FLORIDA GULF COAST UNIVERSITY BOARD OF TRUSTEES

Tuesday, October 10, 2017

COHEN CENTER BALLROOM, ROOM # 203-B
Florida Gulf Coast University

Meeting Minutes

Members:
Present: Trustee Dudley Goodlette – Chair; Trustee Ken Smith – Vice Chair; Trustee Darleen Cors; Trustee Joe Fogg (via telephone); Trustee Blake Gable; Trustee Mike McDonald; Trustee Leo Montgomery; Trustee Kevin Price; Trustee Russell Priddy; Trustee Robbie Roepstorff; and Trustee Jalisa White.

Not Present: Trustee Christian Spilker (Excused Absence).

Others:
Foundation Board of Directors Chair David Holmes; and Staff Advisory Council (SAC) President Teri Bigos.

Staff: President Mike Martin; Acting Provost and Vice President for Academic Affairs Bob Gregerson; Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera; Vice President for Student Affairs Mike Rollo; Vice President for University Advancement, and Executive Director of FGCU Foundation Chris Simoneau; Vice President and Chief of Staff Susan Evans; Vice President and General Counsel Vee Leonard; Chief Compliance and Ethics Officer Stacey Chados; Director of Internal Audit Bill Foster; Assistant Director of Board Operations Lauren Schuetz; and Director of Operations Tiffany Reynolds.

Guests: Outgoing Trustee Shawn Felton.

Item 1: Call to Order, Roll Call, and Opening Remarks
Chair Dudley Goodlette called the meeting to order at 8:30 a.m. Roll call was taken with 11 of 12 members present, thus meeting quorum requirements. Trustee Christian Spilker was noted as having an excused absence. Chair Goodlette stated for the record the meeting was originally scheduled for September 12 and was postponed due to Hurricane Irma. He said the decision to postpone the meeting was made in consultation with President Martin a week before the storm.

Chair Goodlette welcomed newly elected Foundation Board of Directors Chair David Holmes, and asked him to say a few words.
Mr. Holmes said he had had the privilege of being a member of the Foundation Board of Directors for six years. He said it was an honor to have been asked to be the Chairman for the next two years, and he looked forward to continuing to work hard to advance the mission of the University and working with the FGCU Board of Trustees.

Chair Goodlette welcomed Dean of the College of Arts and Sciences Bob Gregerson, who had accepted President Martin’s request to serve as the Acting Provost and Vice President for Academic Affairs, and asked him to say a few words.

Dr. Gregerson stated he looked forward to working with the FGCU Board of Trustees on behalf of the students, faculty and staff.

Chair Goodlette welcomed President of the FGCU Faculty Senate and Professor of Anthropology in the College of Arts and Sciences Mike McDonald, and asked him to say a few words.

Dr. McDonald expressed his appreciation for the opportunity to serve on the Board and looked forward to working with the trustees.

**Item 2: Chair’s Report**

Chair Goodlette reported there had been Board of Governors (BOG) committee workshops held on October 3 at Florida Gulf Coast University. He said the upcoming BOG workshop with FGCU was scheduled for October 18, and the Board of Governors 2017 Trustee Summit for the Boards of Trustees of the universities would be held on November 8 at the University of Central Florida.

Chair Goodlette continued that FGCU had hosted two workshops on October 3 for the BOG Facilities Committee and the BOG Budget and Finance Committee. He said the Governors and Chancellor Criser were impressed that so soon after Hurricane Irma, FGCU was able to host the meetings and return to business as usual.

Chair Goodlette stated the Trustee Summit, which would be held at the University of Central Florida, was scheduled for Wednesday November 8. He said it would be held in conjunction with a Board of Governors regular meeting, which would be held at UCF at the same time. The Summit was an opportunity for all of the trustees in the State University System to meet in a leadership conference format. He said this year’s primary focus was to find collaboration and build synergies around research, access, and better outcomes for students. The title of the 2017 Summit was “A Higher Degree of Business.” He asked members to inform Vice President and Chief of Staff Susan Evans of their attendance plans.

Chair Goodlette informed the Board that a request had been received from the Chancellor’s office and the Board of Governors to identify topics FGCU would like to discuss in a breakout session joined by the Chancellor’s staff and members of the BOG. He said one topic which he identified was a discussion of the roles and responsibilities
of the administration of a university and the roles of the members of the Boards of Trustees. He said the second topic he suggested was parity in per student funding. He said this topic might be thoroughly discussed next Wednesday when members of the BOG as well as the Chancellor and members of his staff were coming to FGCU to talk about the Legislative Budget Request, which was related to determining the reasons the state funding for FGCU was one of the lowest in the State University System.

Chair Goodlette commented Hurricane Irma presented challenges to the state of Florida and most especially to the local region, including Florida Gulf Coast University. He noted he was proud of the excellent work and outreach done by President Martin and staff leading up to, during and after the hurricane. He stated the community was greatly served in ways beyond the traditional education that is provided by the University.

**Item 3: President’s Report**

President Martin reported the response to Hurricane Irma was remarkable. He said the University was well prepared, and UPD Chief Steven Moore and Emergency Manager Gerald Campbell were deeply involved in tracking events and dealing with local colleagues in Lee County and beyond. He said Florida Gulf Coast University was ready for students to shelter in place and to take in other people from the region and beyond into an evacuation site. He said the University opened Alico Arena, Marieb Hall and Lutgert Hall. He said there were 2,000 people who were sheltered in Alico Arena for several days, and there was great cooperation from the Red Cross and National Guard. He said elderly individuals with special needs from Charlotte County were sheltered in Marieb Hall, and 250 residential students were sheltered in Eagle Hall. He said many people stepped up and did remarkable things and he especially thanked Chartwells for providing food and opening the dining hall, Vice President and Chief of Staff Evans for the communications and keeping everyone informed, Director of Housing Brian Fisher and his crew, Director of Campus Reservations and Records Management Ruth Rodriguez and her crew, the entire University Police Department, and Director of Physical Plant Jim Hehl and his crew for their work restoring the University, as well as many people who just stepped up out of the goodness of their hearts to help during the crisis. He congratulated everyone on the team. He reported the cleanup was quick and efficient; assessment of safety needs and repairs was well done; and FGCU’s buildings held up well. He said the Small Business Development Center was now working with local businesses to help them account for what can be claimed on insurance and from FEMA. President Martin said a luncheon had been held last week to thank all those FGCU employees who helped during Hurricane Irma.

President Martin also reported on some changes recently made at FGCU. He stated the institution had been very well run without any sign of failure, but a new phase of the institution’s history was being entered, and it was time for some change. He said he would look for ways to be more effective, efficient and responsive, and focus on two very important priorities in the next several years. He said those priorities were fundamentally and consistently improving the outcomes for students, particularly graduation rates, and continuing to build the strength of the academic core. He said
everyone in the organization should understand those were the highest priorities. He said more change was to come and some changes had been made last week. He said no change was a sign of failure, and he would keep the Board informed as changes were made. He thanked Dr. Gregerson for stepping up to serve as Acting Provost and Vice President for Academic Affairs. He announced and welcomed new Director of Human Resources Pam Bowman. He said the organizational chart had been shifted slightly. President Martin concluded it gave him great pride to be a cheerleader and a member of a good team.

Chair Goodlette complimented President Martin on a job well done in dealing with the Hurricane.

**Item 4: Student Success Showcase**

Chair Goodlette asked Acting Provost and Vice President for Academic Affairs Bob Gregerson to introduce the students in the Success Showcase. Dr. Gregerson introduced Ms. Casey Haenn and Ms. Emily Collier, who spoke about their successes at Florida Gulf Coast University. Chair Goodlette added his compliments to these two outstanding students.

**Item 5: Consent Agenda (See Tabs 1-4)**

Chair Goodlette called for a motion to approve the Consent Agenda, which included: (1) Minutes of the June 13, 2017 Meeting, (2) Minutes of the June 29, 2017 Meeting, (3) Minutes of the July 7, 2017 Meeting, and (4) Resolution of Appreciation for outgoing Trustee Shawn Felton.

Trustee Blake Gable made a motion to approve the Consent Agenda. Trustee Russell Priddy seconded the motion. There was no public comment or discussion. The vote was 11-0 in favor of the motion.

**Presentation of Resolution of Appreciation (See Tab #4)**

Chair Goodlette thanked Outgoing Trustee Felton for his extraordinary service, especially in leading the Board's work on the Florida Gulf Coast University's Strategic Plan, and asked Ms. Evans to read the Resolution into the record:

"Whereas, in 2001 there was created a new system of K-20 seamless education for the State of Florida, which included installation of the Florida Gulf Coast University Board of Trustees; and

Whereas, in 2003 the President of each state university Faculty Senate was constitutionally appointed as a trustee for his or her respective university; and

Whereas, Dr. Shawn Felton was elected by his peers as President of the Florida Gulf Coast University Faculty Senate for an unprecedented four consecutive terms 2013 to 2017, thereby causing him to be named to the Florida Gulf Coast University Board of Trustees; and
Whereas, Dr. Shawn Felton has served with great distinction on the Florida Gulf Coast University Board of Trustees as a representative of the faculty, with support for the University’s academic programs, student life, campus development, and mission of teaching, research and service; Now, Therefore Be It Resolved that the Florida Gulf Coast University Board of Trustees wishes to express appreciation for Trustee Shawn Felton’s outstanding and longstanding service, and wishes to recognize his commitment to Florida Gulf Coast University’s students of today and for generations to come.”

Dr. Felton thanked the faculty and the administration for their help in serving the Board.

Item 6: Report from United Faculty of Florida (UFF)/FGCU Chapter
Chair Goodlette introduced United Faculty of Florida FGCU Chapter Co-Presidents Dr. Win Everham and Mr. Morgan Paine, who would be giving the report in conjunction with the collective bargaining agreement provision which provided for an opportunity to speak to the FGCU Board of Trustees agenda items that affect the wages, hours or other terms and conditions of employment of employees. “Employees” was defined as a member of the bargaining unit. Chair Goodlette reminded the Trustees the University currently was in negotiations with United Faculty of Florida, and it would be inappropriate for the Board to enter into any discussion about bargaining items. Dr. Everham and Mr. Paine introduced themselves and said they had been elected in April of 2017. Mr. Paine said union membership was not required since Florida was a right-to-work state. He stated 209 members of the faculty contributed 1 percent of their wages for membership in the union.

Dr. Everham thanked the Board for its leadership, and from the perspective of the faculty, the role of the Board seemed to have evolved over the years from being ceremonial to being managerial. He said the University needed the Board to provide guidance and connect it to the community.

Mr. Paine thanked the Board for its willingness to be a working part of Florida Gulf Coast University. He said the faculty did not always feel in step with the Board, and UFF hoped to be able to support and encourage a dialogue to bridge whatever misunderstandings existed. He added UFF hoped to continue to make FGCU a better University, worthy of the support and confidence of students, their families, businesses and cultural communities.

Dr. Everham stated it was important to remember UFF represents all faculty in regard to terms and conditions of employment. He said university faculty were a unique workforce with an expectation of shared governance and academic freedom to pursue truth wherever it leads. He said faculty job performance was a three-legged stool as faculty were expected to be exceptional teachers, active scholars, and to be of service to their profession, institution and community. He said faculty relished the opportunity to disagree, but recognized they were stronger together.
Mr. Paine honored the extraordinary efforts of President Martin and all the individuals who worked tirelessly to get the University running again after Hurricane Irma.

Dr. Everham said UFF had been engaged in collective bargaining talks since the spring to complete the 2017-2018 contract, and he provided copies of the current Collective Bargaining Agreement to the Trustees. He said after prolonged discussion, agreement about wage settlement had not been reached, and the solution would be to support the individuals doing the work. He said the current budget had already cut programs intended to support the activities of faculty and staff, including travel monies for scholarly activities and professional development funds. He said UFF saw an additional $3 million in legislative allocations, efforts to spend down carryover funds by over $15 million, and a successful $130 million fund raising program, and within that environment, it was difficult to accept there was no budget available to support faculty and staff. He added for the first time in their history, faculty who were promoted last spring would go into October without seeing a change in pay. He continued that the success of the University depended on faculty, staff and administrators, and the best faculty could not be attracted when salaries were below market averages especially since tenure contracts were not offered at FGCU.

Mr. Paine said this information was being provided because it was felt faculty voices had not consistently been provided for consideration over the last number of years. He said UFF was willing to discuss these matters with any or all members of the Board. He stated early in the discussion of this year’s budget, they had often heard mention of the large proportion of the budget allocated to salaries. He said this needed to be seen as a strength because the product was people, the mode of production was people, and investing in those people held greater promise for the future.

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**Item 7: Standing Report from FGCU Foundation Board of Directors**

Chair Goodlette called on Foundation Board of Directors Chair David Holmes for his report.

Mr. Holmes commented student success as showcased transformed the lives of students, their families, the communities and ultimately the world. He said the good news was the community understood this and gave generously.

Mr. Holmes reported last year the Foundation had set a goal to raise $20 million in new gifts, and the fiscal year closed with $28.2 million raised in new gifts. He said a long-term capital campaign was closed out which had set the lofty goal of $100 million, and he reported the campaign closed with $127.7 million raised. He said in all categories, goals had been exceeded with the exception of one area, which was student success. He said over the last two years $60 million had been raised, which included a $10 million gift to name the Marieb College of Health & Human Services. He said 15 percent of the funds raised during the campaign came from members of the Foundation Board of Directors, FGCU Board of Trustees, and the Board of Governors. He stated because FGCU was a young University, only one percent of its funds came from
alumni. He said this spoke to the incredible commitment of the community and leaders to the University. He said this presented a bright future as the alumni base grew.

Mr. Holmes said a goal had been set to raise $25 million for the coming year, and in terms of managing the funds raised, the Foundation had transitioned to a new outsourced Chief Investment Officer model. He said the new structure was going well with a 12.7 percent growth in the endowment versus a benchmark of 12.3 percent. He said investments continued to be monitored in the market closely and as those returns came in, they were able to provide $3 million in scholarship support last year, which was double what was provided five years ago.

Mr. Holmes stated the Foundation wanted to work in a complementary fashion with the updated Strategic Plan. He said under the bylaws of the Foundation, he had appointed a special Strategic Planning Committee to develop a Foundation Strategic Plan to fall in line with the University’s Plan to respond to University priorities. He said the meetings will start next week.

Mr. Holmes commented the Fiscal Year was young and the Foundation had gotten off to a somewhat challenging start in part impacted by other fundraising for those affected by Hurricane Irma, but thanks to Vice President for University Advancement, and Executive Director of FGCU Foundation Chris Simoneau and his team, who were working hard and had established relationships throughout the donor community, the Foundation believed the future was bright.

**Item 8: Standing Report from FGCU Financing Corporation Board of Directors**

Chair Goodlette introduced Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera to give the report on behalf of Chair Joe Catti.

Mr. Magiera stated the Financing Corporation Board of Directors meeting had been on October 2, 2017. He said several items were approved including the Fiscal Year 2017 Audit, which had a clean opinion on the financial statements and no comments in general or on internal controls. He said the Audit report would come before the FGCU Board of Trustees in January. He said the tax return for the year had also been approved.

Mr. Magiera said Director of Housing Brian Fisher had given a report on the hurricane efforts, and he complimented him on this excellent work. Dr. Fisher reported fall occupancy in student housing was 97.56 percent, which was about one percent less than last year. He said this was higher than expected because about 400-500 beds had been added in the surrounding community this year. This occupancy number was well above what was needed to maintain the debt service ratio.

Mr. Magiera stated the Financing Board was continuing to work on the bond refinancing. He said credit for moving forward on these bonds went to University Controller June
Gutknecht and her staff. He said there had been rating agency calls with Standard and Poor’s, and in S&P’s report, the University had been rated an “A” for parking, and an “A-” for housing, and that the outlook was stable. He said Fitch and Moody had called, but the reports had not been received. He said this afternoon Moody’s report would be received, and he and his staff would have two hours to respond about any material errors. He said on Friday, October 13, the Financing Corporation Board of Directors would meet again to approve the final numbers, and the bonds would be sold and closed sometime in November.

Chair Goodlette asked Mr. Magiera to comment on a strategy related to the occupancy rate and potential for competition in the private sector.

Mr. Magiera said the overall bottom line to the issue had to do with the debt service ratio, which was revenue minus expenses compared to your debt requirement. He said his office was concerned about the competition. He said the effect was not as much as anticipated this year, but more private market housing will be available to students next year, particularly by Miromar, which is located near the University’s entrance. The good news was Dr. Fisher had surveyed the area, and the University’s rates were lower, and their product was as good as the competition. Mr. Magiera said it was important to keep an eye on occupancy, but there was quite of bit of margin there. He said it was expected that with refinancing, there would be a savings of $300,000 to $500,000 annually.

President Martin commented there was a real effort to make sure FGCU was competitive in the marketplace, not only for rent but also amenities. He said as they look to improve graduation rate, they would consider greater use of summer school, which may also give opportunities to generate some additional revenues in the residence halls. He complimented the good work of all in getting to this point.

Item 9: Academic/Student/Faculty Affairs Committee Report (See Tabs 5-8)
Chair Goodlette recognized Trustee Ken Smith to give the Academic/Student/Faculty Affairs Committee report on behalf of Chair Christian Spilker.

Trustee Smith stated there were two information items and two action items. He called on President Martin to give an update on the FGCU Strategic Plan 2016 – 2021.

Update to FGCU Strategic Plan 2016-20 (See Tab #5)
President Martin began by acknowledging Trustee Shawn Felton’s great work in giving the platform to create a Strategic Plan. He said the process was the Strategic Plan needed to be approved by the FGCU Board of Trustees, and then the Board of Governors in January. He said the plan was to come back to the FGCU Board of Trustees for full approval at the December 8, 2017 meeting. President Martin reported he and Chair Goodlette had attended the presentation of four other universities’ strategic plans at the Board of Governors meeting in August, and were working hard to make sure FGCU’s plan was successful. He said to refresh and
update the Strategic Plan, he asked Director of the Regional Economic Research Institute and Professor of Economics Chris Westley to chair an ad hoc committee to review and refine, but not fundamentally change, the plan, but to change it a bit and remove some of the controversial items. He said Dr. Westley was present to answer questions, and he had done a great job.

President Martin said the plan retained the core objectives and directions, and in a five-year plan, a dental or pharmacy school could not be launched. He said the committee tried to focus on things which were achievable and to include all units on campus. He added the Plan also needed to be broad enough to recognize the many factors which determine whether the Plan can be achieved, and some were beyond FGCU’s control, like hurricanes and $8 million budget cuts. He said tactical issues were minimized because they would have to change as conditions changed.

President Martin reported a fifth pillar had been added which focused on community engagement; however, the first pillar must be achieved, which was to increase student success and graduation rate. He said this pillar was up front, so everyone would know it was significant, and organization and emphasis would focus on that need.

President Martin said a revised version of the Strategic Plan had been published on the FGCU website, and comments were being solicited. The plan was to have a completed document which reflected input from many sources, but also one which reflected the core mission, values and direction had not changed significantly, but had become shorter and broader.

**Review of Academic Program Data (See Tab #6)**

Trustee Smith called for Acting Provost and Vice President for Academic Affairs Bob Gregerson to report on Academic Program Data.

Dr. Gregerson said his report was an update as requested by the Board to a process which had occurred in 2015 where a number of different programs were examined, and some had been identified because these programs met the criteria of the Board of Governors’ 30-20-10 rule, 30 bachelor’s degrees, 20 master’s degrees, and 10 doctoral degrees within a five-year period.

Dr. Gregerson called the attention of the Board to “Table A” and explained the data contained therein. He reported the last column in the chart showed in all programs, there had been an increase in graduates with the exception of the master’s degree in Criminal Justice, which showed one less.

Dr. Gregerson moved on to “Table B” and explained the degrees on the list and their status. He pointed out that two of the six degrees listed were borderline but were expected to improve over the five-year period.
Trustee Roepstorff asked if Biotechnology was a required course. Dr. Gregerson responded it was not and explained the varying Biology degrees and programs available.

Dr. Gregerson explained “Table C” showed some of the new programs which had been launched in the last several years. He said the table demonstrated projections for enrollment compared to the actual enrollment.

Trustee Roepstorff commented “Table C” was very important and was a good indicator of when the Board thought there was a need for a program to be tracked early on. Specifically she asked for an explanation of the Journalism program’s low enrollment.

Dr. Gregerson responded when projections were made, there was a great deal of guessing associated with the process; and he looked at the actual number enrolled as a good result. He stated he found the number acceptable and comparable to other universities.

Trustee Roepstorff asked about the Music Therapy program numbers.

Dr. Gregerson responded it was a limited access program and one of three in the state.

Trustee Roepstorff then asked about the Applied Mathematics program where 38 had been projected and 15 was the actual enrollment.

Dr. Gregerson said this program needed to be re-worked, and one population the program served was high school math teachers who want to advance with a master’s degree. He said Florida Gulf Coast University was working with school systems and had ramped up connections with other State University System (SUS) schools in trying to lure their math graduates to the program. Also, he reported there will soon be some curricular reform. He said it was graduating strong people who were either getting promoted in their job or getting good jobs.

Trustee Roepstorff asked how the number of graduates of this Math degree compared to other universities.

Dr. Gregerson responded it was lower, but FGCU would do better in the future.

**Classification of Instructional Program (CIP) Code and Level (See Tab #7)**

Dr. Gregerson stated this was a bookkeeping item. A new program in Public Health had been launched, and termination of the old program of Community Health and Preventive Medicine was requested. The Marieb College of Heath & Human Services had determined Public Health was the appropriate credential for students. Consistent with SACS (Southern Association of Colleges and Schools) regulations, he said students who entered the Community Health program will receive that degree.
Trustee Robbie Roepstorff made a motion for approval of the termination of CIP 51.2208. Trustee Blake Gable seconded the motion. There was no public comment or discussion. The vote was 11-0 in favor of the motion.

Textbook and Instructional Materials Affordability Cost Variance Reporting in Response to House Bill 7019 (See Tab #8)

Dr. Gregerson informed the Board this report was required by state law, and Florida Gulf Coast University was reporting the results from the data collected in fall 2016 and spring 2017. He said ‘wide variance’ was defined as a cost per course section of $200 or more over the median average cost of textbooks and instructional materials for the same course, and in fall of 2016, there were five courses with textbooks in this range. He reported in spring 2017, there were none. He added there were also courses offered which required no text. He said it was also a requirement that 95 percent of courses have textbook adoptions 45 days prior to the start of classes, which FGCU exceeded.

Trustee Smith asked if the issues from the previous Audit had been resolved, and Dr. Gregerson responded to the best of his knowledge they had.

Trustee Blake Gable made a motion for approval of the Textbook and Instructional Materials Affordability Cost Variance Report in Response to House Bill 7019. Trustee Darleen Cors seconded the motion. Trustee Ken Smith called for discussion.

Trustee Jalisa White commented she supported the report in that it gave students the proper knowledge of what was needed to be successful.

Trustee Smith called for further discussion and public comment, and there was none. The vote was 11-0 in favor of the motion.

Item 10: Finance, Facilities and Administration Committee Report (See Tabs 9-20)

Chair Goodlette recognized Committee Chair Blake Gable to give the report of the Finance, Facilities and Administration Committee. Trustee Gable stated there were five information items and eight action items on the agenda. He said staff had asked for Tab 19 to be removed and be placed on the December 8, 2017 meeting agenda.

Trustee Gable asked Vice President and General Counsel Vee Leonard to begin with Tab 9.

Transcripts of the Executive Sessions for E. Valerie Smith vs. Florida Gulf Coast University, Florida Gulf Coast University Board of Trustees (Tab #9)

Ms. Leonard stated Tab 9 was the transcript of the Executive Sessions, which occurred during litigation with the case involving E. Valerie Smith vs. Florida Gulf Coast University. She said there were seven transcripts, and the case had been resolved through the court system.
FGCU Foundation 2017-2018 Budget (Tab #10)
Vice President for University Advancement, and Executive Director of FGCU Foundation Chris Simoneau stated this was the budget which was approved for the Foundation’s operations for this fiscal year. He said this budget was brought to the Finance Committee of the Board, approved by the Executive Committee of the Board, and finally approved by the full Board of the Foundation at its June meeting. He said obviously the strong markets in the 2016-17 year had provided greater revenue, particularly in the Foundation Management fees, which was 1.5 percent of the endowment value and the corresponding increase in expenses. He said there was a slight increase in both revenues and expenses over last year.

FGCU Financing Corporation 2017-2018 Budget (Tab #11)
Vice President for Administrative Services and Finance, and Executive Director of FGCU Financing Corporation Steve Magiera said Tab 11 was the approved budget for fiscal year 2017-18. He informed the Board that the Financing Corporation handled the housing and the parking, but the actual operations for housing and operations for parking was an auxiliary function of the University. He pointed out this was the first time the budget had been presented to the FGCU Board of Trustees, and Trustee Leo Montgomery had suggested to include the previous year’s budget in their report. Mr. Magiera agreed this was a good idea and would be done next year.

Chair Goodlette asked what Net Rental Income meant.
Mr. Magiera responded this referred to both the operations of housing and parking. He said the housing was a University auxiliary function. He said the revenue was $27-28 million and all expenses stayed on the University’s budget, so the portion exceeding these expenses was the Net Rental Income, which came to the Financing Corporation which paid the debt.

2016-2017 End-Of-Year Budget Report (See Tab #12)
Mr. Magiera reported overall the revenues were a little short of the projections, $1.4 million; however, in expenses, 3.75 percent less was spent than budgeted, which amounted to $8.8 million. He thanked the vice presidents of the Divisions for cutting back on expenditures.

Trustee Robbie Roepstorff commented she appreciated the pro-activeness of cutting back on expenditures early on.

Finance/Budget Update (See Tab #13)
Mr. Magiera said Tab 13 was an update for this fiscal year. He directed the Board to the table and explained the figures were valid but not significant at this point. He said the revenues were a little over the projection, and the expenditures were under the projection.

Trustee Mike McDonald asked if there was any accounting of hurricane expenses.
Mr. Magiera responded this budget was projected to the end of August, and there were no hurricane costs included. He said he had looked at the numbers for September, and the revenues were slightly behind, and the expenditures were slightly behind. He said that had to do with the hurricane. He reported the biggest number which was behind was financial aid. He added all hurricane expenses were captured into one fund and would be handled accordingly.

Trustee Blake Gable asked if Mr. Magiera had an initial estimate of what the cost overall from the hurricane would be.

Mr. Magiera responded right now it was just over $1 million, which included tree clean up, repairs to the boardwalk, damage to Lutgert Hall, and damage from off-campus sites.

Trustee Russell Priddy asked if there was any portion of the estimate reimbursable through FEMA funds.

Mr. Magiera responded Florida Gulf Coast University would submit to FEMA and to the State insurance.

Trustee Priddy asked if the FEMA reimbursement might be at 75 percent, and the response was affirmative.

Trustee Gable called for more questions. Seeing none, he proceeded to Tab 14.

**Carryforward Funds from Fiscal Year ending June 30, 2017 (See Tab #14)**

Mr. Magiera directed the Board to the first page of the report which listed the Carryforward Balance of just over $26 million. He added last year it was $22.6 million.

Mr. Magiera explained the items for approval, which included the Statutory Reserve Requirement of 5 percent of the operating budget ($6.7 million), FGCU Board of Trustees Required Reserve ($2 million), Operating Budget ($6 million), Modular Building ($2 million), Library Renovations ($1 million), Chiller Plant Addition ($1 million), Chiller Plant Equipment ($3 million), Scholarships/Summer School ($1 million), and Campus Security and Mental Health ($600,000).

Mr. Magiera pointed out that without any new money, $6 million would be needed, and the plan was to take a $3 million cut this year and then ask for $3 million for next year if needed. He said if new money was received, then the $3 million would go back into the Board reserve.

Mr. Magiera reminded the Board carryforward funds were nonrecurring.

Trustee Leo Montgomery asked if using the carryforward funds required the approval of the Board of Governors (BOG).
Mr. Magiera responded only the FGCU Board of Trustees needed to approve, but it was sent to the BOG and sometimes was asked for by the legislature.

Trustee Mike McDonald asked if the reserve monies were not spent, if there was a danger this money would get swept away at the end of the year.

Mr. Magiera said it was a possibility; however, the Statutory Requirement money could not be touched. He said the Board Reserve had been discussed with the BOG, which recommended this amount not get higher than the Statutory Reserve amount.

Mr. Magiera added he had met with other universities, and there were only three universities which had a Board Reserve; however, the others indicated they were going to push for one. He said when you consider the $6 million, it only amounted to enough money to run the University for two weeks.

Trustee McDonald asked if there were projects earmarked for that money.

Mr. Magiera responded there were not, and the funds were in reserve in case of unforeseen budget cuts.

Trustee McDonald commented the Summer School Scholarships would be strongly supported by the faculty.

Trustee Robbie Roepstorff said she concurred with Trustee McDonald’s statement. She added she remembered when the reserves were discussed, one of the concerns that could be addressed if needed was hurricane expenses.

Chair Goodlette made a motion to approve the Carryforward Funds from Fiscal Year ending June 30, 2017. Trustee Roepstorff seconded the motion. There was no further discussion.

Public comment included Mr. Morgan Paine, Fort Myers, FL.

Trustee Blake Gable asked for further discussion. Hearing none, the roll was called and the vote was 11-0 in favor of the motion.

**Regulation: FGCU-PR9.003 Animal Control (See Tab #15)**

Mr. Magiera said there were not many changes to this regulation, but one of the changes was the University will now notify either the campus police department or the physical plant personnel. He said Florida Wildlife personnel should not be called directly. In addition, the regulation states animals which were required by law must be accepted.

Trustee Robbie Roepstorff asked if the change in who to call was a change in policy and the response was affirmative.
Trustee Darleen Cors made a motion to approve Regulation: FGCU-PR9.003 Animal Control. Trustee Kevin Price seconded the motion. There was no further discussion or public comment.

The vote was 11-0 in favor of the motion.

**Regulation: FGCU-PR9.001 Use of University Facilities (See Tab #16)**

Mr. Magiera said there were three minor changes to this regulation. One was that amplified sound needed to be changed from 25 feet to 75 feet from buildings. He said also there would be more requirements for background checks when people come to campus. Lastly, he said there would now be an ability to waive room restrictions in emergencies.

Trustee Blake Gable called for questions. Hearing none, he called for a motion.

Chair Dudley Goodlette made a motion to approve Regulation: FGCU-PR9.001 Use of University Facilities. Trustee Russell Priddy seconded the motion. There was no further discussion or public comment. The vote was 11-0 in favor of the motion.

**Regulation: FGCU-PR1.001 Statement of Agency Organization and Operation (See Tab #17)**

Ms. Leonard said several changes had been made specifically to the positions of Vice President and General Counsel, the Director of Internal Audit, and the Chief Compliance and Ethics Officer. She said stating the reporting structure more clearly, which had been discussed and recommended at a previous Board meeting, was being incorporated into the regulation. She said on page 7 of 9, the departments within the Office of the Controller had been eliminated from the regulation since the other offices listed did not have their reporting structure addressed.

Trustee Russell Priddy made a motion to approve Regulation: FGCU-PR1.001 Statement of Agency Organization and Operation. Trustee Leo Montgomery seconded the motion. There was no further discussion.

Public comment included Ms. Teri Bigos, Fort Myers, FL.

There were no further comments. The vote was 11-0 in favor of the motion.

**Florida Gulf Coast University Board of Trustees Ethics Policy (Tab #18)**

Vice President and General Counsel Vee Leonard stated the Ethics Policy was being revised to reflect the recommendations made by the Board of Governors’ Inspector General and also to provide samples of ethics policies from other schools as requested by the FGCU Board of Trustees.

Trustee Robbie Roepstorff asked if the Conflict of Interest section had changed. She said it was her understanding that conflict of interest meant personally benefitting from something.
Ms. Leonard stated the Conflict of Interest section had been revised to include in the statutory reference as well as the definition of “relative,” which came from the statute. She said conflict of interest extended beyond individuals and included “relatives” as defined by the statute.

Trustee Roepstorff went on to say it also extended to companies.

Ms. Leonard responded if an individual had a business from which he derived some pecuniary interests then that business could not do business with the University.

Trustee Smith commented it was not just money; it could be other benefits as well.

Ms. Leonard added for conflict of interest, if there was a contract derived through a competitive solicitation, there would be no conflict.

Chair Dudley Goodlette said Trustee Joe Fogg had been the one who brought attention to this issue, and he asked Trustee Fogg if he was content with the way this policy had been drafted.

Trustee Fogg responded he thought it was much clearer now, and he urged every Trustee to read it.

Chair Goodlette made a motion to approve the Florida Gulf Coast University Board of Trustees Ethics Policy. Trustee Fogg seconded the motion. There was no public comment or further discussion. The vote was 11-0 in favor of the motion.

Resolution to Name Alico Arena Addition the “W. Bernard and Elaine Lester Athletics Administrative Complex” (See Tab #20)

President Martin said upon arrival to Florida Gulf Coast University, he noted the University had done a wonderful job of recognizing individuals through namings. He said Dr. Bernie Lester was an active and effective leader, and this was the perfect opportunity to link Alico Arena with a naming for Bernie and Elaine Lester. He said they were good friends of the University and attended many sports and other events at FGCU.

Trustee Russell Priddy made a motion to approve the Resolution to Name Alico Arena Addition the “W. Bernard and Elaine Lester Athletics Administrative Complex.” Trustee Leo Montgomery seconded the motion.

Chair Dudley Goodlette stated there would be a celebration with the Lesters present to thank them.

Trustee Ken Smith added Bernie Lester was a good friend to the University and had made many things happen to bring FGCU to fruition.

There was no public comment. The vote was 11-0 in favor of the motion.
Mental Health Counseling and Public Safety (See Tab I-A)

Mr. Magiera said this was a required letter to send to the Board of Governors (BOG), which was due on October 1. He stated this had been discussed during Tab 14, as there was an allocation of $600,000 for Mental Health Counseling and Public Safety in the carryforward funds. He said the BOG was looking for a commitment from the universities going forward to support mental health counseling and public safety, and how much more money would be spent to do so. He said the letter was vague in that it expressed what has been done. He said if there was no new money, FGCU would have a $3 million cut to deal with. He said in speaking with others, including President Martin, it was decided FGCU was not ready to put in writing to make a commitment to spend more money on these things if the University would have a budget cut. Mr. Magiera said if new money comes, this issue would certainly be revisited. He said the BOG was requiring the Board to approve the letter.

Chair Dudley Goodlette made a motion to approve the Mental Health Counseling and Public Safety letter. Trustee Leo Montgomery seconded the motion. There was no further discussion or public comment. The vote was 11-0 in favor of the motion.

Item 11: Audit and Compliance Committee (Tabs 21-24)

Chair Goodlette called on Audit and Compliance Committee Chair Joe Fogg.

Trustee Fogg said all four action items on the agenda were recommended for full Board approval by the Committee. He asked Chief Compliance and Ethics Officer Stacey Chados to present the first action item.

2016-2017 Compliance and Ethics Office Annual Report (See Tab #21)

Ms. Chados stated the report highlighted some of the accomplishments of the Office based on the seven elements of an effective ethics and compliance program, some of the training initiatives, and workplace reviews and investigations conducted by compliance liaisons throughout the University. In August, she said the Audit and Compliance Committee of the Board unanimously approved the report. Upon approval by the FGCU Board of Trustees, a copy would be provided to the Board of Governors.

Chair Dudley Goodlette made a motion to approve the 2016-2017 Compliance and Ethics Office Annual Report. Trustee Darleen Cors seconded the motion. There was no public comment or discussion. The vote was 10-0 in favor of the motion, with Trustee Gable not present for the vote.

2016-2017 Internal Audit Annual Report (See Tab #22)

Director of Internal Audit Bill Foster said he was required to provide this annual report to meet professional standards. He said this year the Board of Governors (BOG) increased the emphasis on audit and compliance functions by passing four regulations, which became effective in November of 2016. He said to provide a comprehensive set of investigative standards, the State University Audit Council adopted standards for
complaint handling investigations for the State University System of Florida to supplement the BOG regulations.

Mr. Foster said his department was committed to providing independent objective assurance services. He added all audits were performed in accordance with appropriate professional standards, and the work plans of each audit were risk driven. He said all significant observations were reported. He stated cooperation had been received from management and staff, and disclosures were required.

Trustee Leo Montgomery made a motion to approve the 2016-2017 Internal Audit Annual Report. Trustee Blake Gable seconded the motion. There was no further discussion or public comment. The vote was 10-0 in favor of the motion, with Trustee Roepstorff not present for the vote.

**2017 Internal Audit Quality Assurance Review (See Tab #23)**

Mr. Foster said this audit was similar to the accreditation process in the academic area. He said this review asked if his department’s work and work processes met the standards of their profession. He said he was pleased to report the highest rating available from an external validator had been earned. He said the two opportunities to improve were periodic attendance at Cabinet meetings and filling an IT auditor position when funds were available.

Trustee Joe Fogg commented he had interviewed the external validator and was very satisfied with what she had to say.

Trustee Leo Montgomery made a motion to approve the 2017 Internal Audit Quality Assurance Review. Trustee Kevin Price seconded the motion. There was no further discussion or public comment. The vote was 10-0 in favor of the motion, with Trustee Roepstorff not present for the vote.

**2017-2018 Internal Audit Work Plan (See Tab #24)**

Mr. Foster stated the Work Plan was before them, and he called for questions. Trustee Darleen Cors made a motion to approve the 2017-2018 Internal Audit Work Plan. Trustee Blake Gable seconded the motion. There was no discussion or public comment. The vote was 11-0 in favor of the motion.

Chair Dudley Goodlette expressed his appreciation to Trustee and Committee Chair Joe Fogg and the members of his committee for their outstanding work.

**Item 12: Standing Report from FGCU Faculty Senate**

Chair Goodlette called on Faculty Senate President Mike McDonald for his report.

Trustee McDonald stated the Faculty Senate officers for this year were Martha Rosenthal as Vice President, Joe Stecher as Secretary, and Patrick Niner as Parliamentarian. He said the Senate has gotten off to a delayed start due to several
items including Hurricane Irma. Following the hurricane, the Senate was sent into
motion by the President to make some adjustments to the calendar; Faculty Senate
standing teams and committees were pressed into action to provide input on key
changes to the academic calendar and internal deadlines for such concerns as leave,
promotion, and sabbatical. He said in their first official meeting on September 30,
changes were approved to the calendar and deadlines. He said there was pending
parliamentary action for the October 13 meeting to approve final changes to the
calendar. He invited all members of the Board to attend a Faculty Senate meeting.

**Item 13: Standing Report from FGCU Student Government**
Chair Goodlette called on Student Body President Jalisa White to give her report.

Trustee White thanked President Martin for his leadership during the storm, and she
thanked Ms. Evans for her support as well.

Trustee White said there were many projects in motion including Alternative Break and
Emerging Eagles. She stated Student Government was getting ready for the allocation
process of the Activity & Service fees, which will be about a $4 million budget. She
listed many activities which were scheduled to happen this semester.

Trustee White thanked President Martin and Vice President for Student Affairs Dr. Mike
Rollo for their support and participation.

**Item 14: Standing Report from FGCU Staff Advisory Council**
Chair Goodlette called on Staff Advisory Council (SAC) President Teri Bigos for her
report.

Ms. Bigos stated she had received positive feedback from staff following President
Martin’s recent attendance at the Staff Advisory Council meeting. She said staff was
excited to work with him. She continued that support staff looked forward to
participating in the Benefits Fair and the Eagle Family weekend. She added that the
Professional Development Program would be kicked off soon which rewarded staff with
some money to pursue professional development opportunities.

**Item 15: Old Business**
There was no old business for discussion.

**Item 16: New Business**
Chair Goodlette called for new business.

President Martin said because of the storm it had been decided to extend the academic
semester. This decision was made in consultation with faculty leadership, student
leadership and the Cabinet. He said the rationale behind it was to keep the integrity of
the degrees offered and to deliver to the students what was paid for. He said
Commencement would be on December 16, 2017, and the number of tickets would be
limited to four due to parking issues since residential students would still be on campus
due to the extended semester.

Item 17: Chair’s Closing Remarks & Meeting Adjournment
Chair Goodlette said the Board’s next meeting would be on Friday, December 8, 2017,
at 8:30 a.m. and would be immediately followed by the Audit and Compliance
Committee meeting.
Chair Goodlette stated at the December 8 meeting final action would be taken on the
Strategic Plan, and he thanked Dr. Chris Westley and his committee.
Chair Goodlette reminded the Board to inform Ms. Evans of their attendance at the
October 18 meeting with the BOG and Chancellor, which he said would be noticed.
Trustee Blake Gable asked about the format of the meeting on October 18.
Chair Goodlette said he had received a telephone call from the Chancellor requesting
the meeting because FGCU’s Legislative Budget Request was a significant increase in
per student funding. Chair Goodlette said FGCU was about $2,500 below the average
per student funding dollars in the System, and to get to that average would require $31
million. He said the Chancellor and the BOG were sensitive to FGCU’s request,
understanding the magnitude of it, but also understanding the parity, and wanted to talk
with the FGCU Board of Trustees. He said this was the reason for the discussion and
the meeting. He said he was hopeful and confident it would be a thorough and
thoughtful conversation.
Chair Goodlette reminded the Board of the November 8 and 9 Board of Governors
Meeting and the Trustee Summit at the University of Central Florida.
Trustee Kevin Price asked about the Soar In 4 program and how the registration and
interest was for incoming freshmen, and if there was any initial data on persistence rate.
Dean of Undergraduate Studies Dawn Kirby said the Soar In 4 Program was monitored
and administered through her office and those numbers were available. She introduced
the Director of Retention Data and First Year Experience Ney Arias.
Mr. Arias reported in the fall there had been 100 percent student sign-up which was by
scannable signature. He said soon everything would be trackable in Gulfline and would
provide reports. He said his office was working on changing scanned data into
searchable data in order to create reports. He said data would be available after this
semester.
Chair Goodlette called for further comments or discussion. Seeing none, Chair Goodlette adjourned the meeting.

The meeting was adjourned at 11:12 a.m.

Minutes prepared by Transcription Experts, and reviewed by Lauren Schuetz, FGCU Assistant Director of Board Operations.

Agenda Items:
A. See Tabs #1 – 20

Attachment:
A. Record of Votes
Record of Votes  
FGCU Board of Trustees  
DATE: 10/10/2017

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2017-2018 Internal Audit Work Plan  
(Tab #24)  
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2- Gable

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