The Board of Trustees met in regular session in the Great Room of Mendenhall Student Center on Friday, April 20, 2007, at 8:05 a.m. Mr. Stephen D. Showfety, Chair, presided, called the meeting to order and asked for a moment of silence for former chairman Jim Talton who had recently passed away, as well as for the students of the Virginia Tech tragedy.

Chairman Showfety informed the Board of a new formality in conducting Board meetings and asked Secretary Kelly to read the provision regarding conflict of interest requirements.

Mr. Kelly said, “As Secretary of the Board of Trustees, it is my responsibility to remind all members of the Board of their duty under the state government ethics act to avoid conflicts of interest and appearances of conflicts of interest as required by this Act. Each member has received the agenda and related information for this Board of Trustees meeting. If any Board member knows of any conflict of interest or appearance of conflict with respect to any matter coming before the Board of Trustees for this meeting, the conflict or appearance of conflict should be identified at this time. Is there any identification? “

Mr. Greczyn stated if there was any discussion of the contractual relationship between BCBS of North Carolina and ECU Physicians, he would recluse himself from that discussion.

Chairman Showfety acknowledged this statement and asked that it be put into the minutes. He also reminded the Board to take advantage of the training options available regarding this issue by the State Ethics Commission.
if the members had not yet done so. Mr. Showfety then asked for the Oath of Office to be administered.

Oath of Office

The Assistant Pitt County Clerk of Court, Mrs. Charlene Corbett administered the Oath of Office to Ms. Keri L. Brockett, SGA President. Ms. Brockett’s parents were in attendance and recognized by Chairman Showfety.

Mr. Showfety then asked Cole Jones, past SGA President, to come forward. He was presented with a pewter plate and asked to make a few comments. (A full transcript of his comments are available at the Office of the Assistant Secretary to the Board, 202 Spilman Building.)

Chairman Showfety asked Secretary Kelly to call the roll.

Roll Call

Members present:

Bruce N. Austin  Robert O. Hill, Jr.
William H. Bodenhamer, Jr.  Michael W. Kelly
Keri L. Brockett  Robert V. Lucas, Jr.
David S. Brody  Stephen D. Showfety
Joel K. Butler  Mark E. Tipton
Robert J. Greczyn, Jr.  Margaret C. Ward

Members absent:

E. David Redwine

Chairman Showfety introduced Carol M. Mabe of Greensboro who recently was appointed to the ECU Board of Trustees and will be sworn in at the July Board meeting. Mrs. Mabe’s husband is also a graduate of ECU.
Mr. Showfety then announced that the other appointee is Robert G. Brinkley of Charlotte and that both of the new Trustees had a long history of service with ECU.

**APPROVAL OF MINUTES**

It was moved by Mr. Hill that the minutes of the December 15, 2006 full meeting of the Board of Trustees be approved as submitted.

Mr. Lucas seconded the motion and it passed with no negative votes.

Chairman Showfety called on Chancellor Ballard for his report.

**CHANCELLOR’S REPORT**

Chancellor Ballard started his remarks with campus safety and how the recent tragedy at Virginia Tech impacts all campuses. He then updated the Board on strategic planning, the executive leadership team and fund raising. The Chancellor ended his comments by saying he had been fortunate to work with individuals of great leadership such as Jim Talton, Steve Showfety and Mike Kelly. A full transcript of his remarks is available at the Office of the Assistant Secretary to the Board, 202 Spilman Building.

Chairman Showfety thanked the Chancellor for his remarks and asked for any questions.

Mr. Bodenhamer drew attention to the fact that many courses are being taught online but not all faculty are prepared to teach online and asked how ECU was preparing for that challenge.
Dr. Smith responded that there would always be a core of subjects to be taught on campus and as new faculty were hired in the respective divisions online teaching was investigated.

Chairman Showfety acknowledged that Board members are charged with many responsibilities but none more critical than choosing a Chancellor. This is especially important when preparing a strategic plan.

Chairman Showfety asked Mr. Greczyn for a motion to go into Closed Session.

Mr. Greczyn moved that we go into Closed Session to:

1. consult with our attorney and to preserve the attorney-client privilege and to consider and give instructions concerning judicial claims entitled:
   
   a) William Swart v. East Carolina University;
   b) Frank Salamon v. East Carolina University, et. al.
   c) James Dautremont v. East Carolina University, et. al.; and
   d) Kelly McGrory v. East Carolina University and Dr. Monica Hough.

2. prevent the disclosure of privileged information under N.C. General Statutes #126-22 to #126-30;
3. consider the qualifications, competence, performance, character, fitness or conditions of appointment of prospective employees and employees;
4. establish or instruct regarding the amount of compensation and/or other material terms of an employment contract or proposed employment contract;
5. prevent the disclosure of confidential information under N.C. General Statutes #116-40.7;
6. prevent the disclosure of confidential information under FERPA; and
7. prevent the premature disclosure of honorary degrees and/or awards.

Mr. Tipton seconded the motion and it passed by a voice vote with no negative votes.
Chairman Showfety explained the Trustees would now move to the Trustees Suite to conduct business in Closed Session.

Upon returning from Closed Session Chairman Showfety asked for a motion on any action items.

Mr. Kelly moved approval of the tenure recommendations from the divisions of Academic Affairs and Health Sciences as they are presented in the Board materials. (Materials are on file in the office of the Assistant Secretary.)

Mr. Austin seconded the motion and it passed with no negative votes.

Chairman Showfety asked Terry Holland, Athletics Director, to introduce Sharon Baldwin-Tener, ladies basketball coach, for brief comments.*

Mr. Showfety then recognized Mr. Phil Dixon, our representative on the Board of Governors and asked for his remarks.

REPORT FROM THE REPRESENTATIVE OF THE BOARD OF GOVERNORS

Mr. Dixon repeated his comment that some campuses have no representation on the Board of Governors and that reelection was not automatic. He also reported that he had heard many positive comments from individuals attending ECU’s centennial celebration.*

Chairman Showfety asked Doug Byrd for comments regarding the Board of Visitors.

Mr. Byrd gave the highlights of the last meeting of the Board of Visitors which was held in Winston-Salem. He concluded his remarks by saying this
was his last official meeting as chair of the Board of Visitors and thanked everyone for their assistance in furthering ECU’s objectives.*

Chairman Showfety recognized Steve Lawler who gave brief comments.*

Mrs. Brenda Myrick shared the progress and success from the Alumni Office and concluded her remarks by encouraging everyone eligible to join as ECU Alumni in order to support scholarships and other important endeavors.

Mr. Showfety called on Mark Taggart, Chair of the Faculty, for his report. These comments are available at the Office of the Assistant Secretary to the Board as well as on line at www.ecu.edu/cs- acad/fsonline/speeches/bot.cfm.

Chairman Showfety thanked Dr. Taggart for his comments and recognized Professor Henry Ferrell for his historical perspective.

HISTORICAL MOMENT BY UNIVERSITY HISTORIAN

Professor Ferrell shared information regarding the University Mace calling it the most significant symbol we have. A new case has been built to hold the mace and it is housed in the School of Art.*

Dr. Smith mentioned that Professor Ferrell will be carrying the mace at commencement and asked for discussion on calling the mace the “Trustees Mace”.

Chairman Showfety acknowledged Professor Ferrell’s 45 years of state service and thanked him for his always interesting reports.

The Trustees began committee meetings. At the conclusion of the committee meetings, the Board met in regular session for the full Board
meeting. Chairman Showfety called the meeting to order at approximately 1:14 p.m. and reminded the Board that the Chancellor had given his report earlier and stated that the Board would now hear action items from the various committees following the reading of any report items from the Executive Committee.

**COMMITTEE REPORTS and RECOMMENDATIONS**

**EXECUTIVE and AUDIT COMMITTEE REPORT**

Mr. John Durham reported on the contract extension for Terry Holland.

Mr. Kelly moved approval of the appointment of the new members of the Board of Visitors as presented in our notebooks and by Dr. Bunch. (see Attachment A.)

Mr. Hill seconded the motion and it passed with no negative votes.

Mr. Kelly then moved approval of the appointment of the officers of the 2007-2008 Board of Visitors as follows:

Carl Davis, chair; Steve Jones, vice chair; and Cullie Ryan as secretary.

Mr. Lucas seconded the motion and it was approved with no negative votes.

Chairman Showfety said there were no action items for the Audit Committee but shared that progress continues to be made with Stacie Tronto’s leadership. Mr. Showfety wanted to acknowledge her individual contribution towards that effort.

Chairman Showfety called on the Academic Affairs and Student Life committee for their items.
ACADEMIC AFFAIRS and STUDENT LIFE COMMITTEE REPORT

Committee Chair Brody moved that the candidates for degrees, as approved by the Faculty Senate, be authorized for conferral on Saturday, May 5, 2007, at the annual spring commencement.

Mr. Hill seconded the motion and it carried with no negative votes.

Mr. Showfety called on Mr. Bodenhamer for action items from his committee.

ADVANCEMENT and NAMING COMMITTEE REPORT

Committee Chair Bodenhamer said there were no action items.

ATHLETICS COMMITTEE REPORT

Chairman Showfety said Committee Chair Ward had no action items from her committee and asked Committee Chair Kelly for any action items.

FINANCE and FACILITIES COMMITTEE REPORT

Mr. Kelly had four action items. He moved to approve a request from the Brody School of Medicine, ECU Physicians to lease clinical/office space located on the second floor at Moye Medical Building for use by the Department of Internal Medicine in accordance with the MFPP Property Flexibility Policy and the terms and conditions provided in the Board materials. (see Attachment B.)

Mr. Tipton seconded the motion and it passed with no negative votes.
Mr. Kelly moved to approve a request from the Brody School of Medicine, ECU Physicians to lease the current site of Firetower Clinic in accordance with the Medical Faculty Practice Plan Property Flexibility Policy with the terms and conditions provided in the Board materials. (see Attachment B.)

Mr. Greczyn seconded the motion and it carried with no negative votes.

Mr. Kelly moved for approval of a twenty year lease with the Pitt County Board of Education for the Wahl-Coates Elementary School in accordance with the terms and conditions provided in the Board materials. (see Attachment B.)

Mr. Tipton seconded the motion and it passed with no negative votes.

Mr. Kelly moved for acquisition by lease with the Pitt County School Board six outlying buildings utilized by the ECU Campus Operations at C. M. Eppes Middle School in accordance with the terms and conditions provided in the Board materials. (see Attachment B.)

Mr. Greczyn seconded the motion and it carried with no negative votes.

Chairman Showfety thanked Mr. Kelly for his great leadership over the past eight years with this committee.

HEALTH SCIENCES COMMITTEE REPORT

Committee Chair Hill reported that there were no action items.
Mr. Showfety asked Committee Chair Greczyn for any action items. Mr. Hill responded that he had no action items but would like to make a comment. He stated at the last Board meeting he recognized Dr. Horns and Dr. Thomas for the smooth transition regarding the move to the new building and he failed to recognize Dr. Dorothy Spencer for her efforts. Unfortunately she had left the meeting but asked that this recognition be reflected in the minutes.

He concluded his remarks by reiterating the importance of contacting the legislators on behalf of the dental school.

Chairman Showfety responded that “stay the course” is the message. He then asked Mr. Greczyn for any items for consideration.

Mr. Greczyn responded there were no action items.

There was no Old Business.

Chairman Showfety appointed the following individuals for the Nominating Committee: Mr. Kelly, chair; Mrs. Ward and Mr. Hill. He asked that the committee complete it’s assignment by June 29th and communicate the information to the Board, including the new Board members. He stressed
that this was an open process and he encouraged involvement from all Board members.

Board members made concluding remarks and hearing no further business, Chairman Showfety announced that the next full meeting of the Board would be Tuesday, July 24, 2007.

The meeting was adjourned at 1:40 p.m.

_____________________________________
Robert J. Greczyn, Jr., Chairman

_____________________________________
Robert O. Hill, Jr., Secretary

Minutes of the committee meetings are on file in the Office of the Assistant Secretary to the Board of Trustees and shall be retained for the term of this administration.

*Comments are on file in the Office of the Assistant Secretary to the Board of Trustees, 202 Spilman Building.
MEMORANDUM

TO: Members of the ECU Board of Trustees

FROM: Steve Ballard, Chancellor

DATE: April 13, 2007

SUBJECT: Board of Visitors nominees for the Class of 2011
Nominees for officers for 2007-08

Attached is an information summary and nomination form for the persons
nominated for the ECU Board of Visitors Class of 2011. You are set to appoint
new members of the Class of 2011 at the meeting on April 20.

This slate of nominees represents a large class (15 vacancies). It also represents a
slate of nominees who represent a diverse group of candidates. As you know, we
are committed to making East Carolina University a more inclusive institution and
this is a positive step in that regard.

In addition to the vacancies in the Class of 2011, there are also two vacancies in
the Class of 2009. We have a nomination for one of those two positions. If you
choose to fill this spot, you will have one vacancy for your use as the need or
desire arises.

On the information summary is a slate of officers for the coming year. Each of
these has agreed to serve if appointed.

Thank you.
ECU Board of Visitors Nominations
Class of 2011

There are fifteen (15) vacancies for the Class of 2011 and two (2) vacancies for filling the remainder of a term in the Class of 2009. Practice has been that you have kept at least one vacancy open for any immediate positions that you choose to fill during the year.

Given that scenario, the following persons are nominated for the Class of 2011:

Ben Parrott of Greenville (he is currently serving a spot to which he was appointed to fill a previously unexpired term; he is eligible to serve a full 4-year term of his own).

William Phipps of Tabor City (he is currently serving a spot to which he was appointed to fill a previously unexpired term; he is eligible to serve a full 4-year term of his own).

William Steed of Advance (he is currently serving a spot to which he was appointed to fill a previously unexpired term; he is eligible to serve a full 4-year term of his own).

Stephen Brown of Raleigh – nominated by BOV member Terry Yeargan

Gloria Chance of Charlotte – nominated by Virginia Hardy

Olivia Collier of Fuqua-Varina – nominated by BOV member Doug Byrd

Donald Davis of Snow Hill – nominated by Virginia Hardy

Joe Durham of Raleigh – nominated by BOV member Terry Yeargan

Faye Bordeaux of Greenville – nominated by Virginia Hardy

Michael Moseley of Raleigh – nominated by Virginia Hardy

Angela Moss of Raleigh – nominated by BOV member Carl Davis

Delores Parker of Raleigh – nominated by Austin Bunch

Joe Tart of Dunn – nominated by Don Leggett and Cynthia Adams
(Mr. Tart has previously served a 4-year term on the Board of Visitors)

David Reid Tyler of Raleigh – nominated by BOV member Terry Yeargan

Tyree Walker of Greenville – nominated by Virginia Hardy
Nominated to fill one of two vacancies in the Class of 2009:

Mary Raab of Greenville – nominated by Virginia Hardy (if elected, she will be eligible to serve a full 4-year term following service in this unexpired term of office)

Nominated to serve as officers for 2007-2008:

Carl Davis of Raleigh, Class of 2008 as chair (Carl has served two years as vice-chair)

Steve Jones of Raleigh, Class of 2010 as vice-chair

Tully Ryan of Edenton, Class of 2009 as secretary
East Carolina University
Board of Trustees
Finance and Facilities Committee

Item III.A. Property

There are four property items for Board approval:

- Lease agreement for 2nd floor Moye Medical
- Lease agreement for Firetower Clinic
- Lease agreement for Wahl-Coates Elementary School
- Lease agreement for maintenance buildings at Eppes Middle School

Please see the attached materials describing the leases.

Vice Chancellor for Administration and Finance
March 28, 2007
ATTACHMENT B

MEMORANDUM

TO: Kevin Seitz

FROM: Scott Buck

DATE: March 16, 2007

SUBJ: Request to Lease Clinical/Office Space

Below are two strategic lease requests negotiated under the ECU Brody School of Medicine (BSOM) Medical Faculty Practice Plan (MFPP) Property Flexibility Policy approved by the ECU Board of Trustees on December 15, 2006.

The Brody School of Medicine, ECU Physicians wishes to lease 14,121 gross square feet of clinical/office space located at Moye Medical Building, 2nd Floor, 521 Moye Boulevard for use by the Department of Internal Medicine. Lease term shall be for ten (10) years. Years one (1) and two (2) shall be at $14.50/ GSF, $204,754.50 per year. Years three (3) through ten (10) will have an escalation rate of 3% per year. The owners of Moye Medical I, LLC have agreed to rebate the cost of the 3% escalation for year three (3). Janitorial and utilities are to be paid by ECU. The owner in good faith will provide upfits to the facility at BSOM’s request in the amount of $185,835. BSOM has elected to pay monthly amortized payments for the upfits at 8.5% over 10 years or $2,304.37 per month. It is recommended that we expedite approval of this lease. This is a strategic lease acquisition in accordance with MFPP Property Flexibility Policy. Source of funds shall be funded by MFPP.

The Brody School of Medicine, ECU Physicians wishes to enter into a five (5) year lease for the current site of Firetower Clinic which is expiring soon. The lease is for 12,832 square feet of office/clinical space located at 1204 East Firetower Road. The annual lease amount shall be $186,064 at $14.50/ GSF, fixed for five (5) years with the option to renew for another five (5) year term. If renewed, years six (6) through ten (10) would be subject to Consumer Price Index increases. BSOM shall pay for all janitorial and utilities. The landlord, MEE Properties, has agreed to paint interior,
exterior, new flooring, install handicap door openers and other miscellaneous repairs.

It is recommended the ECU Board of Trustees approve this request for a strategic lease acquisition in accordance with MFPP Property Flexibility Policy. Funding shall be from MFPP.
MEMORANDUM

TO: Kevin Seitz

FROM: Scott Buck

DATE: March 16, 2007

SUBJ: Leasing Request with Pitt County Board of Education

We seek approval to enter into a disposition by lease with Pitt County Board of Education, the Wahl-Coates Elementary School (Laboratory School) located on East 5th Street. The lease shall be for a term of twenty (20) years at a rate of $1.00 per year. The Pitt County Board of Education shall be responsible for all repairs and upkeep for the term of the lease including janitorial and utilities. The ECU School of Education supports this action and it has been a long-standing arrangement for decades.

We also seek approval of acquisition by lease six (6) outlying buildings utilized by ECU Campus Operations at C.M. Eppes Middle School, located adjacent to College Hill Drive. ECU Campus Operations currently occupies these facilities and a new lease is needed. The lease shall be for twenty (20) years at a rental rate of $1.00 per year. ECU shall provide all necessary maintenance, repairs and utilities for these facilities.
East Carolina University
Board of Trustees

Action Item

Approval of the resolution to lease +/- 14,121 gross square feet of clinical office space located at Moye Medical Building, 2nd floor, 521 Moye Boulevard for use by ECU Physicians, General Internal Medicine. The lease term shall be for ten (10) years. Years one (1) and two (2) shall be at $14.50/ GSF, $204,754.50 per year. Years three (3) thru ten (10) will have an escalation rate of 3% per year. The owners of Moye Medical I, LLC have agreed to rebate the cost of the 3% escalation fee for year three (3). Janitorial and utilities shall be paid by ECU. The owner in good faith will provide up-fits to the facility at Brody School of Medicine’s (BSOM) request in the amount of $185,835. BSOM has elected to pay monthly amortized payments for the up-fits at 8.5% over ten (10) years or $2,304.47 per month. This is a strategic lease acquisition in accordance with Medical Faculty Practice Plan Property Flexibility Policy. Source of funds shall be from Medical Faculty Practice Plan.

Background Information

General Internal Medicine provides primary care for adult patients. Inpatient and outpatient services range from simple and uncomplicated treatment of individuals to complex and integrated conditions, medical resistant infections and unusual family and social situation.

General Internal Medicine is currently housed in two totally separate locations? The Brody Outpatient Center and Pavilion Internal Medicine. The co-location of these services into one space will improve the efficiency of the department and staff. The Pavilion property, due to its age, does not offer the most convenient access to our patients.

The full spectrum of training opportunities for medical students and residents occurs virtually every month. The clinical rotations in General Medicine is vital to our students and the new property will provide improved access for staff, faculty, residents, students and patients.

Recommended Action

The Finance and Facilities Committee approved this at their March 23, 2007 meeting and we seek Board of Trustee approval. Contingent on your approval, a lease shall be executed and the acquisition shall be reported to the Governor and Council of State.
East Carolina University
Board of Trustees

Action Item
Approval of the resolution to lease +/- 12,832 gross square feet of clinical/office space located at 1204 Firetower Road for use by the Firetower Medical Office. The annual lease amount shall be $186,064 at $14.50/ GSF, fixed for five (5) years with the option to renew for an additional five (5) year term. If renewed, years six (6) through (10) would be subject to Consumer Price Index increases. Janitorial and utilities shall be paid by ECU. The landlord, MEE Properties, has agreed to paint interior, exterior, new flooring, install handicap door openers and other miscellaneous repairs. This is a strategic lease acquisition in accordance with Medical Faculty Practice Plan Flexibility Policy. Source of funds shall be from Medical Faculty Practice Plan.

Background Information
The Firetower Medical Office, located on Firetower Road, was the first off-site clinical facility established by the Brody School of Medicine approximately ten years ago. The proximity of this site allows the school to expand services to a growing population of the county. The practice has grown to over 26,000 patient visits per year, providing services in general internal medicine, family medicine, pediatrics, sports medicine and physical therapy.

Recommended Actions
The Finance and Facilities Committee approved this at the March 28, 2007 meeting and we seek Board of Trustees approval. Contingent on your approval, a lease shall be executed and the acquisition shall be reported to the Governor and Council of State.
East Carolina University
Board of Trustees

Action Item
Approval of the resolution to enter into a disposition by lease with the Pitt County Board of Education, the Wahl-Coates Elementary School (Laboratory School) located on East Fifth Street. The lease shall be for a term of twenty (20) years at a rate of $1.00 per year. The Pitt County Board of Education shall be responsible for all repairs and upkeep for the term of the lease, including janitorial and utilities.

Background Information
The Wahl-Coates Elementary School located on East Fifth Street is owned by East Carolina University and operated by the Pitt County Board of Education. The ECU School of Education supports this action and it has been a long-standing arrangement for decades as a laboratory school.

Recommended Action
The Finance and Facilities Committee approved this at their March 28, 2007 meeting and we seek Board of Trustees approval. Contingent on your approval, we will seek approval from the State Property Office, Governor and Council of State.
East Carolina University
Board of Trustees

**Action Item**
Approval of the resolution to enter into an acquisition by lease with the Pitt County School Board, six (6) outlying buildings utilized by the ECU Campus Operations at C.M. Eppes Middle School, located adjacent to College Hill Drive. The lease shall be for twenty (20) years at a rental rate of $1.00 per year. ECU shall be responsible for all repairs and upkeep for the term of the lease including janitorial and utilities.

**Background Information**
The six (6) outlying buildings at C.M. Eppes Middle School are owned by the Pitt County Board of Education and for approximately a decade have been leased by ECU Campus Operations to house many of their trade related service operations. The current lease agreement expires in the near future and a new lease agreement is desired.

**Recommended Action**
The Finance and Facilities Committee approved this at their March 28, 2007 meeting and we seek Board of Trustees approval. Contingent upon your approval, we will seek approvals from the State Property Office, Governor and Council of State.