

MINUTES
Marshall University Board of Governors
Microsoft Teams Meeting at the
Shawkey Room in the Memorial Student Center,
Livestream and In-Person
December 9, 2021

Present: Patrick Farrell, Shawn Ball, Kathy D'Antoni, Donnie Holcomb, Chad Pennington, Chris Miller, Angel Moore, Alyssa Parks, Bill Noe, Robin Riner, Carol Hurula, Geoff Sheils, Toney Stroud

PH: Sam Moore

Absent: Bill Smith, Sandra Thomas

I. Call to Order & Swearing in of New Members

After determining a quorum was present, Chairman Farrell called the meeting to order.

II. Minutes Approval

Upon a motion by Mr. Noe, seconded by Mrs. Hurula, the minutes of the meeting on October 28, 2021, were unanimously approved.

III. Committee of the Whole

A) Review of MUBOG SA-4, President's Emergency Authority Information Item

This was an Information Item, which Michael McGuffey discussed. As part of the review of all Marshall University Board of Governor's Policies, staff has reviewed Policy No. SA-4, President's Emergency Authority and has determined that no changes are necessary.

B) Development Project: Brad D. Smith Center for Business and Innovation

The history of this project is on the agenda for the December 9, 2021 meeting.

Upon a motion by Mr. Stroud, seconded by Dr. D'Antoni, the following resolution was read:

Resolved, that the Marshall University Board of Governors approves the Capital Projects Program Statement for the College of Business P3 and accordingly, the construction of the Brad D. Smith Center for Business and Innovation building and further authorizes the staff to proceed and take whatever actions are necessary to effectuate the transaction including the execution of any and all necessary documents, including but not limited to the Master Lease and Ground Lease by the President of the University.

Motion carried.

C) Investment Earnings Update

Upon a motion by Mr. Sheils, seconded by Mr. Noe, the following resolution was read:

Resolved, that the Marshall University Board of Governors receives the Investment Report ending September 30, 2021.

Motion carried.

D) Three months ending September 30, 2021, Financial/Budget Report

Upon a motion by Mr. Sheils, seconded by Mr. Noe, the following resolution was read:

Resolved, the Board of Governors receives the financial/Budget Report for the three months ending September 30, 2021.

Motion carried.

E) Approval of updated Policy No. FA-6 – Classified/Non-Classified Employee Salary Policy

Bruce Felder discussed the Policy stating this is a revision and renaming of Marshall University Board of Governors Policy FA-6, Classified Employee Salary Policy. It is being renamed to include both Classified and Non-Classified staff. Due to a change in law, it provides for flexibility to adopt personnel rules. Further, Marshall University recognizes that competitive compensation is the cornerstone for recruiting, retaining, and motivating our employees.

Upon a motion by Mr. Sheils, seconded by Mr. Noe, the following resolution was read:

Resolved, that the Marshall University Board of Governors does hereby approve Policy No. FA-6, Classified/Non-Classified employee Salary Policy. Further Resolved, that the policy changes are approved as final at the conclusion of the comment period if no substantive comments are received.

Upon approval of this resolution, a comment period will open and remain open until 10:00 am on Monday, January 18, 2022. If no substantive comments are received, the Policy will be considered approved in its current form with an effective date of the end of the comment period. If substantive comments are received, a final policy will be presented to the Board for approval at a subsequent meeting.

Information Updates were given by Finance, Athletics, Operations, School of Medicine, and Internal Audit.

IV. Executive Session under the authority of WV Code § 6-9A-4

Upon a motion by Mr. Stroud, seconded by Mr. Holcomb and entered Executive Session to discuss personnel matters.

After a brief time, upon a motion by Dr. D'Antoni, seconded by Mr. Holcomb, the Board entered an open session.

The WV Autism Training Center was established in 1984 by the WV Legislature and housed at Marshall University, within the College of Education and Professional Development. The WV ATC was founded by Dr. Ruth Sullivan and other parents across the state who recognized the need children with autism had for well-informed parents and well-trained educators. The legislation describes an Advisory Board made up of individuals with ASD and/or parents, professionals in the field, and community representatives. The MU Board approves members of the Advisory Board of Governors.

Upon a motion by Dr. Riner, seconded by Mr. Miller, and unanimously approved, the Board approved the following resolution:

Resolved that the Autism Training Center at Marshall University approves the applications of Jill C. Underhill, Parent Category and Jennifer Anderson, Professional Category as Members of the Board of The West Virginia Autism Training Center at Marshall University.

Motion carried.

Additionally, based on discussions that occurred during Executive Session regarding personnel action was given upon a motion by Dr. Riner, seconded by Mr. Miller and unanimously approved, the following resolution was read:

Resolved, the Marshall University Board of Governors hereby grants President Gilbert permission to take personnel action as discussed in executive session, including certain one-time payments for certain employees.

Motion carried.

V. President's Report

President Gilbert noted this was his final board meeting and thanked current and former Board of Governors members for the opportunity. It has truly been the pinnacle of his career, having spent 39 years in higher education. He loved his work in higher education, always excited to go to work each morning through his entire career, all 39 years. Being a college president was not always easy; however, it was very rewarding.

He discussed his goals and accomplishments:

- Student Success
- New Programs
- New facilities for Pharmacy and Aviation
- Inclusion and Diversity

He stated that he felt he is leaving the University better than when he arrived through hard work and dedication. His regrets were too few to mention. He said he knew that sometimes his decisions may not have been universally popular but that he always made them in the best interest of Marshall University without regard to personal gain or advantage.

As most have heard about the tragic pedestrian accident that occurred on Third Avenue, there will be a posthumous degree given at Commencement on December 11, 2021. He has appointed a committee on safety, with Bob Plymale as Chair and James Bryce, who is in the College of Engineering, as well as others. This Committee will look at the serious need to improve safety for our students, employees, and Community.

President Gilbert stated that he would begin as a consultant to Brad Smith on January 1. He wished Brad Smith the best of luck and stated his confidence that President Smith had the potential to take Marshall to greater heights.

President Gilbert said that he will always cherish his time as President of Marshall.

VI. Chairman's Report

Chairman Farrell noted that the last six years that Dr. Gilbert was President, he was an outstanding steward. He was instrumental for the Pharmacy and Aviation Buildings, and athletic success with the football coach hire. As a leader, his leadership during COVID and the dark days early on, was amazing. He thanked President Gilbert on behalf of the Board for all he has done.

VII. Announcements

Winter Commencement will be on December 11, 2021, at 10 am and 3 pm. Board Member Toney Stroud will give the greeting on behalf of the Board. A former board member, Dr. Dan Holbrook will be the Commencement speaker.

The next meeting will be on February 10, 2022.

There were no further announcements.

VIII. Adjournment

Without objection, the Board Meeting was adjourned.