Chairman Lutgert convened the meeting of the University Board of Trustees in the Sprint Room on the Florida Gulf Coast University campus at 10:20 a.m., May 29, 2003, with the following members present:

Jeff Faramo  
Larry Hart  
Renee Lee  
Bernard Lester  
David Lucas (until noon)  
Scott Lutgert  
Harry Moon  
Ed Morton  
Jerry Starkey  
Linda Taylor – (via conference call)  
Michael Villalobos  
Peg Gray-Vickrey

Members of the staff present were:

William Merwin, President  
Brad Bartel, Provost  
Curtis Bullock, Vice President for Administrative Services  
Thomas Healy, Assistant to the President Legislative Affairs  
J. Robert Quatroche, Vice President for Advancement  
Susan Evans, Special Assistant to the President  
Wendy Morris, General Counsel

Guests: Mr. Bobby Ginn, Ginn Company  
Mr. Richard Woodruff, Wilson Miller

1. **Call to Order & Chair’s Remarks – Chair Scott Lutgert**

Chairman Lutgert greeted the trustees and thanked audience members for attending. He welcomed Jeff Faramo, Student Government President, to the Board of Trustees. Chairman Lutgert turned the meeting over to President Merwin.
2. Remarks from FGCU Student Government Association – President Jeff Faramo

President Merwin introduced Mr. Faramo, President of the Student Government Association, who updated trustees regarding student government activities.

3. Remarks from FGCU Staff Advisory Council – President Bob Swank

President Merwin introduced Mr. Bob Swank, President of the FGCU Staff Advisory Council, who updated trustees on the recent activities of the Council.

4. Remarks from FGCU Faculty Senate – President Peg Gray-Vickrey

President Merwin introduced Dr. Gray-Vickrey who thanked trustees for their support of Florida Gulf Coast University during her time on the Board of Trustees. She then introduced Dr. Donna Price-Henry who will be joining the Board of Trustees. Dr. Price-Henry reported on Faculty Senate activities and plans for the coming year.

5. Remarks from FGCU Foundation – Chair F. Fred Pezeshkan

President Merwin introduced Mr. Pezeshkan, and thanked him for his leadership as chairman of the FGCU Foundation Board. Mr. Pezeshkan provided trustees with an overview of the activities and accomplishments of the Foundation Board during the past fiscal year.

6. Presentation of Appreciation – Chair Scott Lutgert

President Merwin and Chairman Lutgert presented a framed resolution of appreciation for outgoing trustee Adam Ricciardiello and Ms. Evans read the resolution. (Appendix A)

7. President’s Report – President Bill Merwin

President Merwin stated that his report would be divided into three parts: major activities of the management team, a report from Dr. Healy regarding the legislative session results, and finally, a brief presentation by Bobby Ginn regarding possible changes occurring with the project.

President Merwin reported that the university has established a relationship with the Naples Botanical Garden which will assist in our initiatives with biotechnology and ethnobotany. We have held a ribbon cutting for the new Student Union Building and held the first ever commencement in Alico Arena. He stated that there were wonderful Research
Day and Celebration of Excellence events held recently and a Charlotte County leader’s day on campus. He reported that we have received formal notice from AACSB regarding our accreditation for the College of Business.

President Merwin introduced Dr. Thomas Healy who provided trustees an overview of the recent legislative session. (Appendix B). President Merwin thanked Dr. Healy for his work during the session and stated the news for Florida Gulf Coast University has been bittersweet. He stated we had been preparing for a $2.3 million cut and even though we were cut $680,000, by comparison, it was not as much as it might have been. He stated that we were disappointed that there was no enrollment growth money. The tuition increase of 8.5% will assist to offset a portion of that cut. President Merwin thanked the trustees for their lobbying efforts on behalf of FGCU during the session. He stated that another disappointment was not getting the matching money from the Courtelis Matching Program for the Sugden Resort & Hospitality Management Classroom Building.

President Merwin reported that because the budget cut was not as severe as we had anticipated it to be, and because the tuition increase was 8.5%, we calculated that we should be able to bring most of the qualified waitlisted students to our institution. The exception to this will be the transfer students in the area of nursing. This would require two additional faculty members to assist that program. President Merwin stated we are working with a potential donor to accomplish that end.

President Merwin introduced Mr. Ginn of the Ginn Corporation. He stated that since last July Mr. Ginn has been working with the university on a variety of partnerships and relationships. Mr. Ginn stated that he and Mr. Richard Woodruff of WilsonMiller made an extensive presentation to the trustees about such a partnership to include a major gift to the university both in the form of land as well as new programmatic advancements in engineering. Since that time, President Merwin has talked with Mr. Ginn and there are some changes which need to be made. In keeping with making certain the trustees are kept informed, President Merwin invited Mr. Ginn to update the trustees on those changes.

Trustee Lester requested that the record reflect his conflict with this matter and stated he would not participate in any discussion regarding Mr. Ginn’s presentation.

Mr. Ginn reported that over the years his company has been looking at a land acquisition from Alico. That property adjoins the university property. He added that early on he and President Merwin met to discuss how the Ginn Company could be a good neighbor and help the university in the process of developing the property. Mr. Ginn stated he would update the trustees
regarding the changes the Ginn Company would soon be presenting to the County Commission and staff regarding this property.

Mr. Ginn reported that the contract with Alico has been modified and the immediate process will be development of the property east of the Florida Power & Light line that runs through the property. He reported the Ginn Company submitted 18 months ago an application under the DRGR guidelines for development of a 27 hole golf course and received that approval a few weeks ago. He stated that the alternative plan presented to the university now would move the property to be given to the university over to the west side of the power line. It would be more contiguous with the property already owned by the university. Although they had considered doing a swap of land that the university has in section five, they have since gone through the planning process and have decided to propose an outright gift of land on the west side. This would let the university retain the property in section five with an option that the company would present the plan to the county east of the power line. They would use the density that is allocated under the DRGR Guidelines on the property that the university owns in section five. If the university elects to sell the Ginn Company that property, they would buy the rights that are contiguous to the Ginn Company’s property usable in the overall density. He stated that is an option that is available to the university.

If not, the Ginn Company will go forward with the property without that density. He stated that as part of the gift originally outlined, the Ginn Company is proposing that gift now be a contribution of purchasing that property if the university elects to do so. The gift for that section of the area would be in the amount of $2.3 million and a $1.7 million acquisition of the development rights on the land. That would be $4 million out of the property on the east side of the power line. He stated that the east side of the property is all they are here to address today. Mr. Ginn further reported they would continue to pursue and assist all the property owners in the area to include the university and Alico in perfecting a plan. The Ginn Company hopes to be the successful buyer of the property. That plan would be approved in a fashion agreeable to buyer and seller as well as the university. He stated that his commitment to the university is that if the Ginn Company continues to move forward here and be the successful purchaser on the property on the west side, they would contribute additional land. They have discussed several different configurations of that plan with President Merwin and his staff. This plan would incorporate a road connection from the Ginn property out to Alico Road, which important to the university’s traffic flows, and the commitment from the Ginn Company would be in the amount of $6 million to be used by the university towards its expansion. He stated that the university is a very important part of the Ginn Company’s community and is one of the reasons for their attraction to this area.
President Merwin thanked Mr. Ginn and stated he presumed that he and staff should continue to work with Mr. Ginn to pursue what he believes is a major opportunity for the university. He stated that the College of Business and a School of Engineering are hanging in the balance of this project. He further stated that it is difficult now, given the state of the economy, to promise a donor matching gift money and we are attempting to aggregate as much capital as possible to initiate programs that this university could not do on its own. President Merwin stated that the university is running out of land and the new proposal actually is better for the university as it is closer to the university’s land. He stated the university is pleased to work with Mr. Ginn.

Chairman Lutgert stated there is no motion required but this appears to be a great opportunity for the university as long as this project is done in an environmentally sensitive and appropriate way. He stated those are the main concerns of the board of trustees and the President is authorized to proceed with discussions in the same way.

The meeting adjourned for lunch at 12:05 p.m.
The meeting reconvened at 12:45 p.m.

8. Consent Agenda

Chairman Lutgert presented the minutes of April 20 and the schedule for the Board’ meetings for 2003-04 for approval. A motion was made by Trustee Lee to approve the Consent Agenda. Motion was seconded by Trustee Lester. Motion carried unanimously.

9. Academic/Student/Faculty Affairs Committee Meeting (Includes Public Input) – Committee Chair Renee Lee

Chairman Lutgert convened the Academic/Student/Faculty Affairs Committee and turned the meeting over to Trustee Lee, Chair. Trustee Lee asked Provost Bartel to introduce Dean Gray, College of Arts and Sciences. Dean Gray gave a powerpoint presentation outlining the mission and activities of the College of Arts & Sciences (Appendix C)

Provost Bartel provided an update to trustees regarding the Southern Association of Colleges and Schools reaffirmation process for Florida Gulf Coast University.

Provost Bartel introduced Mr. Ricciardiello, 2002-03 SGA President, who reviewed the FGCU Student Government Association Budget Process with trustees.

Provost Bartel introduced Dr. Brezina, who is our first Director of the Hospitality Management Program.
Provost Bartel introduced Dr. Shepard, Dean of Students, to review the Student Government Finance Code for the board’s consideration and action. A motion was made by Trustee Hart to approve the Student Government Finance Code. Motion was seconded by Trustee Villalobos. Motion carried unanimously.

Provost Bartel reviewed the recommendations for promotion and a tenure recommendation for the Board’s consideration and action. A motion was made by Trustee Moon to approve the promotion recommendations. Motion was seconded by Chairman Lutgert. Motion carried Unanimously. A motion was made by Trustee Gray-Vickrey to approve the one tenure recommendation For Dr. Dee Burgess. Motion was seconded by Trustee Morton. Motion carried unanimously.

10. Finance & Administration Committee Meeting (Includes Public Input) – Committee Chair Bernie Lester

Chairman Lutgert turned the meeting over to Finance & Administration Committee Chairman Lester. Chairman Lester brought the committee meeting or order and stated the information item listed would be part of the 03-04 budget discussion. The following action items were reviewed:

- President Merwin introduced Dr. McKinney, Director of Educational Services & EEO Programs. Dr. McKinney reviewed the Equity Accountability Program (EAP). A motion was made to approve the Equity Accountability Program by Trustee Lee. Motion was seconded by Chairman Lutgert. Motion carried unanimously.

- Ms. Morris, General Counsel highlighted the FGCU Board of Trustees Ethics Policy. A motion was made by Trustee Lee to approve the Ethics Policy. Motion was seconded by Trustee Hart. Motion carried unanimously.

- Mr. Bullock reviewed the parking rule changes with Board members. Motion was made by Trustee Lee to approve the parking rule. Motion was seconded by Trustee Taylor. Motion carried unanimously.

- Mr. Bullock reviewed the purchasing rule changes with Board members. Motion was made by Trustee Lee to approve the purchasing rule. Motion was seconded by Trustee Morton. Motion carried unanimously.

- Mr. Curtis Bullock reviewed the Initial Operating Budget 2003-04 with board members. A thorough presentation on the budget will be made during the July 16 Board conference call meeting. A motion was made by Trustee Lee to approve the Initial Operating Budget and the change
for the President’s delegation authority from 5 to 10 percent. A motion was made to approve the Initial Operating Budget by Trustee Lee. Motion was seconded by Chairman Lutgert. Motion carried unanimously.

- Chairman Lutgert gave a brief overview of the FGCU President’s Annual Performance Evaluation for 2002-2003. President Merwin presented his self-evaluation document (Appendix D). President Merwin declined to be considered for a salary increase for FY 2003-04 due to economic circumstances and the Board elected not to change his salary.

Trustee Faramo stated that he has appreciated the President’s participation over this past year with various student activities. Trustee Hart stated that he hoped the President was still happy here and that many of our challenges have been met this year. He thanked the President. Trustee Gray-Vickrey thanked President Merwin for his work towards the campus climate improvement and also student retention rate improvements. Trustee Lee expressed her appreciation for President Merwin’s performance especially in the area of fundraising, which has been exceptional. She stated she also appreciates President Merwin’s commitment to diversity. Trustee Villalobos thanked President Merwin for his outreach in the community and especially in the Hispanic community. Trustee Morton asked if there is anything the trustees could do to assist the President. President Merwin stated that the board has been marvelous and his only request would be attendance by the board members at campus wide events when possible. Chairman Lutgert stated he appreciates the President’s relationships with the faculty and student body. Trustee Moon stated that the board is behind the President, and he is looking forward to another successful year. Trustee Taylor stated she felt the President has done a great job in the community and has built a very good team.

A motion was made by Trustee Taylor to adopt the President’s Evaluation Report and commend President Merwin for how strongly he has met all the goals that have been established. Motion was seconded by Chairman Lutgert. Motion carried unanimously.

The President’s Performance Measures for 2003-2004 (Appendix E) were introduced by Trustee Lester. President
Merwin asked if there were any additions to these measures as presented. Trustee Taylor stated she would like to add the measure of increasing the amount of students we have enrolled in nursing and education. President Merwin stated this goal could be attainable based on financial resources necessary. Trustee Moon asked if the President had considered a goal related to overhead expense. He encouraged the President to look at that matter. President Merwin stated he plans to review that suggestion and report back to the board. A motion was made by Trustee Morton to approve the President’s Performance Measures for 2003-2004. Motion was seconded by Trustee Hart. Motion carried unanimously.

11. **Old Business – Chair Scott Lutgert**

Chairman Lutgert thanked Trustee Hart for representing the board on the agenda of the University’s Celebration of Excellence event recently. Trustee Hart reported on the various meetings he attended on behalf of the Board.

12. **New Business – Chair Scott Lutgert**

Chairman Lutgert stated that at the last meeting the board approved a new direct support organization. He has received a recommendation from Chairman Pezeshkan of the Foundation Board that two Foundation members, both former chairmen—Mr. Dick Ackert and Mr. Jeff Fridkin, be appointed as members of the Executive Committee of that direct support organization. Chairman Lutgert stated they are both extremely qualified. He has appointed both of them as the Foundation’s representatives on the Florida Gulf Coast University Financing Corporation Board of Directors and Executive Committee. Chairman Lutgert stated it was his pleasure to appoint Trustee Morton as the FGCU Board of Trustees representative to this new board. Mr. Morton is former chair of the Foundation and has been CFO of Naples Community Hospital for nearly 30 years.

13. **Chair’s Closing Remarks – Chair Scott Lutgert**

Chairman Lutgert reminded board members that there will be a board conference call meeting on July 16 at 10:00 a.m. and the numbers and materials will be supplied to all board members.

14. **Adjourn Meeting**

The meeting adjourned at 3:05 p.m.
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APPENDIX

A. Resolution of Appreciation
B. Legislative Session Review
C. Powerpoint – College of Arts & Sciences
D. President’s Annual Performance Evaluation 2002-2003
E. President’s Performance Measure 2003-2004