

# Shepherd University Board of Governors

## Minutes of the Meeting of October 14, 2004

The Shepherd University Board of Governors met on October 14, 2004, in the Byrd Center for Legislative Studies, Shepherd University, Shepherdstown, West Virginia, in a regular meeting. Members participating were: Manny Arvon, Lauri Bridgeforth, Vicki Douglas, Matthew Gay, Doris Griffin, Anders Henriksson, Robert McMillan, Andy Michael, Barbara Pichot (by phone), Brent Robinson (by phone), John Sherwood, and Dan Starliper. Also present were Shepherd University President David Dunlop, CTC of Shepherd President Peter Checkovich (by phone), members of the executive staff, and others.

Chair Michael convened the meeting of the Board of Governors at 3:05 p.m.

### 1. MINUTES OF THE MEETING OF SEPTEMBER 9, 2004

**M (Henriksson) S (Starliper), PASSED**, that the minutes of the September 9, 2004 meeting of the Board of Governors be adopted as presented in the agenda book.

### 2. SHEPHERD UNIVERSITY REPORT

President Dunlop summarized for the Board a presentation that he made to LOCEA on Sunday, October 10, 2004 at the Legislative Interim Session in Shepherdstown. In his presentation, Dr. Dunlop analyzed the cost effectiveness of enrollment levels and how growth in the Eastern Panhandle and at Shepherd University will pay dividends for the entire State.

Dr. Dunlop reported that Shepherd has a \$12.5 million share of the HEPC bond proceeds for capital projects, including \$10 million for the Creative Arts Complex.

The Fund Raising Task Force has completed eight focus group meetings with faculty, staff and students. Participants at the meetings expressed their views and ideas for the upcoming major fund raising campaign. The Task Force will narrow down the ideas to a workable number of projects and will bring those before the Board.

Fall 2004 is another record breaking year for enrollment with an increase of 350 HC and 158 FTE. Total HC is 5206.

### 3. COMMUNITY AND TECHNICAL COLLEGE OF SHEPHERD REPORT

President Checkovich reported to the Board that the Higher Learning Commission accreditation site visit was conducted on October 3–6, 2004. The accreditation team has recommended a five-year accreditation with no follow-up focus visits. Board members congratulated President Checkovich on this accomplishment.

Dr. Checkovich also gave a report to LOCEA during the Legislature's visit to the Eastern Panhandle; the CTC hosted them at their facility in Martinsburg.

4. **REVIEW OF THE COMPREHENSIVE EVALUATION OF THE COMMUNITY AND TECHNICAL COLLEGE OF SHEPHERD**

Dr. Checkovich discussed the evaluation reports to the West Virginia Council for Community and Technical College Education.

5. **UPDATE OF BYLAWS**

**M (Sherwood) S (Arvon), PASSED**, that the following resolution be adopted by the Board:

**RESOLVED**, That the Shepherd University Board of Governors approves the Amendments of the Bylaws, as presented in the agenda book.

6. **ADVANCEMENT/FOUNDATION ANNUAL REPORT**

Mrs. Robin Zanotti, Vice President for Advancement and Mrs. Monica Lingenfelter, Executive Vice President of the Shepherd University Foundation, presented data representing the progress of their offices. Mrs. Zanotti described her plans for the future; particularly as they relate to the possible Capital Campaign.

7. **ENROLLMENT MANAGEMENT ANNUAL REPORT**

Dr. Marie Carter, Vice President for Enrollment Management, and the Enrollment Management directors presented the annual enrollment management report. The newly implemented degree evaluation program was highlighted by Registrar Tracy Seffers.

8. **CREATION OF AN OFFICE OF GRADUATE STUDIES AND DEAN OF GRAUATE STUDIES**

**M (Arvon) S (Starliper), PASSED**, that the following resolution be adopted by the Board:

**RESOLVED**, That the Shepherd University Board of Governors approves the establishment of the position of Dean of Graduate Studies, under the direct supervision of the Vice President for Academic Affairs.

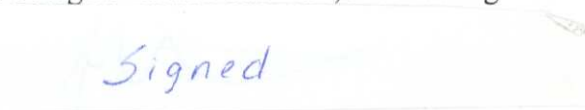
9. **NEW BUSINESS**

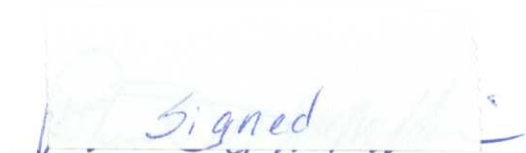
Chair Michael thanked the Board members for their participation at the State Board of Governors training which was held in Charleston on September 24, 2004.

10. **PUBLIC COMMENTS**

There were no public comments made at the meeting.

There being no further business, the meeting was adjourned.

  
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Andrew D. Michael  
Chair

  
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Robert A. McMillan  
Secretary

**SUPPLEMENTAL RESOLUTION SUPPLEMENTING AND AMENDING  
INDUCEMENT RESOLUTION STATING THE REASONABLE EXPECTATION OF  
THE SHEPHERD UNIVERSITY BOARD OF GOVERNORS TO REIMBURSE  
SHEPHERD UNIVERSITY FOR  
CAPITAL EXPENDITURES IN CONNECTION WITH THE  
PLANNING, DESIGN, ACQUISITION, CONSTRUCTION AND  
EQUIPPING OF A NEW STUDENT HOUSING PROJECT AND ASSOCIATED  
PARKING LOTS, NEW WEST CAMPUS ROADWAYS AND UTILITIES  
INFRASTRUCTURE, AND OTHER CAPITAL IMPROVEMENTS  
FOR USE BY SHEPHERD UNIVERSITY MADE PRIOR TO  
THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS  
AND TAKING OTHER ACTIONS IN CONNECTION WITH SAID BONDS**

**WHEREAS**, Shepherd University, formerly Shepherd College (the “University”) is an institution of higher education of the State of West Virginia governed by the Shepherd University Board of Governors (the “Board”), which is empowered and authorized by Chapters 18 and 18B of the Code of West Virginia, 1931, as amended, among other things, in furtherance of the public purposes of the University, to issue revenue bonds of the University to finance capital improvements at the University and as security for the payment of the principal and redemption price of, and interest on, any such bonds so issued and any agreements made in conjunction therewith, to pledge the revenues and receipts from certain student fee and other revenues of the University to secure the payment of such bonds and interest thereon;

**WHEREAS**, on January 8, 2004, the Board adopted an Inducement Resolution (the “Inducement Resolution”) with respect to the financing of the costs of the planning, design, acquisition, construction and equipping of a new student housing project and associated parking lots, new west campus roadways and utilities infrastructure and other capital improvements for use by the University (collectively, the “Project”), and other matters relating thereto, which Inducement Resolution was captioned as follows:

INDUCEMENT RESOLUTION STATING THE REASONABLE EXPECTATION OF  
THE SHEPHERD COLLEGE BOARD OF GOVERNORS TO REIMBURSE SHEPHERD  
COLLEGE FOR  
CAPITAL EXPENDITURES IN CONNECTION WITH THE  
PLANNING, DESIGN, ACQUISITION, CONSTRUCTION AND  
EQUIPPING OF A NEW STUDENT HOUSING PROJECT AND ASSOCIATED PARKING  
LOTS, NEW WEST CAMPUS ROADWAYS AND UTILITIES INFRASTRUCTURE, AND  
OTHER CAPITAL IMPROVEMENTS  
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THE ISSUANCE OF TAX-EXEMPT REVENUE BONDS  
AND TAKING OTHER ACTIONS IN CONNECTION WITH SAID BONDS

**WHEREAS**, as set forth in the Inducement Resolution as originally adopted, the aggregate cost of the Project was estimated to be not in excess of \$25,000,000; and

**WHEREAS**, due to recent developments, the Board has determined that the estimated aggregate cost of the Project has increased and will now not exceed \$27,000,000; and

**WHEREAS**, as a result of said increase, the Board desires to supplement and amend the Inducement Resolution to provide that the aggregate cost of the Project originally estimated to be not in excess of \$25,000,000 be supplemented and amended to be not in excess of \$27,000,000.

**NOW, THEREFORE, BE IT RESOLVED BY THE SHEPHERD UNIVERSITY BOARD OF GOVERNORS** that the estimated cost of the Project be increased from \$25,000,000, as originally set forth in the Inducement Resolution, to an amount not to exceed \$27,000,000 and that all references in the Inducement Resolution to \$25,000,000 be amended to read \$27,000,000.

The Inducement Resolution shall remain in full force and effect except as expressly supplemented and amended herein.

This Supplemental Resolution shall be effective on the date of its adoption.

Adopted this 11th day of November, 2004.

SHEPHERD UNIVERSITY  
BOARD OF GOVERNORS

By Signed  
Chairperson