

BOARD OF GOVERNORS MEETING

The University of North Carolina

September 10, 2004

The Board of Governors met in regular session on September 10, 2004, in the Board Room of the General Administration Building, Chapel Hill. Mr. Wilson, the chairman, called the meeting to order at 10:30 a.m.

INVOCATION

Mrs. Owen gave the invocation:

Loving God, source of all truth and fountain of all wisdom, we thank you for calling us to be stewards and governors of higher education in the state of North Carolina. We have inherited a great treasure of wonderful students, learned professors, and gifted administrators, as well as libraries, technology, buildings, and research facilities. Before our time, so many have labored to bequeath to us this great heritage. For all of this, we are deeply grateful. In the past few years, people in higher education have worked more closely with the community colleges and the public schools. The public and private sectors are collaborating. Many programs are being presented to the North Carolina legislature for action. May we infuse in all the people who govern our great state a sense of fairness, enthusiasm, understanding, and cooperation. Much can be accomplished when we work together. May we be inspired with a vision of true excellence. May we cast aside our own personal agenda and work only for the good of all. In addition, may we be given a spirit of unity so that we may truly listen to one another and respect each other's opinions. May we be ever aware that we are working in your presence and may we be ever humble enough to seek your guidance and to be obedient to your will. Amen.

ROLL CALL

Secretary Perry called the roll and the following members were present:

J. Bradley Wilson
Bradley T. Adcock
G. Irvin Aldridge
James G. Babb

Willie J. Gilchrist
H. Frank Grainger
Peter D. Hans
James E. Holshouser, Jr.

Brent D. Barringer
J. Addison Bell
R. Steve Bowden
F. Edward Broadwell, Jr.
William L. Burns, Jr.
C. C. Cameron
Anne W. Cates
John F.A.V. Cecil
Bert Collins
John W. Davis III
Amanda M. Devore
Ray S. Farris
Dudley E. Flood
Hannah D. Gage

Peter Keber
Adelaide D. Key
G. Leroy Lail
Charles H. Mercer, Jr.
Charles S. Norwood
Cary C. Owen
Patsy B. Perry
Jim W. Phillips, Jr.
Gladys Ashe Robinson
Benjamin S. Ruffin
Estelle W. Sanders
J. Craig Souza
Priscilla P. Taylor
Robert F. Warwick

MINUTES

Mr. Grainger moved, seconded by Mr. Collins, that the minutes of the meeting of July 9, 2004, be approved. The motion carried.

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On motion of Dr. Perry, seconded by Dr. Gilchrist, the Board voted to convene in closed session pursuant to North Carolina General Statutes 143-318.11(a)(5) and 143-318.11(a)(6). The motion carried.

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The Board of Governors went into closed session at 10:40 a.m. and returned to open session at 12:15 p.m.

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ADMINISTRATIVE ACTION ITEMS

Chairman Wilson called attention to the Administrative Action Items listed on the agenda. Dr. Gilchrist moved, seconded by Mr. Hans, that the following Administrative Action Items be approved by consent:

a. (B&F)	Authorization to Sell Pooled Revenue Bonds	Appendix A
b. (B&F)	Approval of Emergency Lease of Student Housing, NCA&T	Appendix B
c. (B&F)	Approval of Ground Lease of Property, NCSU	Appendix C
d. (B&F)	Approval of Revisions to Previously Approved Ground Lease, NCSU	Appendix D
e. (B&F)	Approval of the Report on Higher Education Bond Program for the Joint Legislative Commission on Government Operations and Bond Update	Appendix E
f. (EPPP)	Authorization to Discontinue the Master of Education in Educational Psychology, UNCCH	Appendix F
g. (EPPP)	Authorization to Establish the Bachelor of Science in Graphic Design, Commercial Art and Illustration, ECSU	Appendix G
h. (EPPP)	Authorization to Establish the Bachelor of Science in Computer Engineering, NCA&T	Appendix H
i. (EPPP)	Authorization to Establish the Bachelor of Science in Meteorology, UNCC	Appendix I
j. (EPPP)	Authorization to Establish the Bachelor of Science in Nursing, UNCP	Appendix J
k. (EPPP)	Authorization to Establish the Bachelor of Science in Biotechnology, WSSU	Appendix K
l. (EPPP)	Authorization to Establish the Master of Science in Clinical Exercise Physiology, UNCC	Appendix L
m. (EPPP)	Authorization to Establish the Master of Social Work, WCU	Appendix M
n. (EPPP)	Authorization to Plan the Doctor of Philosophy in Health Psychology, ECU	Appendix N
o. (EPPP)	Authorization to Plan the Doctor of Philosophy in Health Psychology, UNCC	Appendix O
p. (EPPP)	Approval of Licensure for Miller-Motte Technical College to offer Degree Programs in Wilmington for the following program: - Bachelor of Science in Allied Health Management	Appendix P
q. (P&T)	Approval of the Amendment to Policy 300.7.2, <i>The University of North Carolina Phased Retirement Program</i>	Appendix Q
r. (P&T)	Approval of the Amendment to Policy 400.3.6, <i>University Teaching Awards</i>	Appendix R

The motion carried.

PRESIDENT'S REPORT

President Broad introduced the chancellors and representatives of affiliated organizations in attendance at the meeting and gave the board an update of the good news and accolades afforded many of the campuses.

In her report, President Broad discussed the University's success in the 2004 legislative session. For the President's full report, see Appendix S.

REPORT OF COMMITTEE ON PERSONNEL AND TENURE

Mr. Davis, chair of the Committee on Personnel and Tenure, presented the committee's report.

Summary Personnel Report

On behalf of the committee, Mr. Davis moved approval of the committee's summary personnel report as presented in closed session. The motion carried. (Appendix T)

Mr. Davis stated that the committee reviewed its Annual Plan for 2004-2005, copies of which were sent to board members in their notebooks. He added that the committee received the report on the UNC Leadership Institute and the William Friday Institute for Higher Education Leadership.

REPORT OF COMMITTEE ON BUDGET AND FINANCE

Mr. Phillips, chair of the Committee on Budget and Finance, presented the committee's report. He stated that during discussions of budget reductions to fund the \$2 million study required by House Bill 1264, the committee considered the need for the board to discuss the focus and parameters of the study and the manner in which the study will be undertaken. The committee recommended that the study be funded through nonrecurring budget reductions to the campuses and UNC General Administration on a pro rata basis over a two-year period, \$1 million each year. In addition, it recommended that the reductions may be taken subject to the board's providing direction to the President on the parameters and focus of the study and the manner in which the study will be carried out. On behalf of the committee, Mr. Phillips

recommended that the budget reductions be approved subject to the amendment mentioned above. The motion carried. (Appendix U)

REPORT OF SPECIAL COMMITTEE REVIEWING THE FUNDING MODEL FOR ENROLLMENT GROWTH

Mr. Phillips, chair of the Special Committee Reviewing the Funding Model for Enrollment Growth, presented the committee's report. He stated that the committee is continuing its work on equity in funding for students at the various campuses. The committee reviewed a recommendation, with regard to the funding model, to replace the undergraduate cost factor per class size with a new factor based on mission. It also discussed a proposal to seek additional funds from the legislature for all teaching and nursing courses that are clinical in nature. This funding would more adequately provide for the higher cost associated with these clinical programs, and would encourage the campuses to provide the programs necessary to address teaching and nursing shortages. Both of these proposals were favorably received, but the committee agreed it must be sure these proposals are in line with the recommendations of the task forces reviewing the nursing and teaching shortages. Mr. Phillips reported that the special committee reviewed several proposals requesting additional state support to ensure that no campus is funded below a minimally acceptable level. He then urged board members to attend the committee's next meeting, as any recommendation to the full board will likely be discussed at that time.

REPORT OF COMMITTEE ON EDUCATIONAL PLANNING, POLICIES, AND PROGRAMS

Dr. Gilchrist, chair of the Committee on Educational Planning, Policies, and Programs, presented the committee's report.

UNC Health Care System Annual Report

Dr. Gilchrist stated that one function of the Health Affairs Committee, which has been merged with the Committee on Educational Planning, Policies, and Programs, was to receive an annual report on the UNC Health Care System. Dr. William L. Roper, CEO of the UNC Health Care System, and his colleagues reported on the success of initiatives taken under legislation that allows the Health Care System flexibility in personnel, purchases, property, and property construction. The report documents improvements in employee satisfaction, customer satisfaction, efficiencies in operations, and money saved. One example is the reduction in the need for the more expensive contract nurses.

Dr. Gilchrist, on behalf of the committee, moved that the UNC Health Care System Annual Report be approved for transmittal to the General Assembly. The motion carried. (Appendix V)

Delegation of Authority to the President to Execute Contracts

Dr. Gilchrist reported that House Bill 1264, Part 6, requires the University of North Carolina and the North Carolina Community College System to do a study of the workforce needs of business and industry in North Carolina. This bill requires that the University fund this project and use outside consultants, and that a contract be signed by October 4, 2004. Since the board will not meet again prior to that date, Dr. Gilchrist moved, on behalf of the committee, that the President be delegated the authority to execute contracts under Part 6 of House Bill 1264. The motion carried. (Appendix W)

Third Annual Report of the UNC Center for School Leadership Development on Professional Development

Dr. Gilchrist reported that the committee had reviewed and discussed an annual report on professional development activity by the Center for School Leadership Development. On behalf of the committee, Dr. Gilchrist moved that the Third Annual Report of the UNC Center for School Leadership Development on Professional Development be approved and transmitted to the General Assembly. The motion carried. (Appendix X)

Report on Use of 2003-2004 Distance Education Funds

Dr. Gilchrist reported that the committee has also reviewed and discussed a report on the use of funds provided by the General Assembly to support teacher education through distance learning. This report addresses use of the funds by the University, other colleges, and departments of education in 2003-2004.

On behalf of the committee, Dr. Gilchrist moved that the Report on Use of 2003-2004 Distance Education Funds be approved and transmitted to the General Assembly. The motion carried. (Appendix Y)

REPORT OF COMMITTEE ON UNIVERSITY GOVERNANCE

Mr. Adcock, chair of the Committee on University Governance, presented the committee's report.

Petition to Serve in Public Office - Dr. Paul Luebke

On behalf of the committee, Mr. Adcock presented and moved approval of a petition from Dr. Paul Luebke, a faculty member of the University of North Carolina at Greensboro, to maintain full-time University employment during the Fall Semester 2004 while

-serving as a member of the General Assembly and while campaigning for reelection. The motion carried. Mr. Souza abstained from the vote.

Election to Board of Trustees – North Carolina Central University

On behalf of the committee, Mr. Adcock moved that Robert E. Dolan of West Point, Pennsylvania be elected to the Board of Trustees of North Carolina Central University, for a partial term ending June 30, 2005. The motion carried.

Election to Board of Trustees – Winston-Salem State University

On behalf of the committee, Mr. Adcock moved that Loretta C. Biggs of Winston-Salem be elected to the Board of Trustees of Winston-Salem State University, for a partial term ending June 30, 2005. The motion carried.

Appointment to Board of Trustees – North Carolina School of Science and Mathematics

On behalf of the committee, Mr. Adcock moved that Lavonia I. Allison of Durham be appointed to the Board of Trustees of the North Carolina School of Science and Mathematics, representing Congressional District 4, for a partial term ending June 30, 2007. The motion carried.

Appointments to the North Carolina School of Science and Mathematics Educational Advisory Council

On behalf of the committee, Mr. Adcock moved that Dr. David A. Emmerling of the East Carolina University Brody School of Medicine be appointed to the North Carolina School of Science and Mathematics Educational Advisory Council for a partial term ending June 30, 2005. The motion carried.

On behalf of the committee, Mr. Adcock moved that Dr. Leon H. Holleman of Manteo be appointed to the North Carolina School of Science and Mathematics Educational Advisory Council for a partial term ending June 30, 2007. The motion carried.

Reappointment of Directors of the Research Triangle Foundation

On behalf of the committee, Mr. Adcock moved that Jim W. Phillips, Jr., of Greensboro and Benjamin S. Ruffin of Winston-Salem be reappointed as Directors of the Research Triangle Foundation for terms ending October 31, 2005. The motion carried.

Appointments to the UNC Health Care System Board of Directors

Mr. Adcock reported that the committee received a slate from President Broad for appointments and reappointments to the UNC Health Care System Board of Directors. On behalf of the committee, Mr. Adcock recommended the ratification of the President's appointments. The appointments are Richard M. Krasno of the William R. Kenan, Jr. Charitable Trust, Tom Marsico of Marsico Capital Management, and Richard S. Myers, chair of the Rex Healthcare Board of Trustees. The reappointments are William O. McCoy of Franklin Street Partners, Robert S. Thomas of Charles & Colvard, Ltd., and Phail Wynn, Jr., of Durham Technical Community College. These four-year terms will begin November 1, 2004. The motion carried.

Amendments to UNC Center for Public Television Board of Trustees By-Laws

On behalf of the committee, Mr. Adcock moved that amendments to the UNC Center for Public Television Board of Trustees By-Laws, be approved. The motion carried.

(Appendix Z)

Mr. Adcock reported that the 2004 campus winter commencement schedule was included in the board folders. He stated that any member interested in representing the board at these commencements should contact Mr. Corgnati. He also reported that there is a vacancy with a term ending June 30, 2007, on the Fayetteville State University Board of Trustees.

REPORT OF COMMITTEE ON THE FUTURE OF NURSING

Mr. Sousa, chair of the Committee on the Future of Nursing, presented the committee's report. He stated that the committee has met twice and will present its report to the board at a future meeting.

REPORT OF SPECIAL COMMITTEE ON ECONOMIC DEVELOPMENT AND THE UNIVERSITY

Mr. Cecil, chair of the Special Committee on Economic Development and the University, presented the committee's report. He stated that the committee discussed the conference call that he, President Broad, and Mr. Daugherty had with the presidents of the seven regional economic development partnerships around the state. He stated that those presidents will be sending the committee their reports on the economic development studies they have done and the committee will study those reports to determine how to best carry out their instructions under the House Bill 1264.

REPORT OF COMMITTEE ON THE FUTURE OF INFORMATION TECHNOLOGY

Mr. Cecil, chair of the Committee on the Future of Information Technology, presented the committee's report. He thanked everyone who participated in the morning's workshop on information technology. He stated that the committee's draft report, which includes 20 recommendations, is in the board notebooks. After a last conference call to approve the final draft, the committee plans to bring its task to conclusion at the October board meeting.

REPORT OF COMMITTEE ON PUBLIC AFFAIRS

Mr. Babb, chair of the Committee on Public Affairs, presented the committee's report.

Mr. Babb reported that the committee heard from Breanna Peterson, State Director of the New Voters Project for the North Carolina Public Interest Research Group. This group is part of a national, non-partisan program to get young people, ages 18 to 24, registered to vote. Ms. Peterson reported to the committee that over the past two decades our young people have voted at a significantly lower rate than older Americans. During the 2000 election, only 36% of young registered voters made it to the polls compared to 70% of older registered voters. The program's goal is to register 5,000 University of North Carolina students at athletic events and on UNC campuses over the next few weeks.

Mr. Babb stated that the committee was honored to hear from The Honorable James B. Black, Democratic Speaker of the House. Representative Black's distinguished service in the General Assembly spans more than two decades, where he has held leadership positions as Speaker, Majority Whip, and Minority Leader. Since 2003, he has served as the Democratic Speaker of the House in the historic, first-ever Co-Speakership. Speaker Black began his comments by recognizing Chancellor Woodward from UNC Charlotte. The Speaker spent much of his time recognizing the board for their leadership and praising the University. Speaker Black stated that at many national legislative meetings, he is quick to tell other legislators how highly prized the University of North Carolina is when asked how the legislature passed the 2000 Higher Education Bond Bill at a time when the economy was doing so poorly. Speaker Black stressed that his highest priority is education. He explained that our state is moving to a knowledge-based economy that requires greater investment in higher education.

Mr. Babb reported that the committee will continue to have special guests for future meetings. Republican Speaker Richard T. Morgan will join the committee at its November meeting, and President Pro Tem Marc Basnight has been invited and is expected to meet with the committee in the near future.

Mr. Babb concluded his report by stating that the committee has set a tentative schedule of March 2-3, 2005, for the annual trip to Washington, D.C. On behalf of the committee, he congratulated Vice President Mark Fleming on his well-deserved promotion and thanked Associate Vice President Bob Samors on the great job he continues to do in the Washington, D.C. office.

REPORT OF THE TASK FORCE ON THE UNC – COMMUNITY COLLEGE SYSTEM

PARTNERSHIPS

Mr. Hans, co-chair of the Task Force on the UNC – Community College System Partnerships, presented the committee's report. He noted that the task force will be holding its final meeting on September 20 and will be bringing its recommendations to the board at its October meeting.

CHAIRMAN'S REMARKS

- Chairman Wilson stated that the new Board of Governors directories had been distributed. He noted a change in the committee structure. Vice Chairman Sousa is now serving on the Committee on Educational Planning, Policies, and Programs.
- The Chairman asked Mr. Cecil, Dr. Gilchrist, and Mr. Phillips to work with Dr. Bataille on the emerging work with the consultant and House Bill 1264.
- He noted that the February 2005 meeting of the board will be held on the UNC Wilmington campus.

- The next meeting of the board will be in Chapel Hill on October 8, 2004.

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There being no further business, the meeting adjourned at 1:05 p.m.

Secretary

APPENDICES

(All appendices are a part of the official record of the meeting.)

Appendix A	Authorization to Sell Pooled Revenue Bonds	Attached
Appendix B	Approval of Emergency Lease of Student Housing, NCA&T	Attached
Appendix C	Approval of Ground Lease of Property, NCSU	Attached
Appendix D	Approval of Revisions to Previously Approved Ground Lease, NCSU	Attached
Appendix E	Approval of the Report on Higher Education Bond Program for the Joint Legislative Commission on Government Operations and Bond Update	Attached
Appendix F	Authorization to Discontinue the Master of Education in Educational Psychology, UNCCH	Attached
Appendix G	Authorization to Establish the Bachelor of Science in Graphic Design, Commercial Art and Illustration, ECSU	Attached
Appendix H	Authorization to Establish the Bachelor of Science in Computer Engineering, NCA&T	Attached
Appendix I	Authorization to Establish the Bachelor of Science in Meteorology, UNCC	Attached
Appendix J	Authorization to Establish the Bachelor of Science in Nursing, UNCP	Attached
Appendix K	Authorization to Establish the Bachelor of Science in Biotechnology, WSSU	Attached
Appendix L	Authorization to Establish the Master of Science in Clinical Exercise Physiology, UNCC	Attached
Appendix M	Authorization to Establish the Master of Social Work, WCU	Attached
Appendix N	Authorization to Plan the Doctor of Philosophy in Health Psychology, ECU	Attached
Appendix O	Authorization to Plan the Doctor of Philosophy in Health Psychology, UNCC	Attached
Appendix P	Approval of Licensure for Miller-Motte Technical College to offer Degree Programs in Wilmington for the following program: - Bachelor of Science in Allied Health Management	Attached
Appendix Q	Approval of the Amendment to Policy 300.7.2, <i>The University of North Carolina Phased Retirement Program</i>	Attached
Appendix R	Approval of the Amendment to Policy 400.3.6, <i>University Teaching Awards</i>	Attached
Appendix S	President's Report	Attached
Appendix T	Summary Personnel Report	Attached
Appendix U	Allocation of Costs – Comprehensive Study	Attached
Appendix V	UNC Health Care System Annual Report	Attached
Appendix W	Delegation of Authority	Attached
Appendix X	Report of the UNC Center for School Leadership Development on Professional Development	Attached
Appendix Y	Report on Use of 2003-2004 Distance Education Funds	Attached
Appendix Z	By-Laws of the Board of Trustees of the University of North Carolina Center for Public Television	Attached

September 10, 2004

CLOSED SESSION**APPROVAL OF MINUTES OF CLOSED SESSION**

In accordance with procedures established to comply with the Open Meetings Law, Mr. Warwick moved, seconded by Dr. Gilchrist, that the closed session minutes for July 9, 2004, be approved. The motion carried.

PERSONNEL MATTER

President Broad called upon Chancellor DePaolo to make a report to the board. Chancellor DePaolo provided background information regarding the performance of Ms. Margaret Bradley-Doppes, Director of Athletics at UNC Wilmington.

REPORT OF COMMITTEE ON BUDGET AND FINANCE**Acquisition of Property – Appalachian State University**

Mr. Phillips presented a request from Appalachian State University for authorization to acquire 6 acres of property located in Boone. He moved that the request be approved and transmitted to the Council of State for final action. The motion carried.

(Exhibit A)

Acquisition of Property – North Carolina Central University

Mr. Phillips presented a request from North Carolina Central University for authorization to acquire 3.6 acres of property located in Durham. He moved that the request be approved and transmitted to the Council of State for final action. The motion carried. (Exhibit B)

Acquisition of Property – University of North Carolina at Chapel Hill

Mr. Phillips presented a request from UNC Chapel Hill for authorization to acquire 14 acres of property located in Chatham County. He moved that the request be approved and transmitted to the Council of State for final action. The motion carried. (Exhibit C)

Lease of Space – East Carolina University

Mr. Phillips presented a request from East Carolina University for authorization to lease 17,000 square feet of office space. He moved that the request be approved and transmitted to the Council of State for final action. The motion carried. (Exhibit D)

Lease of Space – University of North Carolina at Chapel Hill

Mr. Phillips presented a request from UNC Chapel Hill for authorization to continue to lease 11,987 square feet of office space. He moved that the request be approved and transmitted to the Council of State for final action. The motion carried. (Exhibit E)

REPORT OF COMMITTEE ON UNIVERSITY GOVERNANCE

Mr. Adcock, chair of the Committee on University Governance, called upon Mrs. Cates to present the committee's report on a faculty appeal.

Mrs. Cates stated that the committee considered the appeal of Dr. Ervin Tucker, a faculty member at UNC Charlotte. Dr. Tucker is a tenured associate professor of economics. He filed a grievance contesting an unsatisfactory rating for his job performance in the 2000-2001 academic year. The committee examined the record in this case and found this rating was warranted. The committee therefore recommends that Dr. Tucker's appeal be denied and the decision of President Broad be sustained.

On behalf of the committee, Mr. Adcock moved approval of the committee's report. The motion carried. (Exhibit F)

Mr. Adcock called upon Dr. Key to present the committee's report on an employee's appeal.

Dr. Key stated that the committee considered the appeal of Mr. Melvin Riggs, an EPA employee at North Carolina Central University. Mr. Riggs' appeal centers on issues regarding a salary increase. The committee concluded that Mr. Riggs was treated correctly concerning his salary increase and recommends that his appeal be denied and the decision of the Board of Trustees be sustained.

On behalf of the committee, Mr. Adcock moved approval of the committee's report. The motion carried. (Exhibit G)

REPORT OF COMMITTEE ON PERSONNEL AND TENURE

Mr. Davis, chair of the Committee on Personnel and Tenure, called upon Mr. Keber to present a report on a faculty appeal at Winston-Salem State University. Mr. Keber reported that Ms. Marvette Aldrich, an assistant professor, appealed the decision of the Board of Trustees which affirmed a decision of Chancellor Martin that no impermissible reason was proven in the denial of tenure and promotion. The committee finds no basis for disturbing the determination of the board of trustees and therefore recommends that their decision be sustained.

On behalf of the committee, Mr. Davis moved approval of the committee's report. The motion carried. (Exhibit H)

Summary Personnel Report

Mr. Davis presented and moved approval of the committee's summary personnel report, subject to approval in open session. He said the report included several recommendations for administrative appointments, conferrals of tenure, and promotions.

Mr. Davis reported that the committee also reviewed the Senior Academic and Administrative Officers 2004-2005 salary recommendations from campuses that do not have management flexibility to appoint and fix compensation, and copies of the salary recommendations for such institutions had been distributed to board members.

Mr. Davis then invited President Broad to present the 2004-2005 salary recommendation for the chancellors and the senior staff in the Office of the President and asked that supporting materials be distributed. Chairman Wilson asked Mr. Mercer to serve as secretary during the salary discussion and the staff was excused at this point in closed session.

President Broad then presented her recommendations for salary increases for the chancellors. Following discussion, and upon motion of Governor Holshouser, seconded by Mr. Babb, the Board voted to approve the recommendations. (Exhibit I)

Presented Broad then presented her salary recommendations for the Senior Academic and Administrative Officers in the Office of the President. Upon motion of Mr. Keber and seconded by Mr. Babb, the Board voted to approve the recommendations. (Exhibit J)

President Broad was then asked to leave the Board Room. Mr. Davis led the discussion regarding the recommended salary increase for President Broad for 2004-2005. Upon motion of Mr. Cecil and seconded by Mrs. Robinson, the Board voted to approve a 4% increase in salary. This recommendation is also presented as part of Exhibit J.

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On motion of Mr. Keber and duly seconded, the board voted to reconvene in open session.