

OLD DOMINION UNIVERSITY

Board of Visitors Executive Committee Meeting
Monday, August 13, 2007

MINUTES

The Executive Committee of the Board of Visitors met on Monday, August 13, 2007, at 12:00 noon, in the Board Room of Webb University Center on the Norfolk campus. Present from the Executive Committee were:

Marc Jacobson, Rector
Conrad M. Hall
Pamela C. Kirk
Ross A. Mugler

Absent from the Committee: Kenneth E. Ampy
Kendra M. Croshaw
Pat Tsao

Also present from the Board: Moody E. Stallings, Jr.

Also present: Roseann Runte, President
John R. Broderick
C. Tabor Cronk
Steve Daniel
Dale Feltes
Thomas Isenhour
Donna W. Meeks
Jennifer Mullen
Karen Travis
Geneva Walker-Johnson
Richard Whalen

CALL TO ORDER AND APPROVAL OF MINUTES

The Rector called the meeting to order at 12:15 p.m. and asked for approval of the minutes of the Executive Committee meeting held on May 21, 2007. Mr. Mugler requested that the following sentence in the third paragraph on page 3 of the minutes be revised as follows: “Mr. Mugler asked if the University will do a master lease on the second building and suggested that the ~~percentage of research~~ University’s occupancy be ~~decreased~~ **limited in favor of the private** sector. Mr. Mugler stated that the proposed amendment more accurately reflects what he stated at the meeting. President Runte commented that the University does not want to tie its hands and may still need to

have a significant presence in the second building. She added that whatever is proposed for the new building will first be discussed with the Board. The Rector noted that the minutes reflect that Mr. Mugler's comment was just a suggestion and is therefore not binding. Following discussion, a motion was made by Mr. Hall to approve the minutes as amended. Upon a motion made by Mr. Hall and seconded by Mr. Mugler, the minutes were approved as amended by all members present and voting. *(Hall, Kirk, Mugler)*

RECTOR'S REPORT

Rector Jacobson commented that the physical transformation of the campus is coming along beautifully, noting in particular the Powhatan Sports Center.

PRESIDENT'S REPORT

The President called on Dale Feltes, Director of Design and Construction, to provide a construction update. Mr. Feltes reported on the status of the athletics expansion projects, including the training room renovation and the wrestling addition in the Athletic Administration Building, the Foreman Field football complex, the Folkes-Stevens Indoor Tennis Center, the Powhatan Sports Center Complex, and the new Recreation Center. He also gave status reports on the Batten Arts & Letter renovation, the Kaplan Orchid Conservatory and Physical Sciences II. Mr. Mugler requested that the Board visit the Batten Arts and Letters building at its meeting in September.

Mr. Feltes provided a more comprehensive report on the new Tri-Cities Higher Education Center and VMASC facilities. He noted that the two facilities straddle the Portsmouth-Suffolk city boundary, with the Tri-Cities Center in Portsmouth and VMASC in Suffolk. The Tri-Cities Center is a two-story, 52,856 gsf building, of which Old Dominion University will occupy 39,642 gsf, and Tidewater Community College will occupy 13,214 gsf. Closing will take place today on this \$11M construction project at a purchase price of \$6.2M from General Obligation Bond funds. Staff members have been moving in and furniture and equipment are being delivered to ready the facility for the beginning of the fall semester. The VMASC facility is a slightly larger building that lags about a month behind the Tri-Cities Center in completion and occupancy.

Mr. Feltes briefed the Committee on Phase II of the Quad housing project and the challenges presented with the addition of a sixth building and the ensuing phasing and laydown areas in very limited space. The project is of high value and high risk given the need to complete all phases in order to add an additional 570 beds by the start of the Fall 2009 semester. He explained the advantages of using a Construction Manager-Construction Phase Only (CM-CPO) process in order to help ensure that the project is completed on time. He proposed using the Request for Qualification (RFQ) process to short-list several construction managers who are experienced in multi-building, phased construction in tight urban areas, and issuing the Request for Proposal (RFP) to the short list of contractors identified through the RFQ. This process provides some guarantees on pricing, while providing some assurance that we get a capable contractor. It will also help avoid delays because of site interference, saving anywhere from two to eight months in project delivery time. He noted that the formal sealed bidding process remains the preferred method of contracting, but an alternate delivery method is being proposed for this project, as it was for the Foreman Field

project, given the tight schedule for project delivery. If the Executive Committee approves the release of the RFQ, the RFQ would clearly state that the CM-CPO method is contingent upon Board of Visitors approval at the September meeting. If the Board does not approve that method of delivery, a formal sealed bidding process would then be used. However, by being able to release an RFQ now, the University would be ready after the September Board meeting to either go CM-CPO or release an IFB. In either case, no time would have been lost and procurement will not have started until approval by the Board of Visitors.

Mr. Mugler expressed his support of this proposal, noting that it is a very reasonable approach and will serve the University well in reaching its goal of housing more students on campus by the Fall 2009 semester. He made a motion that the Executive Committee approve the University's use of the CM-CPO process to support Phase II of the Quad housing project. The motion was seconded by Mr. Hall and approved by all members present and voting (*Hall, Kirk, Mugler*). The Rector reiterated that this was subject to full Board approval in September.

Mr. Mugler asked when the temporary buildings along 48th and 49th Streets would be demolished. President Runte indicated that this is contingent on raising the necessary funds for the addition to the Child Study Center so that the facility on 48th Street could move.

Mr. Stallings asked about the bid schedule for Foreman Field. Mr. Feltes indicated that the bids are due August 30th. A proposed design-build team will be identified by mid-September, with due diligence to follow and a contract signed by the end of the month. Once the design-build team is selected, the design work will begin.

Karen Travis, Assistant Vice President for Institutional Advancement and Director of University Events and Licensing, reported on the planned opening of the Baron and Ellin Gordon Art Galleries in September. She noted that a private opening is scheduled on September 8, followed by the public opening on September 9. She noted that the galleries are comprised of 20th and 21st American folk art donated by the Gordons (the largest art donation ever received by the University) and the University Gallery. The Gordon's gift is complemented by a generous donation from long-time art advocates Susan and David Goode, which will be used to develop academic programming, community outreach and exhibitions. The Rector asked if the Goodes will be appropriately honored for their donation, and Ms. Travis assured him that they would. Mr. Mugler suggested that the Gordons be considered for an honorary degree in recognition of this substantial gift. President Runte said that she has nominated the Gordons for a community arts award, but will also ask the Honorary Degree Committee to consider an honorary degree as well.

Provost Thomas Isenhour reported on the recent signing of a Memorandum of Understanding between Old Dominion University and Eastern Virginia Medical School for the establishment and delivery of joint programs and degrees. Although the two institutions have had various partnerships over 20 years, a framework for doing so was never formally established. This agreement is a formal commitment by ODU and EVMS to provide the quality programs in health-related areas for the Hampton Roads area, and has three major goals: (1) to facilitate existing and establish new programs, (2) to optimize academic and research programs, and (3) to enhance the quality and reputation of both institutions. The overall program will be administered by an Executive Committee comprised of the provosts and one additional appointee from each institution. The committee will meet semi-monthly and will be alternately chaired by the provosts, with ultimate

approval of any new programs or changes subject to approval by the Boards of Visitors of both institutions. Individual programs will continue to have separate Memoranda of Understanding under this agreement, which will define finances and management and can only be modified by mutual agreement. There are, however, no restrictions on the two institutions having their own separate programs. Mr. Stallings complimented the administration on this important first step. The Rector added that the signing ceremony was very impressive, and noted that this is a very significant start that may lead to bigger and better things. Mr. Mugler asked if this requires Board approval. President Runte indicated that it did not, since it operates within already established mandates.

The President called on Vice President Broderick to report on the University's branding efforts. He explained that this initiative has been ongoing since last summer when the University contracted with Educational Marketing Group. Campus visits and interviews, an open forum and an online survey were conducted in Fall 2006, and a leadership retreat and focus/discussion groups with students, faculty and staff were held in January. He indicated that a brand platform consists of a positioning statement, a brand promise and brand drivers, and described what each entails and what has been identified for Old Dominion University. Focus groups with high school students were held in April to test concept statements and creative boards, and from the results of those focus groups, University staff developed creative pieces that communicate brand drivers in subtle ways that resonate with the intended audience. Additional creative pieces will be developed in the coming months. In addition, new tools, including a marketing plan focusing on internal and external support and enrollment growth and retention, a brand tool kit, and publication templates will be developed. A new organizational structure is also proposed, with Jennifer Mullen assuming the role of Assistant Vice President for Marketing and Communications responsible for marketing, communications, public relations, brand management and advertising. The goals of the project are to support the brand, eliminate brand diffusion, continue to enhance the University's reputation, and support the strategic goals of the institution.

President Runte indicated that the Commonwealth's revenue projections are not doing as well as had been hoped, so funding for new initiatives may be limited. The administration will follow this closely and do all it can to ensure that Old Dominion fares well. Despite the projected shortfall, Old Dominion will still push for funding in support of modeling and simulation and energy initiatives.

President Runte distributed the original letter she shared with the Board in response to an ad that is being placed in the New York Times, as well as a second version of the letter that was drafted at the request of Mr. Copeland, who felt that the first letter did not state the University's position strongly enough. Following a brief discussion, in which Board members expressed their personal preferences regarding the University's response, a consensus was reached by the Committee that it was within the President's discretion as to the contents of the letter and its dissemination. President Runte said she will share the second letter with all Board members, and if there are no objections, the second letter will be sent.

The President distributed correspondence that had been sent to all Board members from the parent of a student whose account had been sent to collections for non-payment of tuition. The President explained the issues, including the use of students' ODU email accounts for billing purposes. Following a brief discussion, the Committee supported the administration's position that all students should be treated equitably and should be held accountable to the University's published policies,

but suggested that students receive a letter through regular mail notifying them before their account is sent to collections.

CLOSED SESSION

The Committee went into closed session per Virginia Code Section 2.2-3711(A)(7) for a briefing with staff members concerning the pending Birkmeyer versus ODU cases, because such briefing in open session would adversely affect the litigating and negotiating posture of ODU and other defendants.

RECONVENE IN OPEN SESSION AND FOIA CERTIFICATION

At the conclusion of the closed session, the meeting reconvened in open session, at which time the Rector called for the Freedom of Information Act certification of compliance that (1) only public business matters lawfully exempted from the open meeting requirements under the Freedom of Information Act were discussed and (2) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered. The certification of compliance vote was two in favor and none opposed. (*Hall, Mugler*)

OLD/UNFINISHED BUSINESS

The Rector asked if there was any old or unfinished business to come before the Committee. There was none.

NEW BUSINESS

The Rector asked if there was any new business to come before the Committee. There was none.

With no further business to be discussed, the meeting was adjourned at 1:55 p.m.