

**BUSINESS AFFAIRS COMMITTEE**  
**Thursday, November 20, 2014**  
**1:00 p.m. Burney Center, Ballroom A**

**MINUTES**

Members Present: Mr. Phil Marion  
Mr. Carlton Fisher  
Ms. Wilma Daniels  
Mr. Hal Kitchin  
Mr. Michael Drummond  
Mr. Ken Cameron

Chairman of the BOT Mr. Michael Shivar

Representing the University: Dr. Rick Whitfield, Vice Chancellor for Business Affairs

Guests: Dr. Bill Sederburg, Ms. Sharon Boyd, Mr. Bob Fraser, Ms. JoAnn McDowell, Mr. David Donaldson, Ms. Sara Thorndike, Ms. Roberta LaSure, Mr. Steve Pickard, Mr. Bill Reed, Ms. Nancy Spirakis, Mr. Rob Hoon, Dr. Denise Battles, Ms. Dana Harris, Ms. Stefanie Powell, Ms. Heather Iannucci, Ms. Joanne Ferguson, Mr. David Ulaszek, Ms. Liz Grimes, Ms. Lori Preiss, Ms. Ann Glossl, Ms. Nadine Flint, Ms. Sarah Schaeffer, Ms. Cindy Hucks, Dr. Mike Walker, Ms. Ann Freeman, Ms. Janet Alexander and Ms. Betty Sue Smith

The Business Affairs Committee of the UNCW Board of Trustees met on Thursday, November 20, 2014 at 1:00 p.m. in the Burney Center, Ballroom A. Mr. Phil Marion, Chair, called the meeting to order and read the required ethics statement from the State Ethics Act. No conflicts were identified.

Mr. Marion asked the Committee members to take a few moments to review the minutes of the October 24, 2013 and April 3, 2014 meetings. Mr. Marion asked if there were any corrections to the minutes. Mr. Kitchin questioned if Mr. David Swain was in attendance of the October 24, 2013 meeting as he was not listed as an attendee but was referenced as asking for the minutes to be approved. After discussion, it was agreed that the minutes be amended to add Mr. David Swain as being present. Mr. Kitchin made a motion **“to approve the minutes of the October 24, 2013 and April 3, 2014 meetings with the amendment to the October 24, 2013 minutes”**. Ms. Daniels seconded the motion and the motion carried.

Mr. Marion called on Bob Fraser, Associate Vice Chancellor-Facilities, to present items for action and the Construction update.

Mr. Fraser presented the following action items for the Committee's approval.

**Sundial:** The sundial will be donated (funds are in hand) and located in the small landscaped circle to the north of Randall Library. The sundial will be used by the Physics Department for instructional purposes and will provide a decorative and functional amenity.

**Geological Garden:** The Geological Garden will be donated by Dr. Roger Shew (materials are being sought) and located adjacent to DeLoach Hall. The Geological Garden will be used by the Geology Department for instructional purposes and will provide a decorative and functional amenity.

**Softball Complex:** The Softball Complex will be donated as a gift in place. The University will convey the land for improvement to the donor through a short term nominal value ground lease. The duration will be the term of the work.

**Leasing Disposition:** The BOT has previously approved and authorized the request for 'disposition by lease authority' from the BOG. Since that BOT approval, the UNC Regulation has also been completed enabling constituent institutions to also secure delegated 'acquisition by lease authority'. The sub-delegated authority for acquisitions by lease permits the university to control and conduct the solicitation of necessary space, saving considerable time in processing a subject lease without compromising the integrity of the transaction or the management of attendant risk. Acquisition by lease authority is consistent with statutory disposition authority set forth in both S116-31.12 (general real property) and S116-198.34(5) (designated millennial property). The delegated authority will enable UNCW to enter into occupancy leases without the need to secure approvals required under S143-341 or S146 et seq. (obviating the need to seek State Property Office and Council of State approvals.

UNCW would enter into occupancy leases consistent with State approved lease templates or lease documents consistent with State Property and AG requirements. All leasing activities on behalf of the university would be performed by UNCW officials – the Vice Chancellor for Business Affairs, the Associate Vice Chancellor for Facilities, the Director of University Real Estate, and the General Counsel.

Mr. Marion asked for a motion to approve all four action items presented by Mr. Fraser. Mr. Fisher made a motion "**to approve the four action items as presented**". Ms. Daniels seconded the motion and the motion carried. Mr. Kitchin asked if all four UNCW officials acting on behalf of the university for leasing activities would be aware of the leases and that not just one

official would be acting on the university's behalf. Mr. Fraser, Dr. Whitfield and Mr. Hoon all concurred that the four UNCW officials would be aware and involved with the leasing activities.

The following construction update was given by Mr. Bob Fraser.

### **Outdoor Enhancement**

**Project:** Baseball Practice Field is completed. The Synthetic Recreational Fields start construction December 2014; Natural Grass Field starts construction in Spring 2015; Infrastructure, fence and site work will start in Spring 2015; and the Gateway Buildings will start construction in Summer 2015.

### **Baseball Practice**

**Field:** The Synthetic Infield Practice Field with surrounding Fence and Gates now complete. Relocation of this game day function will allow the use of the area for recreational game use while the new fields are constructed.

### **Social and Behavior**

**Science:** Asbestos abatement is complete. Interior demolition is complete. Long lead items are ordered. The Interior building construction is underway. Projected completion date is July 2015.

### **Randall Library**

**Structural Repairs:** Access and limited demolition during Thanksgiving break. Structural Steel repairs scheduled for Christmas break. Exterior Waterproofing to be completed Spring 2015.

This concluded the Facilities update.

Mr. Marion called on Chief David Donaldson to give the Annual Security and Fire Safety Reports.

Chief David Donaldson explained that he was pleased to present highlights from the 2014 Annual Security Report and the Annual Fire Safety Report, for the fiscal year ending June 2014. He explained that the ASR is an institutional responsibility prescribed by federal regulation. The ASR is prepared with the involvement of several offices and departments across campus. This report includes crime statistics for the 2013, 2012, and 2011 calendar years and information about certain institutional policies. Current and prospective students and employees are notified that the report is available and published on the police department's website. Crime and enforcement statistics are reported to the U.S. Department of Education.

In reviewing the crime statistics he explained that the campus continues to experience low crime rates. The increase in reports of sex offenses was attributed to an increase in reporting associated with awareness of and clarification provided to reporting requirements.

Reports of burglary are associated with thefts from within buildings where the person who stole the property was not authorized to be in the area. Forced entry or concealment of darkness is not a requirement of Burglary for reporting purposes. Three cases of arson were associated with fires that appeared to be intentionally started, two involved grass/shrubbery and one a piece of clothing.

In reviewing enforcement categories he noted generally consistent patterns and rates of enforcement and noted that 2013 is the third consecutive year of higher drug violations, but similar to the rate (161) reported in 2010. He noted that marijuana continues to be the drug most frequently encountered by UPD. The police department infrequently encounters other drugs.

He explained that the 2014 ASR includes new offense categories – Domestic Violence, Dating Violence, and Stalking. Corresponding education, awareness, and prevention efforts have been articulated and are in place on campus. Future ASRs may include additional information on these items.

In reviewing the Annual Fire Safety Report he noted that the Fire Safety Report is prepared by the Department of Environmental Health & Safety and applies to residence halls. It requires reporting of building construction, fire protection systems, drills, and other items specific to the residence halls. Major accomplishments included revised health & safety inspection protocols, targeted cooking & fire safety education in residence halls.

There were two reportable fires in on campus housing, a grease fire in Seahawk Village Building 2, and, a plastic container left on the stove in University Apartment A. Both occurred in kitchen areas. Cooking alarms accounted for more than 62% of nuisance alarms in campus housing. Secondary causes were personal grooming-related, such as shower steam, blow dryers, and hairspray.

In closing, Chief Donaldson stated federal reporting requirements are broad and complex. The campus benefits from strong campus collaborations – visible in low crime rates and mechanisms designed to monitor trends.

He then responded to questions.

This concluded the University Police update.

Mr. Kitchin made a motion **“to go into Closed Session to establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property.”**

Mr. Marion asked for a motion to reconvene into Open Session. Mr. Fisher made a motion **“to reconvene into Open Session”**. Ms. Daniels seconded the motion and the motion carried.

Mr. Fisher made a motion “**that is subject to and consistent with recommendations from the chancellor to, and direction from, the UNCW Board of Trustees, approve items and recommendations 1, 2 and 4 discussed in Closed Session.**” Mr. Drummond seconded the motion and the motion carried.

Vice Chancellor Rick Whitfield deferred giving his update until the next meeting as the meeting had exceeded its scheduled time.

There being no further business, the meeting was adjourned.

DRAFT