

**MINUTES OF
FAMU BOARD OF TRUSTEES
MEETING
October 17, 2007
Via Telephone Conference Call**

The FAMU Board of Trustees met via telephone conference call. Chairman Jennings called the meeting to order at 8:15 a.m. He recognized Ms. Fuse-Hall to call the roll. The Board of Trustee members participating on the call were Chairman Jennings, Trustee Solomon Badger, Trustee Laura Branker, Trustee Richard Dent, Trustee Pamela Duncan, Trustee Maurice Holder, Trustee R.B. Holmes, Trustee Daryl Parks, and Trustee Karl White. A quorum was established.

Staff members participating on the call were President James Ammons, Vice President Clarence Stallworth, Mr. Tola Thompson, Vice President Roland Gaines, Vice President Charles O'Duor, Attorney Avery McKnight, Attorney Shira Thomas, Attorney Rosalind Fuse-Hall and Geraldine Evans. The court reporter was Nancy Metzger. Outside counsel, Robert Sniffen of the Sniffen Law Firm, P.A., also participated.

Chairman Jennings thanked everyone for participating on the call and noted that the meeting was necessary to address several items that require board attention before the December meeting. There was a motion to approve the agenda. It was properly seconded and the motion carried. Chairman Jennings recognized Attorney Avery McKnight regarding the statutory regulations that authorize the closed session.

Attorney McKnight noted that pursuant to Section 286.011 (8), of the Florida Statutes, and Articles 5.11 and 5.12 of the FAMU Board of Trustees Operating Procedures. He asked the board to authorize the meeting with board's attorney, in closed attorney-client sessions to discuss pending litigation before a court or administrative agency conditioned upon a number of requirements being met. Mr. McKnight noted that closed session may occur if counsel desires the advice of the board concerning litigation. He noted that he seeks such advice regarding settlement negotiations and litigation expenditures concerning such pending litigation before state and federal courts and state administrative agencies.

The notice of this closed attorney-client session was published with the notice of the FAMU Board of Trustees meeting. The closed session will be announced and the meeting will be reopened at the conclusion of the closed session. Attorney McKnight informed the board that the subject matter of the attorney-client session is limited to settlement negotiations and strategy session related to litigation expenditures. No final action or final decision will be taken or made at the closed attorney-client session. The final decisions must be voted on in open session in accordance with the open meetings laws.

The entire closed session will be recorded by a certified court reporter, Ms. Nancy Metzger. The court reporter recorded the session from beginning to the end and will be

fully transcribed and filed with the University Clerk. The entire session will be recorded; no portion of the session will be off the record. All discussions, proceedings, names of persons present and speaking will be recorded. The transcript will become a part of the public record at the termination of the litigation or settlement of all claims.

Following this recitation, Trustee Branker moved that the board convene in closed session to discuss aspects of settlement negotiations. The motion was seconded by Trustee Badger and it was approved. Everyone was excused from the call at that time except for President Ammons, Vice President Charles O'Duor and the attorneys,

CLOSED SESSION – Once public, see the transcript of the session.

OPEN SESSION:

Chairman Jennings recognized Trustee Parks for a motion. Trustee Parks moved that the board authorizes the attorneys to continue settlement negotiations in accordance with the discussion that occurred in closed session. The motion was seconded by Trustee Holmes and it carried.

Chairman Jennings recognized President Ammons to present information regarding an amendment to Regulation 3.017, the Schedule for Tuition and Fees. He noted that at the September meeting of the Board of Governors (Bog), the BoG approved a tuition increase for in-state undergraduate students at a rate of 5%, beginning in January 2008. The legislature approved the same increase. The Trustees approved the schedule of tuition and fees earlier this year. Given these recent actions, the Trustees must revise the schedule of tuition and fees found in the regulation to reflect this increase.

This increase will raise resident tuition from 73.71/per credit hour to \$77.39, an increase of \$3.68 per credit hour. The increase will generate \$410,000 of which 30% will be used for need-based financial aid. Currently, this change only applies to in-state undergraduates. The Board of Governors, or its designee, will set out-of-state and graduate tuitions by March 1.

Following discussion of the matter, Trustee Holder moved approval of the amendment to the Tuition and Fee Schedule to reflect the increase. It was seconded by Trustee White and the motion carried. Trustee Monique Gillum, the president of the Student Government Association, voted no.

Next President Ammons asked Dr. Kirk Gavin of the Provost's Office, to present information regarding revisions to Regulation 4.005. Dr. Gavin noted that the Academic Policies Review Committee revised Regulation 4.005, to comply with the Board of Governor's policies regarding the authorization and termination of academic programs. With this regulation, the Board of Governors will consider the doctoral program in Physical Therapy that was previously approved by the Board of Trustees.

Trustee Parks moved approval of the revisions to Regulation 4.005. It was seconded by Trustee Badger and the motion carried.

Chairman Jennings asked President Ammons to present the next item. President Ammons asked Associate Vice President Tony Stallworth regarding two facility items. Mr. Stallworth noted that on the University Commons project, a change order was need to install new wood and steel structural members to shore the interior and exterior walls of the University Commons Building. This request is change order #2 and cost \$871,954.00 to Peter R. Brown Construction. Trustee Branker inquired about keeping a “running tab” of all change orders for each project for the trustees. The staff agreed to do present that information in the future. Trustee Badger moved approval of this matter and it was seconded by Trustee Parks. The motion carried.

Mr. Stallworth presented information regarding the change order #2 for the electrical upgrade for \$158,566. This change order will add two 5” conduits between several manholes as part of the electrical upgrade project. The City of Tallahassee has agreed to provide a third electrical feeder into the electrical substation on the north side of the campus along Wahnish Way. This request is change order #2 and will cost \$158,566.00 prepared by Fred Wilson & Associates, Inc., the electrical engineer for the project. Trustee Holmes moved approval of the change order and it was seconded by Trustee Badger. The motion carried.

Next Dr Ammons recognized Mrs. Woodruff regarding a special assignment for Dr. Larry Rivers. She reminded the board that this matter previously was considered to grant a leave of absence from his current employer, Fort Valley University. In a special assignment, Dr. Rivers has specific duties that will occur from October 1 to October 31, 2007. Trustee Parks moved approval of the assignment, seconded by Trustee Badger, and the motion carried.

Trustee Holmes commended President Ammons and the team for the hosting the SACS team. He thanked them for their work. Trustee Jennings thanked everyone for their participation and he reminded the members of the Homecoming Gala on Friday, November 1, 2007. The Trustees have purchased a table and he encouraged others to support this event. The next Board of Trustees meeting will occur in December 4, 2007 in Tallahassee.

There being no further business, Trustee Holder moved to adjourn the meeting. The motion was seconded by Trustee Parks and it carried. The meeting adjourned at 9:55 a.m.

Respectfully submitted,

Rosalind Fuse-Hall (electronic signature)

Rosalind Fuse-Hall
Board Liaison

