradshaw introduced Dr. McIntosh and welcomed him to his first meeting as the Ex-Officio Member of the FGCU Board of Trustees because of his position of Chair of the FGCU Foundation Board of Directors. Dr. McIntosh made remarks regarding the FGCU Foundation Board.

At this point in the meeting Trustee Lucas greeted Chair Lutgert who joined the meeting via conference call.

8. President’s Report- President Wilson Bradshaw

President Bradshaw greeted trustees and stated there is time later on the agenda to discuss the past year’s accomplishments, so this report will be brief.

President Bradshaw thanked Dr. JoAnn Nester who served valiantly as the Interim Athletics Director and kept the Athletics Program on the upward spiral it has had for the past eight years. He stated we now have a new Director, Ken Kavanagh, and he asked Mr. Kavanagh to come forward. Mr. Kavanagh addressed the Board.

President Bradshaw stated we had our Spring Commencement a few weeks ago and we had graduated our largest class ever—1,128 graduates. We also graduated our 10,000th student. He thanked everyone who participated in this special occasion.

President Bradshaw reported we held our 8th Annual Research Day and the 12th Annual Celebration of Excellence which is an opportunity to demonstrate the scholarship activities of our faculty and students.

President Bradshaw reported that FGCU recently became an Equity Member in the Florida LambdaRail, a high-speed, broadband network that will provide the University with greatly expanded Internet access and bandwidth.

President Bradshaw reported that this year’s legislative session was very challenging for all due to the serious budget constraints. He stated that Director of Government Relations, Jennifer Goen, will give a more detailed report, but that the session was primarily about money and the lack thereof. President Bradshaw thanked the members of our legislative delegation and also Governor Crist for their leadership in supporting higher education to the extent they were able. He stated that in addition to Ms. Goen providing a legislative summary, he has asked Vice President Shepard to make a presentation on FGCU’s budget—including the effect from the State cuts; our operating budget position as we go into the new fiscal year; federal stimulus funding; and enrollment growth as it relates to the budget.

President Bradshaw stated that the University recently honored our first employees to be employed with FGCU for 15 years. Barbara Krell, Susan Evans and Jack Fenwick were each honored for completing 15 years with FGCU.

9. Consent Agenda – Trustee David Lucas

Trustee Lucas stated we have four items on today's consent agenda:

- Minutes of April 21,2009 (Addendum A)
- FGCU Board of Trustees Meeting Dates for 2009-2010 (Addendum B)
- Resolution of Appreciation for Sean Terwilliger (Addendum C)
- Resolution of Appreciation for Peter Sulick (Addendum D)

Motion was made by Trustee Harrington to approve the consent agenda. Motion was seconded by Trustee Lester. After a roll call vote, the motion carried unanimously. Ms. Evans read the Resolutions of Appreciation.

10. Academic/Student/Faculty Affairs Committee Meeting – Trustee David Lucas for Committee Chair Larry Hart

Trustee Lucas stated for the benefit of the audience, all members of the Board serve on its committees – (1) Academic /Student/Faculty Affairs Committee, (2) Finance & Administration Committee (3) Audit Committee. He stated we will first convene the Academic/Student/Faculty Affairs Committee and take up the committee items. Prior to any votes, public comment will be heard on agenda items to which individuals have indicated they wish to speak. Following this public comment, we will vote on action items, and the vote outcome will constitute action by the entire Board. He further stated that in accordance with our policy on public input, if anyone in the audience wishes to speak to an agenda item please complete a speaking card with Kathy Bottoms at the staff table. He stated he would call on any such individuals prior to our taking a vote on each action item.

Trustee Lucas called upon Dr. Toll to present the following action items:

- Regulation: FGCU-PR3.004 Educational Research Centers for Child Development (Addendum E) – Motion was made to approve Regulation: FGCU-PR3.004 Educational Research Centers for Child Development by Trustee Harrington. Motion was seconded by Trustee St. Hill. After a roll call vote the motion carried unanimously.
- Faculty Promotions (Addendum F). Motion was made by Trustee St. Hill to approve Faculty Promotions. Motion was seconded by Trustee Harrington. After a roll call vote, the motion carried unanimously.

11. Audit Committee – Trustee David Lucas for Committee Chair Scott Lutgert

Trustee Lucas convened the Audit Committee and called upon Ms. Slade to present the Audit Committee items:

Information Only:

- 2008-2009 Internal Audit Activity Report (Addendum G)

Action Items:

- 2009-2010 Internal Audit Plan (Addendum H) – Motion was made by Trustee Whitcomb to approve the 2009-2010 Internal Audit Plan. Motion was seconded by Trustee Starkey. After a roll call vote, motion carried unanimously.

12. Finance & Administration Committee Meeting – Committee Chair David Lucas

Committee Chair Lucas introduced Dr. Shepard to handle the Finance and Administration Committee items:

Information Only:

Dr. Shepard introduced Ms. Goen to present:

- 2009 Post Legislative Session Report (Addendum I)

Dr. Shepard provided the following information and action items and answered questions from Trustees:

- Finance /Budget Update - Dr. Shepard provided a PowerPoint presentation(Addendum J)
- 2009-2010 Budget Presentation (Addendum K)

Action Items:

- 2009-2010 Tuition and Fee Regulations (Addendum L) – Motion was made by Trustee Starkey to approve 2009-2010 Tuition and Fee Regulations. Motion was seconded by Trustee Whitcomb. After a roll call vote, motion carried unanimously.
- 2009-2010 Operating Budget (Addendum M) – Motion was made by Trustee Harrington to approve 2009-2010 Operating Budget. Dr. Shepard noted an error on page three in the first column under Financial Aid for Scholarships, 3rd line from the bottom, \$697,337, needs to be changed to \$310,000. Motion was seconded by Trustee Starkey. After roll call vote, motion carried unanimously.
- Credit Card Convenience Fee (Addendum N) – Motion was made by Trustee St. Hill to approve the Credit Card Convenience Fee. Motion was seconded by Trustee St. Cerny. After roll call vote, motion carried unanimously.
- 2010-2011 Fixed Capital Outlay Budget Request (Addendum O) – Motion was made by Trustee St. Hill to approve the 2010-2011 Fixed Capital

Outlay Budget Request. Motion was seconded by Trustee Whitcomb. After roll call vote, motion carried unanimously.

- Regulation: FGCU-PR9.001 – Use of University Facilities (Addendum P) – Dr. Shepard noted that name changes of various organizations will be adjusted as needed. Motion was made by Trustee Roman to approve Regulation: FGCU-PR9.001 – Use of Facilities. Motion was seconded by Trustee Harrington. After roll call vote, motion carried unanimously.
 - Dr. Shepard introduced Ms. Seals-Gonzales to provide the following report:
Annual Florida Educational Equity Report (Addendum Q) – President Bradshaw stated that this item is more than a report; it is a tool the administration uses as a guideline for decision making across all areas of the University. A motion was made by Trustee St. Hill to approve the Annual Florida Educational Equity Report. Motion was seconded by Trustee Whitcomb. After roll call vote, motion carried unanimously.
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- FGCU President’s Annual Performance Evaluation for 2008-2009 (Addendum R)

Trustee Lucas stated that the annual performance evaluation of the University president is one of the Board’s most important statutory responsibilities. He reported that each year at the June, fourth quarter meeting, the Board conducts the performance evaluation for the president. Prior to the meeting, the president prepares a self-evaluation report regarding his accomplishment of the past year’s goals as approved by the Board. This self-evaluation report was contained in the agenda materials for today’s meeting. Trustee Lucas called on President Bradshaw to make comments regarding his self-evaluation for the performance evaluation.

President Bradshaw thanked Trustee Lucas and stated the Board members have reviewed the self-evaluation materials. He stated he does not plan to review point-by-point, but will review a few of our accomplishments and then open it up for discussion. President Bradshaw stated that we were able to accomplish what we have in this report because we have people who are very committed and who understand how to make difficult decisions while advancing the academic mission of the University. President Bradshaw thanked his direct reports and the many individuals who are in their offices today for helping him achieve these goals. President Bradshaw proceeded to review the highlights of the self-evaluation document.

Chair Lutgert stated that these accomplishments are difficult during any time, but they are especially appreciated during the challenging times we are going through right now. He stated that the President has shown leadership and stated he is bright, committed, ethical, and funny. Chair

Lutgert congratulated President Bradshaw on what he is doing for this University and for the community.

Trustee Whitcomb stated she would like to thank the President for a tremendous year during economic difficult times. She stated that President Bradshaw is very involved with the students and the atmosphere on campus is very positive and that does not happen without leadership.

Trustee St. Hill thanked President Bradshaw, on behalf of the faculty, for his leadership and things he has done for us during these trying times. She thanked President Bradshaw for always being transparent.

Trustee Starkey stated he echoed the comments of the other Trustees and remembered the interview with President Bradshaw and felt that the Board made the right choice. He thanked Dr. Bradshaw for doing a great job.

Trustee Lester stated that when we prepared the goals last year, Dr. Bradshaw was still relatively new to the position when you think about how he had to find out what the expectations were of the Legislature, Board of Governors, faculty, staff and this Board, it adds significance to these results. Trustee Lester stated it is obvious that both he and Mrs. Bradshaw spend a great deal of time with students.

Trustee Roman thanked President Bradshaw for the warm welcome and stated he looks forward to working with him next year. He thanked the President for showing up at student events and supporting all of the student initiatives.

Trustee St. Cerny stated it has been a pleasure to work with President Bradshaw and when it comes to leadership he is very steady. He stated President Bradshaw exudes confidence and he believes this is very important. He stated that President Bradshaw is always positive and that is contagious throughout the University. He stated the camaraderie is obvious.

Trustee Harrington echoed all the fine comments regarding President Bradshaw and feels the University is doing a fine job. He stated his character stands out especially after one particular phone conversation he had with the President. After that conversation he knew that we had made a great choice in President Bradshaw. He stated the President has done a wonderful job. He looks forward to better economic times and believes that under President Bradshaw's leadership we will arrive there.

Trustee Lucas agreed President Bradshaw did an excellent job under difficult circumstances this year. He stated that because of Dr. Bradshaw's self confidence, he has an open style and he takes input very

well. He stated President Bradshaw is willing to admit to what he does not know and is willing to change when new data comes along.

President Bradshaw thanked Trustees for their input and stated their comments were overwhelming.

A motion was made by Trustee Whitcomb that the FGCU Board of Trustees find that President Wilson Bradshaw has achieved satisfactory performance on his 2008-2009 goals as approved in June 2008. Motion was seconded by Trustee Harrington. After roll call vote, motion carried unanimously.

A motion was made by Trustee Harrington that the FGCU Board of Trustees accepts President Wilson Bradshaw's request to forego the award of the performance incentives provided in his contract, despite achieving satisfactory performance on his 2008-2009 goals. Motion was seconded by Trustee St. Hill. After roll call vote, motion carried unanimously.

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- Trustee Lucas called on President Bradshaw to make comments regarding his proposed goals for 2009-2010:

FGCU President's Performance Measures for 2009-2010 (Addendum S) President Bradshaw provided highlights of the President's Performance Measures for 2009-2010. Trustee Lester asked for an addition to item number 7 regarding fund solicitation. He stated the involvement by the University in the community and the community back to the University has had a lot to do with the growth and performance of the University. Trustee Lester stated it would be appropriate to add to goal 7 wording that the University will encourage all University personnel to participate in community leadership activities and likewise the University will solicit leadership activities on the part of the community through advisory committees and other appropriate activities. Motion was made by Trustee Lester to approve FGCU President's Performance Measures for 2009-2010 with additions to goal 7 as described. President Bradshaw stated that he agrees with Trustee Lester's comments and we will attend to that and be more diligent in reporting the involvement of our community. Motion was seconded by Trustee St. Cerny. After roll call vote, motion carried unanimously.

13. Old Business – Trustee David Lucas

There was no old business to come before the Board.

14. New Business – Trustee David Lucas

There was no new business to come before the Board.

15. Chair's Closing Remarks & Adjourn Meeting – Trustee David Lucas

Trustee Lucas stated the next meeting of the Board of Trustees will be Tuesday, September 15, 2009. Meeting adjourned at 12:10 p.m.

Addendums:

- A. Minutes of April 21, 2009
- B. FGCU Board of Trustees Meeting Dates for 2009-2010
- C. Resolution of Appreciation for Sean Terwilliger
- D. Resolution of Appreciation for Peter Sulick
- E. Regulation: FGCU-PR3.004 Educational Research Centers for Child Development
- F. Faculty Promotions
- G. 2008-2009 Internal Audit Activity Report
- H. 2009-2010 Internal Audit Plan
- I. 2009- Post Legislative Session Report
- J. Finance/Budget Update
- K. 2009-2010 Budget Presentation
- L. 2009-2010 Tuition and Fee Regulations
- M. 2009-2010 Operating Budget
- N. Credit Card Convenience Fee
- O. 2010-2011 Fixed Capital Outlay Budget Request
- P. Regulation: FGCU-PR9.001 – Use of University Facilities
- Q. Annual Florida Educational Equity Report
- R. FGCU President’s Annual Performance Evaluation for 2008-2009
- S. FGCU President’s Performance Measures for 2009-2010