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University of South Carolina

BOARD OF TRUSTEES

Called Executive Committee

June 29, 2012

The Executive Committee of the University of South Carolina Board of Trustees held a called meeting on Friday, June 29, 2012, at 11:00 a.m. in the Ernest F. Hollings Special Collections Library Program Room at Thomas Cooper Library.

Members present were: Mr. Miles Loadholt, Chairman; Mr. Eugene P. Warr, Jr. Vice Chairman; Mr. Herbert C. Adams; Dr. C. Edward Floyd; Mr. Toney J. Lister; and Mr. John C. von Lehe, Jr.

Other Trustees present were: Mr. Chuck Allen; Mr. J. Egerton Burroughs; Mr. W. Lee Bussell, Sr.; Mr. Mark W. Buyck, Jr.; Mr. Thomas C. Cofield; Mr. William C. Hubbard; Mr. William W. Jones, Jr.; Mr. Hubert F. Mobley; Ms. Leah B. Moody; Dr. C. Dorn Smith III; Mr. Thad H. Westbrook; and Mr. Mack I. Whittle, Jr.; with Mr. Charles H. Williams joining by telephone.

In coming Board of Trustee members Mr. A.C. Bubba Fennell, III and Mr. Robert E. Brown also were present; as were the faculty representative Dr. Sandra J. Kelly and the student representative Kenny Tracy. Special guests included Trustees Emeriti Lily Roland Hall and Paul Goldsmith, as well as Cynthia Lister, Ann Loadholt, JoAnn Fennell, Gwen Adams, and the Rev. Jane Poster.

Others present were: President Harris Pastides; Secretary Amy E. Stone; Vice President for Academic Affairs and Provost Michael D. Amiridis; Chief Financial Officer Edward L. Walton; Vice President for Development and Alumni Relations Michelle Dodenhoff; Vice President for Information Technology and Chief Information Officer William F. Hogue; Vice President for Communications Luanne Lawrence; Vice President for Research Prakash Nagarkatti; Vice President for Student Affairs and Vice Provost for Academic Support Dennis A. Pruitt; General Counsel Walter (Terry) H. Parham; Director of Athletics Eric C. Hyman; Deputy Athletics Director Marcy Girton; Chief Financial Officer, Department of Athletics, Jeff Tallant; University Treasurer and Associate Secretary Susan D. Hanna; Executive Director, University Foundations, Jerome D. Odom; Chancellor of USC Aiken Thomas Hallman; incoming Chancellor of USC Aiken Sandra J. Jordan; Chancellor of USC Beaufort Jane Upshaw; Chancellor of USC Upstate Tom Moore; Executive Dean and Senior Associate Dean for Graduate Education, College of Arts and Sciences, Roger Sawyer; Associate Dean for Academic and Student Affairs, USC Lancaster, Ron Cox; Executive Interim Vice Chancellor for Academic Affairs, USC Aiken, Jeff Priest; Associate Vice President for Finance and Budget Director, Division of Finance and Planning, Leslie Brunelli; Associate Vice President for Business Affairs, Division of Finance and Planning, Helen Ziegler; Senior Vice Provost and Director of Strategic Planning Christine W. Curtis; Vice Provost and Dean of Graduate Studies Lacy Ford; Associate Vice

President for Human Resources Caroline Agardy; Associate Vice President for Administration, Division of Student Affairs and Academic Support, Stacey Bradley; Associate Vice President for Student Affairs, Division of Student Affairs and Academic Support, Jerry Brewer; Associate Vice President for Transportation and Logistical Relations, Division of Finance and Planning, Derrick Huggins; Director of Government and Community Relations and Legislative Liaison Shirley Mills; Director of State Relations Trey Walker; Director of the Department of Internal Audit Phil Iapalucci; Associate Director of Strategic Planning and Assessment Cameron Howell; Associate Budget Director, Division of Finance and Planning, Harry Bell; Director of Capital Budgets and Financing, Division of Finance and Planning, Charlie Fitzsimons; Director of Facilities Planning and Programming, Division of Finance and Planning, Derek S. Gruner; Special Assistant to the President J. Cantey Heath, Jr.; Director of News and Internal Communications Wes Hickman; University Technology Services Production Manager Justin Johnson; and Board staff members Debra Allen, Karen Tweedy, and Vera Stone.

Chairman Loadholt called the meeting to order and welcomed everyone. Mr. Hickman introduced members of the media who included Josh Kendall, The State Newspaper; Pete Iacobelli, Associated Press; Sydney Patterson, The Daily Gamecock; Scott Hood and David Cloninger, Gamecock Central; and Ric Garni, WACH-TV.

Chairman Loadholt stated that notice of the meeting had been posted and the press notified as required by the Freedom of Information Act; the agenda and supporting materials had been circulated; and a quorum was present to conduct business.

Chairman Loadholt stated that there were contractual matters appropriate for discussion in Executive Session. Mr. Adams moved to enter Executive Session. Mr. Lister seconded the motion. The vote was taken, and the motion carried.

Chairman Loadholt invited the following persons to remain: Dr. Pastides, Secretary Stone, Dr. Amiridis, Mr. Walton, Mr. Parham, Ms. Dodenhoff, Ms. Lawrence, Ms. Brunelli, Mr. Hyman, Ms. Girton, Ms. Agardy, Dean McNally, and Mr. Heath.

Return to Open Session

I. Contracts

A. Athletic Contracts:

Chairman Loadholt called on Mr. Parham to present three Athletics contracts. The first contract involved three proposed amendments to Head Women's Basketball Coach Dawn Staley's contract. First is a proposed increase of \$50,000 to bring her base salary to \$300,000; second are proposed changes in the incentive provisions in her contract to mirror in most respects those in the contract approved by the Board for Head Men's Basketball Coach Frank Martin; and third, is a proposed change in the buyout provision of the contract that obligates Coach Staley to pay the University a sum of \$200,000 if she terminates the contract during its term.

Chairman Loadholt called for a motion for approval of the amendments as described in the meeting materials and presented by Mr. Parham. Mr. Adams so moved. Mr. Lister seconded the motion. The vote was taken, and the motion carried.

The second contract involved a proposed amendment to Head Football Coach Steve Spurrier's contract. The current contract provides that if the Coach wins nine, 10, 11, or 12 or more games that he receives an incentive bonus that is the highest relative to the number of games won, which entitles him to \$300,000 if he wins 12 or more games. The proposed amendment changes the word "or" to "and," allowing him to earn the benefit of each step along the way as opposed to just the highest amount. As a result, if the Coach wins 12 or more games, his bonus will be \$50,000 plus \$100,000 plus \$200,000 plus \$300,000.

Chairman Loadholt called for a motion for approval of the amendments as described in the meeting materials and presented by Mr. Parham. Mr. Warr so moved. Mr. von Lehe seconded the motion. The vote was taken, and the motion carried.

Finally, Mr. Parham said, there is an amendment proposed to Assistant Football Coach Lorenzo Ward's contract pertaining to the University's obligation if the contract is terminated without cause. Coach Ward has a two-year contract. Under the proposed amendment, if the University terminates his contract without cause, the University will pay him his base salary and his guaranteed media compensation for the remaining term of the contract. The amendment also includes a mitigation obligation that if Coach Ward is terminated without cause and if he finds another job, the University's obligation to pay him will be reduced dollar for dollar based on the salary he receives in his subsequent position.

Chairman Loadholt called for a motion for approval of the amendments as described in the meeting materials and presented by Mr. Parham. Mr. Lister so moved. Mr. von Lehe seconded the motion. The vote was taken, and the motion carried.

B. C. Edgar and Julie Grissom Hemingway Collection:

Mr. Parham presented a proposed agreement between the University Libraries and Dr. C. Edgar Grissom and Julie Grissom. Dr. and Mrs. Grissom own a comprehensive Hemingway collection of more than 1500 items. Their collection includes such things as a first edition of The Sun Also Rises, and first and second editions of Hemingway's first small press books called Three Stories and 10 Poems, the American edition of a novel called In Our Times, and various other items. The entire collection has been appraised at \$637,500 and will be obtained by the University through two transactions – one involving the University and one involving the Foundation. The University will pay \$150,000 for \$250,000 worth of the appraised collection and the Grissom's will take a \$100,000 donation for the difference. In a separate transaction, the Educational Foundation will acquire the remaining portion of the collection and will gift its portion of the collection to the University. With the acquisition of this collection, the University's Hemingway Collection will be one of, if not the world's most significant collection of Hemingway materials.

In response to Board questions, Mr. Parham said that the Educational Foundation will pay \$360,000 to acquire the remaining \$387,500 of the collection, and that the Foundation's payment will be funded by a gift for the entire amount from the Easterling Hallman Foundation.

Chairman Loadholt called for a motion for approval of the agreement as described in the meeting materials and presented by Mr. Parham. Mr. Adams so moved. Mr. von Lehe seconded the motion. The vote was taken, and the motion carried.

C. USC-City of Columbia Maintenance Agreement:

Mr. Parham said that the University was seeking Board approval of a maintenance agreement with the City of Columbia related to improvements proposed for the Assembly Street corridor from Pendleton Street to Blossom Street on Assembly and the block of Greene Street between Main and Assembly Streets. Grant funding has been identified to cover the cost of these improvements. Derrick Huggins coordinated submission with the Central Midlands Council of Governments for a grants application for approximately \$2.5 million in Federal Transit Administration funds. To be eligible for these funds, an agreement must be in place in which the respective parties guarantee to maintain the FTA funded improvements. Thus, the Board is being asked to approve an agreement with the City of Columbia stipulating that the University will be responsible for maintaining bus shelters, bike racks, landscaping and fencing, and crosswalk surfaces; and the City of Columbia will be responsible for maintaining parking meters, lighting, lighting fixtures, and garbage containers. If the agreement is approved and the grant obtained, the next step will be to enter into an agreement with the Department of Transportation that will actually perform the improvements that are being discussed.

Chairman Loadholt called for a motion for approval of the agreement as described in the meeting materials and presented by Mr. Parham. Mr. Warr so moved. Mr. Adams seconded the motion. The vote was taken, and the motion carried.

There being no other matters to come before the Committee, Chairman Loadholt declared the meeting adjourned at Noon.

Respectfully submitted,

Amy E. Stone
Secretary