



**The University of North Carolina at Charlotte
Board of Trustees**

Audit, Compliance, and Enterprise Risk Management Committee Meeting

Wednesday, October 2, 2019, 8:00–9:30 a.m.
Popp Martin Student Union, 3rd Floor, Room I

Open Session

Present:

Mike Wilson, Acting Chair
Susan Devore, Vice Chair (*via telephone*)
Dennis Bunker
Christine Katziff

Absent:

Theresa Drew, Chair

Staff/Guests in Attendance:

Philip L. Dubois, Chancellor
Shari Dunn, Senior Executive Assistant to the Chancellor
Beth Hardin, Vice Chancellor for Business Affairs
Joan Lorden, Provost and Vice Chancellor for Academic Affairs
John Bogdan, Associate Vice Chancellor of Safety and Security
Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel
Sam Sears, Associate Vice Chancellor and Deputy General Counsel
Susan Burgess, Chief Compliance Officer
Steven Dunham, Chief Risk Officer
Jennifer Walker, Chief Audit Officer
Michelle Reinken, Title IX Coordinator
T’Ajai Carrington, Legal Affairs Higher Education Legal Fellow
Tina Dadio, University Public Records Officer/Paralegal
Amanda Simpson, Paralegal

Call to Order. Mr. Wilson called the meeting to order and reminded Committee members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act, in accordance with Chapter 138A of the North Carolina General Statutes and advised the Committee members to notify him immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts were reported.

Approval of Minutes. Mr. Wilson requested action on the April 12, 2019, Audit, Compliance, and Enterprise Risk Management Committee meeting minutes.

Action. On a motion by Mr. Bunker, seconded by Ms. Katziff, the Committee approved the April 12, 2019, Audit, Compliance, and Enterprise Risk Management Committee minutes. (Note: The approval of minutes was taken after Internal Audit's report, as Ms. Katziff had not yet arrived).

Mr. Wilson requested that Ms. Burgess present her compliance update prior to the Internal Audit update to allow additional time for Committee member Ms. Katziff to arrive.

Compliance Update. Ms. Burgess provided a review of the North Carolina State Board of Ethics (NCSBE) Statement of Economic Interest (SEI) Evaluations for calendar year 2018. Ms. Burgess presented a chart showing the results of each Trustee's evaluation. Ms. Burgess reported that no actual conflicts of interest were identified. Ms. Burgess informed the Committee that this exercise primarily serves to inform Trustees whether a member has a relationship with an individual or entity that presents a conflict of interest that would require the member to recuse him/herself from a voting action. For reference, Ms. Burgess provided the Committee members with Recusal Guidelines for Public Servants published by the NCSBE.

Ms. Burgess reminded the Committee members of their biennial ethics education obligation and recommended the self-paced online module versus the live presentation.

Ms. Burgess also presented the regular update of University Ethics and Compliance Activities to the Committee.

Internal Audit Update. Ms. Walker provided a brief overview of the Internal Audit reporting process for the new members of the Committee. Ms. Walker updated the Committee on the FY 2019 and FY 2020 Audit Plans as of September 23, 2019. Ms. Walker indicated that the full audit report is always issued to the chairman of the Committee, but to inform Ms. Walker if any Committee member would also like to be included on the distribution of the report. Ms. Walker provided a summary of the Internal Audit Reports issued since April 2019, and provided an update on the Internal Audit Findings Exceptions Report.

Ms. Walker also informed the Committee that Internal Audit hired a new IT Auditor/Certified Information Systems Auditor, whose position will be responsible for all IT audits throughout the University.

Closed Session

*Closed session minutes are filed in the office of the
Assistant Secretary to the Board of Trustees.*

Open Session

Motion to Adjourn. Ms. Schulte requested a motion to adjourn.

Action. On a motion by Ms. Katziff and seconded by Mr. Bunker, the meeting was adjourned.

Submitted: Jesh Humphrey 12/11/19
Jesh Humphrey Date
Vice Chancellor for Institutional Integrity and
General Counsel

Approved: Theresa Drew 12/11/19
Theresa Drew Date
Chair
Audit, Compliance, and Enterprise Risk
Management Committee



**The University of North Carolina at Charlotte
Board of Trustees**

Executive Committee Meeting

Wednesday, October 2, 2019, 9:30–10:30 a.m.
Popp Martin Student Union, Third Floor, Room I

Open Session Minutes

Present

Michael L. Wilson, Chair
Dennis N. Bunker III
Fred W. Klein Jr
Chandler Crean

Absent

Susan D. DeVore
Theresa J. Drew
Mary Ann Rouse
Teross W. Young Jr.

Staff/Guests in Attendance

Philip L. Dubois, Chancellor
Sue Burgess, Chief Compliance Officer
T’Ajai Carrington, Higher Education Legal Fellow
Shari Dunn, Sr Executive Assistant to the Chancellor
Beth Hardin, Vice Chancellor for Business Affairs
Mike Hill, Director of Athletics
Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel
Melva Jenkins, Administrative Liaison for University Governance
Niles Sorensen, Vice Chancellor for Advancement
Jennifer Walker, Chief Audit Officer

Call to Order. Mr. Wilson called the meeting to order and reminded Committee members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act, in accordance with Chapter 138A of the North Carolina General Statutes, and advised the Committee members to notify him immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts of interest were reported.

Approval of Minutes. Mr. Wilson requested action on the April 12, 2019 Executive Committee open and closed session meeting minutes, as well as the July 22, 2019 Special Meeting of the Executive Committee open and closed session minutes.

Action. On a motion by Mr. Klein, seconded by Mr. Bunker, the Committee approved the April 12, 2019 and July 22, 2019 meeting minutes.

Approval of Revised Plan for Metrolina Medical Foundation Distinguished Professorship of Public Policy on Health. Provost Lorden explained that the revision was necessary because Windsor Schmidt, the most recent Metrolina Medical Foundation Distinguished Professor, passed away. The plan has also been revised to more clearly articulate the responsibilities of the distinguished professor and reflect the terms stipulated by the Brandon Endowment to support the distinguished professor, as well have the distinguished professor engage the medical community.

Action. On a motion by Mr. Klein, seconded by Mr. Bunker, the Committee approved the revised plan as presented.

Approval of Revised Plan for Grotnes Belk Distinguished Professorship in Nursing. Provost Lorden specified the main revision in the plan is a change in title to “distinguished professor” from “endowed chair”. Provost Lorden reported that the position is vacant because the most recent distinguished professor has stepped down. The plan was also changed to incorporate language for the selection of associate professors. Mr. Wilson requested a motion to approve the revised plan.

Action. On a motion by Mr. Klein, seconded by Mr. Bunker, the Committee approved the revised plan as presented.

Motion to Convene in Closed Session. Mr. Wilson requested a motion to convene in closed session.

Action. On a motion by Mr. Bunker, seconded by Mr. Klein, the Committee convened in closed session pursuant to the following General Statutes of the State of North Carolina:

- a. *N.C.G.S. §143-318.11(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; and*
- b. *N.C.G.S. §143.318.11(a)(2) to prevent the premature disclosure of an award.*

Closed Session

Closed session minutes are filed in the office of the assistant secretary to the Board of Trustees.

Open Session

Action on Faculty Tenure Action. Mr. Wilson requested a motion to approve the faculty tenure action as presented in closed session.

Action. On a motion by Mr. Bunker, seconded by Mr. Klein, the Committee voted to approve the faculty tenure action as presented.

Adjourn. There being no further business before the Committee, Mr. Wilson adjourned the meeting.

Submitted: Melva G. Jenkins 12/11/19
Melva G. Jenkins Date
Administrative Liaison for University Governance

Approved: M. L. Wilson 12.11.19
Michael L. Wilson Date
Chair
UNC Charlotte Board of Trustees



UNC CHARLOTTE

The University of North Carolina at Charlotte Board of Trustees

Academic and Student Affairs Committee Meeting

October 2, 2019

Popp Martin Student Union, Multipurpose Room I

Minutes

Present

Dennis N. Bunker, III, Chair

Christine P. Katziff

David Mildenberg

Staff in Attendance

Kevin Bailey, Vice Chancellor for Student Affairs

Sue Burgess, Chief Compliance Officer

T'Ajai Carrington, Higher Education Legal Fellow

Steven Dunham, Chief Risk Officer

Shari Dunn, Senior Executive Assistant to the Chancellor

Sarah Edwards, Associate General Counsel

Aimee Hawkins, Director of Communications

Joan F. Lorden, Provost and Vice Chancellor for Academic Affairs

James Lorello, Director of Student Conduct and Academic Integrity

Patrick Madsen, Director of the University Career Center

Michelle Reinken, Title IX Coordinator

Rick Tankersley, Vice Chancellor for Research and Economic Development

Leslie Zenk, Assistant Provost

Call to Order. Dennis N. Bunker called the meeting to order and reminded members of the Board of their duty to avoid conflicts of interest and appearances of conflicts under the State Government Ethics Act in accordance with Chapter 138A of the North Carolina General Statutes and advised the Trustees to make him aware of any conflict of interest or any appearance of a conflict of interest with respect to any matters coming before the Board at any time during the meeting. No conflicts of interest were reported.

Approval of Minutes. Mr. Bunker requested action on the minutes of the April 2, 2019 and April 12, 2019, Academic and Student Affairs Committee meeting.

Action. On a motion by Mr. Mildenberg, seconded by Ms. Katziff, the Committee approved the April 2, 2019 and April 12, 2019 meeting minutes.

University Career Center. Provost Lorden introduced Patrick Madsen, Director of the University Career Center, who shared the ways in which the University Career Center has re-imagined

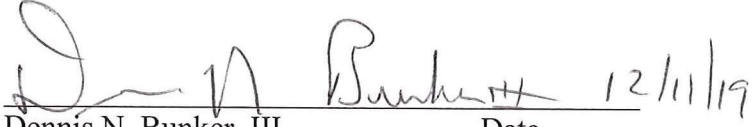
professional development services to help students understand the "why" to their college experience, discover how to build career competencies specific to industry clusters, and how to translate them into employment. Madsen stated that 70% of students utilize the Career Center during their time at UNC Charlotte. Through intentional connections with faculty and coursework, 90% of all first-year courses have a Career Center presence. Educating students on the return on investment that UNC Charlotte provides leads towards greater success after graduation and a more engaged workforce for our employers.

Title IX Appeals Training. As the appellate body for student disciplinary appeals, including Title IX cases (which covers sexual misconduct, dating violence, and stalking), the Academic and Student Affairs Committee receives annual training on the university's student conduct process, the unique dynamics of sexual and interpersonal misconduct cases, and the parameters of the committee's review when a case is brought to it. Sarah Edwards, Associate General Counsel; Michelle Reinken, Title IX Coordinator; and James Lorello, Director of Student Conduct and Academic Integrity, provided an in-person presentation for the committee members to supplement their completion of the online Niners Know module prior to the meeting.

Topics of Interest Discussion. Mr. Bunker asked Board members to contact Provost Lorden with suggested or desired topics for the Academic and Student Affairs Committee.

Adjourn. There being no further business before the Committee, Mr. Bunker adjourned the meeting.

Submitted:  12/11/2019
Joan F. Lorden Date
Provost and Vice Chancellor

Approved:  12/11/19
Dennis N. Bunker, III Date
Chair
Academic and Student Affairs Committee



**The University of North Carolina at Charlotte
Board of Trustees**

Athletics Committee Meeting
Wednesday, October 2, 2019
Popp Martin Student Union
Multipurpose Room 340C

Open Session Minutes

Present

Chandler Crean
Sharon Decker
J. Brett Keeter

Absent

Teross W. Young, Jr.

Staff in Attendance

Kyle Bailey, Head Men's Tennis Coach
Ashley Chastain, Head Softball Coach
Anna Clark, Executive Assistant to the Chief of Staff
Mike Hill, Director of Athletics
Ragean Hill, Executive Associate Athletic Director
Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel
Allison Roach, Executive Assistant
Jennifer Walker, Chief Audit Officer
Robert Woodard, Head Baseball Coach

Call to Order. Mr. Keeter called the meeting to order and reminded members of the Board of their duty to avoid conflicts of interest and appearances of conflicts under the State Government Ethics Act in accordance with Chapter 138A of the North Carolina General Statutes and advised the Trustees to make him aware of any conflict of interest or any appearance of a conflict of interest with respect to any matters coming before the Board at any time during the meeting. No conflicts of interest were reported.

Approval of Minutes. Mr. Keeter requested action on the open session minutes of the April 12, 2019 Athletics Committee meeting.

Action: On a motion by Mr. Crean and seconded by Mr. Keeter, the Committee approved the April 12, 2019 meeting minutes.

Introduction of New Head Coaches. Mr. Hill introduced the three new head coaches: Robert Woodard, Baseball; Ashley Chastain, Softball; Kyle Bailey, Men's Tennis. Each coach shared their vision for their respective team.

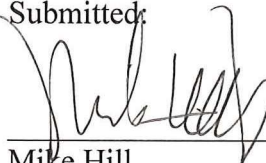
Diversity and Inclusion, Title IX. Ms. Hill first reviewed her first 90 days with the Charlotte 49ers. She then reported that Title IX, sexual assault and violence prevention training had been completed by all athletes, fulfilling requirements of the NCAA. Ms. Hill is currently reviewing potential women's athletic teams, including beach volleyball, field hockey and lacrosse to determine which would be the best addition to the athletic program, including Title IX compliance.

Athletics Department Update. Mr. Hill provided an update on NCAA bids: Men's Basketball, 2022-2026; Women's Basketball Regionals, 2026; Volleyball Championship, 2022-2025. Mr. Hill then reported on the status of athletics teams. Football is generating publicity nationally and is averaging 13,750 fans per game. Men's Soccer is having an exceptional season and Women's Soccer has shown significant improvement. Women's Golf is ranked 11th nationally. Men's Basketball is having an exhibition game against Georgia. Mr. Hill then reported that we have received a draft of the Facility Master Plan and that staff are in the process of reviewing it. He anticipates a public release in mid-December. Lastly, the branding assessment is moving forward and the initial creative material is expected to be presented in the next few weeks.

Other Business. Ms. Decker asked Mr. Hill what is the biggest challenge the department faces. Mr. Hill responded that annual giving is currently a big focus for Athletics.


Adjournment. There being no further business, Mr. Keeter adjourned the meeting.

Submitted:



Mike Hill
Director of Athletics

Approved:



J. Brett Keeter, Acting Chair



**The University of North Carolina at Charlotte
Board of Trustees**

Facilities and Physical Properties Committee Meeting

Wednesday, October 2, 2019
Popp Martin Student Union
Multipurpose Room 340F

Open Session Minutes

Present

Fred W. Klein
Carlos Sanchez
Michael Wilson (ex-officio)

Absent

Mary Ann Rouse
Susan DeVore

Staff/Guests in Attendance

Philip Dubois, Chancellor
Beth Hardin, Vice Chancellor for Business Affairs
Jon Varnell, Associate Vice Chancellor for Facilities Management
Rich Steele, Associate Vice Chancellor for Business Services
John Bogdan, Associate Vice Chancellor for Safety and Security
Kathryn Horne, Director of Facilities Planning
Richard LaLiberte, University Real Estate Manager
Anne Brown, Associate Vice Chancellor for Finance
Ken Smith, University Budget Director
Christopher Bates, Assistant Vice Chancellor for Administration
Nelda Tatum, Board and Committee Specialist

Call to Order. Fred Klein called the meeting to order and reminded committee members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act, in accordance with Chapter 138A of the North Carolina General Statutes, and advised the committee members to notify her immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts of interests were reported.

Approval of the Minutes. Mr. Klein requested approval of the April 12, 2019, minutes of the Facilities and Physical Properties Committee (FPPC).

Action: On a motion by Mr. Wilson, seconded by Mr. Sanchez, the committee unanimously approved the minutes for the April 12, 2019, meeting.

Process Review – How are Facilities Authorized and Funded? Ms. Hardin gave a brief synopsis of the process involved in the authorization and funding of capital projects for the University. She stated that there are multiple sources of funds that support capital projects, including institutional trust funds, auxiliary operations fees. Ms. Hardin stated that academic buildings are funded with state appropriated funds and buildings such as recreational facilities and the football stadium are funded with student fees. Ms. Hardin detailed the actual approval process for each capital project. Ms. Hardin then introduced the Business Affairs staff members present who assist in all aspects of capital projects authorization and funding.

Request for Authorization of Capital Projects. Mr. Klein asked that Ms. Hardin summarize each capital project and that the committee vote for all authorizations after she completes her summary.

Cameron Applied Research Center Second Floor Renovation – The Cameron Applied Research Center will be renovated to provide space for chemistry research labs that cannot be accommodated in the new science building. Upgrades for plumbing, mechanical, electrical systems, ADA and building code compliance improvements and other deferred maintenance needs are also included.

Advance planning authorization of \$195,000 was approved at the April 12, 2019, meeting. The authorization request today is for \$20,805,000. The source of funds for this project are state appropriations. Staff asks the committee to authorize the University to undertake a capital improvement project – Cameron Applied Research Center Second Floor Renovation with a budget of \$21,000,000.

McEniry HVAC Upgrade – McEniry is used for science education. McEniry was built in 1975 and a majority of the ductwork is original to the building. Indoor air quality issues were identified in McEniry and the University has been working to address and correct the underlying causes since 2017. This project budget is \$7,700,000.

New Charlotte Research Institute (CRI) Entrance Road – A new entrance to the campus from North Tryon Street will be constructed to provide an alternate entrance and exit to the CRI area of campus to assist in alleviating current traffic congestion. The budget for this project is \$1,500,000.

Parking Lot 5A Expansion - This parking lot is at the intersection of John Kirk Drive and Van Landingham Road. This lot currently has 251 parking spaces for commuter students, faculty, and staff. The East Village Infrastructure (John Kirk Drive) realignment project requires that 111 spaces be removed from nearby Parking Lot 6A. Once the realignment is completed, 90 spaces will be added to Lot 5A with a budget of \$1,000,000.

Mr. Klein requested approval for the authorization of each of the aforementioned capital projects and their respective budgets.

Action: With a motion from Mr. Wilson, seconded by Mr. Sanchez, the Committee unanimously approved the authorization of each the aforementioned capital projects and their respective budgets.

Requests for Authorization of Capital Projects. Mr. Klein asked that Ms. Hardin summarize each food service-related capital project and a vote for authorization for all of these projects will be taken afterward.

Popp Martin Student Union Renovation of Dining Venues – The renovations include three projects that will be designed and constructed at one time under one contract to allow for better project coordination. The budget for these renovations and building will be \$11,500,000. The source of funds is auxiliary dining receipts.

Crown Commons is an all-you-care-to-eat dining venue in the Student Union. The project renovation here will be to replace food service equipment, finishes, lighting and furniture.

Einstein Brothers Bagels will be replaced with a new venue. The new venue brand will be determined in consultation with Chartwells, the University's food service provider. Renovations will include new finishes and equipment.

A new food venue will be added to the food court on the first floor of the Student Union. Its new food brand will be determined by Chartwells. Renovations will be finishes and equipment.

Science Building Café – The new Science Building will include a 1,375-square-foot café for the building occupants. Space was allocated in the initial design for a food venue and it will be built out from shell space. There are no venues in this area of campus. The café will provide beverages, pastries, prepared sandwiches and salads. The authorization request for this project is \$1,500,000 and auxiliary dining receipts is the source of funds.

Fretwell Café Renovation and Expansion – Peet's Café is currently located on the first floor of Fretwell, with approximately 1,730-square-foot space. Fretwell is one of largest classroom buildings on campus and the café is one of the busiest dining venues. This project will renovate and expand the café adding 800 square feet of additional space to the existing venue. The project will be coordinated with planned renovation for the first floor of the Fretwell Building. Going to a five-day academic schedule has heightened the need for more space in this area and all food service venues on campus. The authorization request for this project is \$900,000 and the source of funds is auxiliary dining receipts.

Starbucks Renovation – The Starbucks venue in the Student Union will be renovated to update the finishes and equipment. The authorization request is \$700,000 and the source of funds is auxiliary dining receipts.

Ms. Hardin stated that there is an exclusive rights food service contract with Chartwells that is favorable and they are very oriented toward food quality across the University campus.

Mr. Klein requested approval for the authorization of each of the aforementioned food-service related capital projects and their respective budgets.

Action: With a motion by Mr. Sanchez, seconded by Mr. Wilson, the committee unanimously approved the authorization of each the aforementioned food service-related capital projects and their respective budgets.

Request for Ratification of Capital Projects Designer Selection. Mr. Klein requested that Ms. Hardin review both projects and that a vote for both be taken together afterward.

Bioinformatics Fourth Floor Build-Out – Ms. Hardin reported that this is a build-out of the fourth floor of the Bioinformatics Building, which was constructed in 2007. This floor is currently shell space. This build-out will provide interdisciplinary research space to support the University’s need for labs and faculty space. The project authorization is \$11,500,000.

University staff advertised for a professional design team. On August 13, 2019, Facilities Management reviewed twelve submittals and selected three. The committee recommends the following:

Selected: LS3P Associates, Ltd.
1st Alternate: Watson Tate Savory, Inc.
2nd Alternate: BHDP PLLC

Cameron Applied Research Center Second Floor Renovation Advance Planning – Ms. Hardin stated that this project would provide advance planning for the Cameron second floor renovation. This renovation will provide space for chemistry research labs that are currently located in Burson. The project will include upgrading the existing infrastructure on Cameron second floor to support wet-bench research labs as well as Chemistry Department and faculty offices. Advance planning authorization for \$195,000 was received at the April 12, 2019, Board of Trustees meeting. On July 24, 2019, the University staff received twelve submittals and selected four to give presentations. On August 19, 2019, interviews were conducted and the committee recommends the following:

Selected: Little Diversified Architectural Consulting
1st Alternate: Moseley Architects
2nd Alternate: LS3P Associates, Ltd.
3rd Alternate: CPL

Mr. Klein requested approval for the ratification of the capital projects designer selections on both aforementioned projects.

Action: On a motion by Mr. Wilson, seconded by Mr. Sanchez, the Committee unanimously approved the ratification of the capital projects designer selections on both aforementioned projects.

Request to Dispose of Real Estate by Deed and by Easement. Ms. Hardin noted that this project is to redirect and better control traffic entering and exiting campus in the East Village area of UNC

Charlotte. The University, the City of Charlotte, and the NC Department of Transportation (NC DOT) are jointly working to realign John Kirk Drive. This work will complete the University's East Village Infrastructure-Phase II capital project. The joint project will accommodate public road right-of-way realignment, a new signaled intersection, and easements for sidewalks, utilities, storm-water drainage, and bike lanes.

The University requests to dispose of two-and-one-half acres (2-1/2 acres) of its land, appraised at \$660,000 for the road realignment. The City of Charlotte will contribute \$1.85 million and the NC DOT will contribute \$500,000. The University will receive the direct benefit of the project's traffic management. A traffic-study analysis was previously done by Kimley-Horn and Associates, Inc. and it strongly supports the realignment of John Kirk Drive to redirect and better control traffic congestion entering and exiting campus.

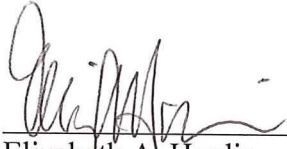
Mr. Klein requested approval of the disposal of real property by deed and easement to provide land in support of the East Village Infrastructure Road Realignment.


Action: With a motion by Mr. Sanchez, seconded by Mr. Wilson, the Committee unanimously approved the disposition of real property by deed and easement to provide land in support of the East Village Infrastructure Road Realignment.

Capital Projects Update. Ms. Hardin and Mr. Varnell shared information about the Phase XVI residence hall and the demolition of Moore Hall. Mr. Varnell stated that bids were higher than originally expected. During the demolition process, asbestos was found on the outside skin of the building and fuel residue was found in the soil. This area was once farm land.

Other Business: Treasury Services Director Greg Verret reported on the University's upcoming \$34 million debt issuance for the Phase XVI residence hall. Mr. Verret stated that this transaction, which is scheduled to occur later this fall, will include the refunding of existing University debt due to the current favorable rate environment, and that the Board of Governors is scheduled to review this transaction for final approval at its November 2019 meeting.

Adjournment. There being no further business, Mr. Klein adjourned the meeting.

Submitted:  12/13/2019
Elizabeth A. Hardin Date
Vice Chancellor for Business Affairs

Approved:  12/19/19
Fred W. Klein Date
Chair, Facilities and Physical Properties Committee



UNC CHARLOTTE

The University of North Carolina at Charlotte Board of Trustees

Wednesday, October 2, 2019
Popp Martin Student Union

Open Session Minutes

Present

Michael L. Wilson, Chair
Dennis N. Bunker III
Chandler A. Crean
Sharon Allred Decker
Christine P. Katziff
J. Brett Keeter
Fred W. Klein Jr.
David W. Mildenberg
Carlos E. Sanchez
Teross W. Young Jr. (via conference call)

Absent

Susan D. DeVore
Theresa J. Drew
Mary Ann Rouse

Staff/Guests in Attendance

Philip L. Dubois, Chancellor
Joel Avrin, Faculty Council President
Kevin Bailey, Vice Chancellor for Student Affairs
Susan Burgess, Chief Compliance Officer
Michael Carlin, Vice Chancellor for Information Technology and Chief Information Officer
T'Ajai Carrington, Higher Education Legal Fellow
Anna Clark, Executive Assistant to Chief-of-Staff
Celeste Corpening, Staff Council Chair
Beth Crigler, Associate Vice Chancellor for Development
Betty Doster, Special Assistant to the Chancellor for Constituent Relations
Steven Dunham, Chief Risk Officer
Shari Dunn, Senior Executive Assistant to the Chancellor
Katharina Findlater, Executive Assistant to the Vice Chancellor of Business Affairs
Lauren Gregg, Senior Director of University Events and Programs
Beth Hardin, Vice Chancellor for Business Affairs

Mike Hill, Director of Athletics
Jesh Humphrey, Vice Chancellor of Institutional Integrity and General Counsel
Melva Jenkins, Administrative Liaison for University Governance
Joan Lorden, Provost and Vice Chancellor for Academic Affairs
Susan Messina, Director, News and Information
Colleen Penhall, Chief Communications Officer/Associate Vice Chancellor for
University Communications
Niles Sorensen, Vice Chancellor for University Advancement
Jennifer Walker, Chief Audit Officer
Leslie Zenk, Assistant Provost

Call to Order. Mr. Wilson called the meeting to order and reminded members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act, in accordance with Chapter 138A of the North Carolina General Statutes, and advised the Committee members to notify him immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts of interest were reported.

Introductions and Announcements. Mr. Wilson thanked all of the Trustees for attending and recognized BOG Liaison, David Powers, who joined by phone. Mr. Wilson encouraged Trustees to attend some of the upcoming events:

- UNC System BOT Workshop for all system Trustees will be held on our campus October 17-18, as well as a Bissell House reception on October 17 at 5:30 pm.
- Chancellor's Speakers Series, October 15 at Center City featuring Henry Louis Gates Jr.
- The Ladies' Holiday Luncheon, December 3.
- The next board meeting is Wednesday, December 11.
- The 2020 Association of Governing Boards' National Conference on Trusteeship, April 5-7 in Washington, DC.

Remarks from Board of Governors Liaison. Mr. Powers provided an update on the System President and our Chancellor Search process. Mr. Powers discussed the continuation of affordability initiatives and reported that the BOG is advocating to the legislature for more funding for summer school and NC Promise. He also stated that the BOG intends to look at revising the policy manual to ensure consistency.

Discussion then ensued regarding the System President search and its impact on the UNC Charlotte Chancellor search.

Approval of Minutes. Mr. Wilson requested action on the minutes of the April 12, July 11, August 14, and September 10 Board of Trustees meetings.

Action. On a motion by Mr. Bunker, seconded by Mr. Klein, the Board approved the minutes of the April 12, July 11, August 14, and September 10 meetings.

Remarks by the Chancellor. Chancellor Dubois reminded the Board that at the April 12 meeting, they discussed usual business and could not have known that two and a half weeks later the campus would experience the mass violence of April 30. He summarized the many things that have happened since then, including the appointment of the Remembrance Commission, the planning for the remembrance events on April 30, 2020, and the sentencing of the shooter. Chancellor Dubois also reported the distribution of the Niner Nation Unites crowdfunding site, with funds going to the Howell and Parlier families, the four injured students, and those students who could document that they were in the Kennedy building classroom at the time of the shooting.

Chancellor Dubois next reported that overall fall enrollment of 29,615 was the second highest in our history; 95 students below the record set in the fall of 2018. This decline was a result of a loss of incoming freshmen and a declining population of transfer students. The overall loss of 317 undergraduates was offset by the gain of 222 graduate students, including a record setting 1,067 doctoral students. Chancellor Dubois further stated that the budget consequences of this decline are not insignificant. He has asked the System Office for relief from this reduction for a three year period so we can re-establish our enrollment to our 2018 levels. That request is still under consideration. Chancellor Dubois stated that predictions for future enrollment are modest so he has allocated additional resources to undergraduate and graduate admissions to accelerate recovery to 2018 enrollment levels.

Chancellor Dubois next reported that Mr. Sorenson and he traveled to Atlanta in late May for final design decisions and furnishing selections for the Hotel and Conference Center.

Next, Chancellor Dubois reported on the two projects that are underway with Charlotte Mecklenburg Schools (CMS): the consolidation of the two early high schools in a new facility and the Lab School.

Early College High Schools: Superintendent Winston has confirmed that CMS does not think they can come up with the funding to build the new modulars to house both schools, at least not immediately. As a result, the two schools will stay where they are in the short term and we are now planning for another option focused on managing the school bus and parent traffic at the existing school. The plan includes a new exit road onto North Tryon that is on the agenda of the Facilities and Physical Properties Committee, as well as the creation of a new road parallel to JW Clay as it enters from North Tryon. Chancellor Dubois stated that he is arranging a meeting with the Chair and the Vice Chair of the CMS Board, along with Superintendent Winston, to see if we can forge a path that would get us back to the original plan. We certainly want to

preserve both schools. The 2018-19 testing results showed that the Engineering Early College is only one of 17 CMS schools to earn an “A” grade while the Teachers Early College earned a “B”.

Lab School: Chancellor Dubois reported that we have identified a facility in a CMS school zone that qualifies under the state law requiring these lab schools to serve low performing students. The building itself is a recently renovated pre-K Center called Aamy James. It is located near two feeder P-8 schools, Reid Park and Ashley Park. Chancellor Dubois stated that taking over this building and opening the school are going to be expensive and that the General Assembly provided limited funding that will not come close to the actual costs. The cost to purchase the furnishings and equipment is \$1.3 million. We might be able to phase that cost in, since we will be starting with a K-2 school, growing it be one grade per year. Chancellor Dubois reported that the operating funding is equally challenging—we will probably run a half million-dollar deficit in year one, \$300 thousand in year 2, \$100 thousand in year 3, and eventually break even in year 4. Overall, the losses could approach \$1 million.

Chancellor Dubois then discussed 49er Next, a new partnership program with Central Piedmont Community College. 49er Next will be a dual admission program that is highly structured to help students complete their two-year degrees from CPCC and then their bachelor’s degree from UNC Charlotte. There will be proactive advising by both institutions to make sure that students do not make ill-advised course choices, as well as a coordinated set of support services, including career planning and financial aid. CPCC students will also enjoy access to some aspects of student life at UNC Charlotte, such as the ability to attend athletic events, ride the light rail, etc. A joint press conference is being held tomorrow at CCB to formally announce this partnership.

Lastly, Chancellor Dubois announced that Provost Lorden will have two additional Dean searches. Bob Johnson, who will have served 20 years as Dean of the Lee College of Engineering next June, has announced that he will leave the deanship and return to the faculty. He also reminded the Board that Steve Ott, Dean of Belk College of Business, has also stepped down due to the need to focus on his health. So, two additional new searches for Joan.

Campaign Update. Ms. Crigler reported on the final year of the Exponential Campaign, which is set to end June 30, 2020. Ms. Crigler stated that we will definitely surpass our \$200 million goal, with an expected minimum to reach \$211 million. Ms. Crigler shared some gold nuggets from huge growth of the campaign this year:

- 191 Scholarships created
- 37 \$1 million + donors
- 140 \$100 thousand + donors
- One college, four buildings, one promenade, two student centers, and one road named after alumni

Hotel and Conference Center Update. Mr. Sorensen shared that we have an approved restaurant design, which will include outside seating and UNC Charlotte branded material. Mr. Sorensen reported that December 12 is the date for the model room to be done, which leaves us on schedule and on budget for completed construction in January 2021 and a projected opening in March 2021. Prior to opening, the Foundation will transfer the ownership of the asset to the Endowment Fund, while retaining the debt. Mr. Sorensen shared the plan to use the fill from the hotel to improve the site of the Early College. Chancellor Dubois expounded on the advantage of that plan, stating that if we move the fill down Snyder Road, we would have an improved site for a future academic building even if the Early College never moves.

Legislative Update. Ms. Doster reported on the current budget stalemate. She stated that that salary increases for UNC employees, as well as the other issues for which our campus was advocating, were included in the budget which passed in June but the Governor vetoed. Ms. Doster added that Medicaid expansion is now a major problem between the legislature and the Governor and will not be resolved. Ms. Doster stated that Representatives Dean Arp created an infrastructure bank and pay as you go system which will get us the first two years funding for the Cameron and Burson renovations. Ms. Doster indicated that we anticipate that mini budget bills will be passed.

Report of Student Government Association. Mr. Crean provided a report of the recent Student Government (SGA) elections, in which 113 students submitted applications for the elections; 63 students actually ran; and, 39 students were elected. 3,000 students participated in the election, voting on at least one ballot item.

Mr. Crean reported that there are still some vacancies that leadership is working to fill. Mr. Crean provided an overview of the newly elected Executive Team members and their roles and provided the SGA budget update, ensuring that SGA is making sure that the Student Body Treasurer follows through with grant approvals on a weekly basis. Mr. Crean also shared that homelessness and hunger was the Association of Student Government initiative for the UNC System last year; however, this year's initiative has not yet been chosen.

Mr. Keeter asked about the current climate of SGA after some of its issues last year. Mr. Crean responded that after the spring elections, there are only eight of 50 senators. Mr. Crean stated that the SGA is trying to fill the vacancies.

Report of University Faculty Council. Mr. Avrin provided a summary of his report of the Faculty Council. Mr. Avrin stated that he anticipates a busy year for the Faculty Council. Agenda items include a proposal for a School of Data Science, issues developing for FEC and FC consideration, including the revision of the grievance policy, faculty overload, faculty input into the Chancellor search process, the role of undergraduate/graduate graders in departmental teaching missions, and potential faculty participation in enhancing perception of the institution's value.

Report of University Staff Council. Ms. Corpening updated the Board on the Staff Council's activities since the last meeting. Ms. Corpening reported on the golf tournament whereby the \$61 thousand in proceeds went to a scholarship for any staff member at UNC Charlotte. Ms. Corpening provided the results of the elections that took place in June at Center City. Ms. Corpening indicated that the Staff Council's goals include increasing staff awareness, updating the website, improving the nomination process, evaluating ways to create uniform voting, and looking at childcare opportunities. Ms. Corpening informed the Board that the fall festival for staff appreciation is next week.

Report of Executive Committee. Mr. Wilson reported that the Executive Committee approved the revised plans for the Metrolina Medical Foundation Distinguished Professorship of Public Policy on Health and the Carol Grotnes Belk Distinguished Professorship in Nursing. Mr. Wilson indicated that he had additional items to report in closed session.

Report of the Academic and Student Affairs Committee. Mr. Bunker welcomed the Board's two new members, Christine Katziff and David Mildenberg, who are on the Committee. Mr. Bunker then reported that Patrick Madsen provided a presentation on the University Career Center, which focuses on preparing graduates to compete in the job market. Mr. Bunker reported that they also viewed a very informative video during the annual Title IX Appeals training provided by Dr. Reinken and her staff about helping with student issues and the appeals process.

Report of the Athletics Committee. Mr. Keeter, chaired the Athletics Committee meeting in Mr. Young's absence due to an emergency. Mr. Keeter indicated that the Committee was very pleased to hear from the new, energetic coaches for baseball, softball, and men's tennis. Mr. Keeter reported that each coach talked about outlets for their seasons and records but most importantly talked about character, mental development, and making athletes the kind of people we would want to be ambassadors of the University. Mr. Keeter also reported that Ragean Hill, the new Executive Associate Director, gave a Title IX review on diversity and inclusion. Mr. Keeter reported that Ms. Hill presented this as an opportune time to do a division wide review, as well as look towards bringing on two new sports. Mr. Hill added that we are exploring what sports to add next, focusing on lacrosse, field hockey, and sand volleyball as the front runners. Mr. Hill stated that the Athletics Department is assessing and will bring a recommendation to the Chancellor and Board soon. Mr. Hill also shared that both women's golf (ranked #11) and men's soccer (ranked #9) are doing very well and are nationally ranked.

Report of the Facilities and Physical Properties Committee. Mr. Klein reported on the Committee's approval of two ratified design selections for Bioinformatics and Cameron Applied Research Center. Mr. Klein then stated that the Committee had approved several capital projects that required Board authorization.

Request for Authorization of Cameron Applied Research Center Second Floor Renovation. Mr. Klein presented a motion from the Committee for authorization to undertake a capital improvement project – Cameron Applied Research Center Second Floor Renovation with a budget of \$21,000,000.

Action. The Board unanimously authorized the capital improvement project for the Cameron Applied Research Center Second Floor Renovation.

Request for Authorization of McEniry HVAC Upgrade. Mr. Klein presented a motion from the Committee for authorization to undertake a capital improvement project – McEniry HVAC Upgrade with a budget of \$7,700,000.

Action. The Board unanimously authorized the capital improvement project for the upgrade of the McEniry HVAC.

Request for Authorization of New CRI Road Entrance. Mr. Klein presented a motion from the Committee for authorization to undertake a capital improvement project – New Charlotte Research Institute (CRI) Entrance Road with a budget of \$1,500,000. Discussion ensued regarding whether the Department of transportation had any issues with the project.

Action. The Board unanimously authorized the capital improvement project for the new CRI Road entrance.

Request for Authorization of Popp Martin Student Union Dining Venues Renovations. Mr. Klein presented a motion from the Committee for authorization to undertake a capital improvement project – Popp Martin Student Union Renovation of Dining Venues with a budget of \$11,500,000, consisting of three renovation projects that will be designed and constructed at one time under one contract to allow better coordination.

Action. The Board unanimously authorized the capital improvement project for the Popp Martin Student Union Dining Venues Renovations.

Request for Authorization of Science Building Café. Mr. Klein presented a motion from the Committee for authorization to undertake a capital improvement project – Science Building Café with a budget of \$1,500,000.

Action. The Board unanimously authorized the capital improvement project for the Science Building Café.

Request for Authorization of Fretwell Café Expansion. Mr. Klein presented a motion from the Committee for authorization to undertake a capital improvement project – Fretwell Café Renovation and Expansion with a budget of \$900,000.

Action. The Board unanimously authorized the capital improvement project for the Fretwell Café Renovation and Expansion.

Request for Authorization of Starbucks Renovation. Mr. Klein presented a motion from the Committee for authorization to undertake a capital improvement project – Starbucks Renovation with a budget of \$700,000. Discussion ensued regarding the cost of the renovation.

Action. The Board unanimously authorized the capital improvement for the Starbucks Renovation.

Request for Authorization to Dispose of Real Property: East Village Infrastructure: Road Realignment. Mr. Klein presented a motion from the Committee for authorization to dispose of real property by deed and by easement to provide land in support of the East Village infrastructure for road realignment.

Action. The Board unanimously authorized the disposal of real property by deed and by easement to provide land in support of the East Village Infrastructure for road realignment.

Ms. Decker asked if we are seeing a decline in demand for on-campus food services with light rail making off campus more accessible. Ms. Hardin acknowledged that we do have a great deal of competition off campus and that we don't capture students for three meals a day on campus with so many other options. Ms. Hardin shared some of the recent enhancements to make dining on campus more appealing to students.

Report of Audit, Compliance, and Enterprise Risk Management. Mr. Wilson gave the Audit, Compliance, and Enterprise Risk Management Committee report as acting Chair. Mr. Wilson reported that Ms. Walker presented the FY2019 and FY2020 Audit Plan Updates, as well as a summary of internal audit reports issued this period, with no findings. Ms. Burgess provided a compliance update.

Chancellor Search Process. Mr. Wilson reported that the Search Committee meets tomorrow and that President Roper will be attending to give the Committee its charge. Mr. Wilson advised the Board that all Trustees are welcome to attend any of the meetings, as the Board will play an integral role in choosing the Chancellor.

Motion to Convene in Closed Session. Mr. Wilson called for a motion to convene in closed session, inviting the Cabinet members to stay.

Action. On a motion by Mr. Bunker, the Board convened in closed session pursuant to the following General Statutes of the State of North Carolina:

- a. N.C.G.S. §143-318.11(a)(1), to prevent the disclosure of information that is privileged or confidential pursuant to the laws of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, such privilege or confidentiality arising under the Family

Educational Rights and Privacy Act (20 U.S.C. §1232g) or N.C.G.S. Ch. 126, Art. 7;

- b. N.C.G.S. §143-318.11(a)(3); to consult with and receive advice from counsel;
- c. N.C.G.S. §143-318.11 (a)(6), to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual, public officer or employee, or prospective public officer or employee; and
- d. N.C.G.S. §143.318.11(a)(2); to prevent the premature disclosure of an award

Closed Session

Closed session minutes are filed in the office of the Assistant Secretary to the Board of Trustees.

Open Session

Action on Athletics Employment Agreements. Mr. Wilson presented a motion from the Executive Committee for approval of the Athletics Employment Agreements as previously discussed.

Action. The Board unanimously approved the Athletics Employment Agreements as previously discussed.

Adjournment. There being no additional items, Mr. Wilson adjourned the meeting.

Reconvene in Closed Session. Mr. Wilson recalled that we needed to cover one more agenda item in closed session. Mr. Wilson called for a motion to reconvene in closed session.

Action. On a motion by Mr. Bunker, seconded by Mr. Keeter, the Board reconvened in closed session.

Submitted: Melva G. Jenkins 12/11/19
Melva G. Jenkins Date
Administrative Liaison for University Governance

Approved: M. L. Wilson 12.11.19
Michael L. Wilson Date
Chair
UNC Charlotte Board of Trustees