

West Virginia State University Board of Governors
Executive Committee

Date/Time: 8/12/2014 -- 2:30 PM

Location:

West Virginia State University
Ferrell Hall, Room 103
Institute, WV

Purpose: To conduct regular business of the Committee in preparation for the September 4, 2014 Board of Governors meeting

Notes:

This is a compliant meeting.

Meeting was approved : 8/1/2014 11:41:20 AM

**West Virginia State University Board of Governors
Executive Committee
Erickson Alumni Center, Grand Hall
January 22, 2014
Minutes**

1. **Call to Order and Roll Call**

Chair Susman called the meeting of the West Virginia State University Board of Governors Executive Committee to order at 6:30 p.m.

Present: Dr. Smith, Mrs. Jarvis, Mr. Konstanty, Mr. Lipscomb, Dr. Thralls, and Mr. Williams. Members of the faculty, staff, and administration were also present.

2. **Verification of Appropriate Notification of Public Meeting**

Mr. Williams motioned to verify the appropriate notification of the meeting, and Dr. Smith seconded the motion; motion carried.

3. **Review and Approval of Meeting Agenda**

Dr. Smith motioned to approve the agenda as presented, and Mr. Williams seconded the motion; motion carried.

4. **University Recommendations and Reports**

Item 4.1: Chair Susman said the purpose of the meeting is to address proposed revisions to BOG Policy #36, which relates to University events in certain campus facilities. The policy currently allows the service of alcohol at catered events in the Erickson Alumni Center, President's House, and Capitol Theater. Chair Susman said the Executive Committee would like to recommend an adjustment to this policy for special catered events in the James C. Wilson University Union and the nearly-completed Convocation Center of Fleming Hall. He said this is a catering change and not a comprehensive change to the alcohol regulation on campus. Alcohol would be allowed in these two additional facilities only with the following guidelines:

- (1) A majority of event attendees must be non-students of legal drinking age, and attendees who are not of legal age will not be served alcohol;
- (2) Catering staff must be at least 18 years old and have proper training in all applicable laws and regulations regarding the service of alcoholic beverages; and
- (3) Food and non-alcoholic refreshments will be provided in addition to alcoholic beverages.

Chair Susman said if the full Board adopts the revisions during its meeting on January 23, 2014, there would be a 30-day comment period for the policy. A special meeting would be held after the comment period ends to review comments and consider final approval. He asked Mrs. Schumaker to explain the requirements of the West Virginia Alcohol Beverage Control (ABC) Administration. Mr. Konstanty and a partner in his law firm assisted with the policy revisions to ensure that the University remained in compliance with state laws. Chair Susman said the President would designate an individual to

approve each event that would serve alcohol. The contracted caterer would be required to have a liquor license and provide the alcohol served at the approved events.

Dr. Thralls said he feels the University must be certain there is good intent for revising the policy. Mrs. Schumaker said the reason for the request to revise this policy to include these two particular buildings is that they are capable of accommodating large groups, and the ability to serve alcohol would help increase rentals of the event spaces. Also, even though the caterer would be responsible as the holder of the liquor license, the University would monitor the events.

Mrs. Schumaker said a majority of public higher education institutions in the state prohibit alcohol sales on their campuses, which is consistent with the University's past and proposed policy. It was noted that West Virginia University made a provision in their policy regarding alcohol being served at athletic events. Mrs. Schumaker said WVSU is in a different position because the University has more rental space available than most other institutions its size and the change will provide a unique opportunity for us to rent space for events.

Dr. Smith said she is pleased to know there would be an approval process for each event. She asked how revenue from the rentals would impact the budget. Mrs. Schumaker said in terms of the Union, there is a debt service for the bond for rentals that must be paid and this is part of the bond. Chair Susman said the University would also consult BRIM regarding the revised policy.

Chair Susman called for a motion to adopt the proposed revisions. Dr. Smith motioned for approval of the policy adjustment for recommendation to the full Board as part of the January 23, 2014 meeting, and Mr. Williams seconded the motion; motion carried.

5. **Adjournment**

Dr. Smith motioned to adjourn, and Mr. Williams seconded the motion; motion carried. The meeting adjourned at 6:50 p.m.

Respectfully submitted,

L. Vincent Williams
Secretary

Approved: _____
Tom Susman
Chair

Approval of Utility Easement for Athletic Complex

As part of the Athletic Complex construction, which was previously approved by full the Board, Appalachian Power Company is requesting approval of an easement to provide electricity to the facility. Based on information provided by Appalachian Power Company officials, the requested easement must be approved by the full Board. Therefore, the easement is a matter before the Executive Committee, which shall make a recommendation to the full Board during the September 4, 2014 meeting, pending today's consideration and possible approval.

TAX PARCEL NO. 25-34D-45
GRW 251 - OH - WV

West Virginia State University Eas No. _____ R/W Map No. 3882-138-B
W.O. No. W002513001 Job No. 14-900072 Prop. No. 1
Line Barron Drive area

THIS AGREEMENT, made this _____ day of _____, 20 14,
by and between West Virginia State University Board of Governors, an agency of the State of West Virginia
on behalf of West Virginia State University, a higher education institution of the
State of West Virginia

herein called "Grantors", whether one or more persons, and APPALACHIAN POWER COMPANY, a Virginia corporation, herein called "Appalachian",

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid to Grantors by Appalachian, the receipt whereof is hereby acknowledged, Grantors hereby grant, convey, and warrant to Appalachian, its successors, assigns, lessees and tenants, a right of way and easement for an electric power line or lines, and communication lines, in, on, along, through, over, and across the following described lands of the Grantors situated in Union District, County of Kanawha, State of West Virginia.

Being a right of way and easement on the property of the Grantors identified as Kanawha County, Tax Parcel No. 25-34D-45

This easement extends in a _____ direction from
Appalachian's existing _____ numbered _____
approximate GPS location being N. _____ W. _____
to and including new _____ numbered _____
approximate GPS location being N. _____ W. _____

This easement includes Appalachian's new pole numbered 138-B-933 approximate GPS location being N. 38.376285° W. -81.771082°.

TOGETHER with the right, privilege and authority to Appalachian, its successors, assigns, lessees and tenants, to construct, erect, install, place, operate, maintain, inspect, repair, renew, remove, add to the number of, and relocate at will, poles, with wires, cables, crossarms, guys, anchors, grounding systems and all other appurtenant equipment and fixtures (hereinafter called "Appalachian's Facilities"), and string wires and cables, adding thereto from time to time, across, through, or over the above referred to premises; the right to cut down, trim and/or otherwise control, and at Appalachian's option, remove from said premises, any trees, overhanging branches, buildings, or other obstructions which may endanger the safety of, or interfere with the use of, Appalachian's Facilities; and the right of ingress and egress to and over said above referred to premises, and any of the adjoining lands of the Grantors at any and all times, for the purpose of exercising and enjoying the rights herein granted, and for doing anything necessary or useful or convenient in connection therewith.

It is understood and agreed between the parties hereto, that the Grantors reserve the right to use said lands in any way not inconsistent with the rights herein granted.

TO HAVE AND TO HOLD the same unto Appalachian Power Company, its successors, assigns, lessees and tenants.

THIS INSTRUMENT PREPARED BY AND UPON RECORDATION RETURN TO
APPALACHIAN POWER COMPANY, P O BOX 2021, ROANOKE, VIRGINIA 24022

6

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

WITNESS the following signatures and seals.

West Virginia State University Board of Governors (SEAL) By: _____ (SEAL)
an agency of the State of West Virginia, on behalf (SEAL) _____ (SEAL)
of West Virginia State University, a higher (SEAL) Brian Hemphill, President of West Virginia (SEAL)
education institution of the State of West Virginia (SEAL) State University (SEAL)

STATE OF West Virginia)
) To-wit:
COUNTY OF Kanawha)

The foregoing instrument was acknowledged before me this _____ day of

_____, 20 14, by Brian Hemphill, President of West Virginia State University on

behalf of the West Virginia State University Board of Governors, an agency of the State of West Virginia, on behalf

(print or type exact name of each person who signed above)

of West Virginia State University, a higher education institution of the State of West Virginia .

(Notarial Seal If Applicable)

Notary Public / Commissioner

My Commission expires:

(For W. Va. Only)

(For W. Va. Only)

DECLARATION OF CONSIDERATION OF VALUE

Under the penalties of fine and imprisonment as provided by law the undersigned (grantee) hereby declares the total consideration for the property transferred by this document is (\$ 1.00).

Given under my hand this _____ day of _____, 20 14 .

THIS INSTRUMENT PREPARED

By Russell A. Bays

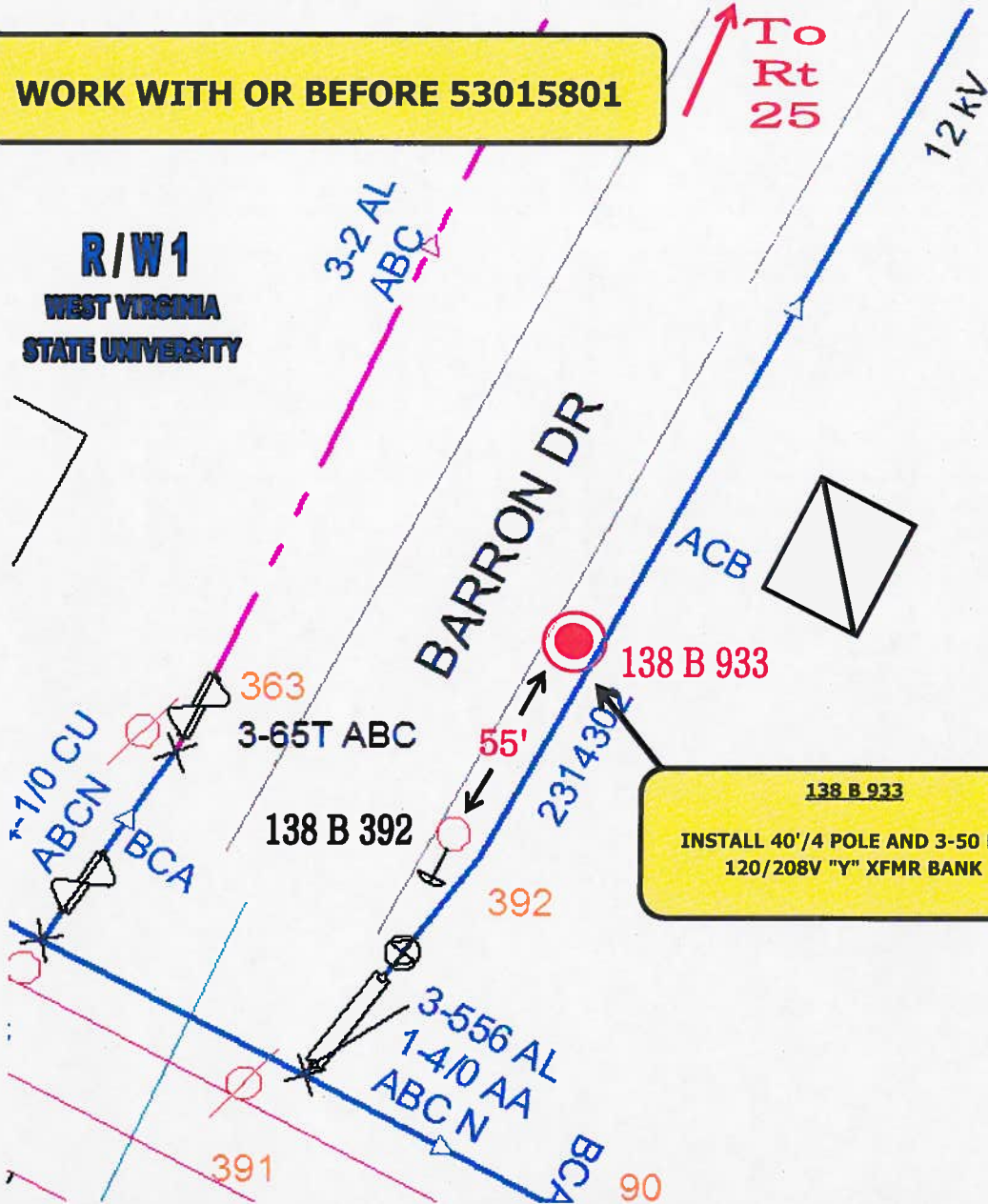
APPALACHIAN POWER COMPANY

By Russell A. Bays



WORK WITH OR BEFORE 53015801

**R/W1
WEST VIRGINIA
STATE UNIVERSITY**



138 B 933
INSTALL 40'4 POLE AND 3-50 KVA
120/208V "Y" XFMR BANK

Up Line Device:	Station Breaker	PDS #	2014-011-0945	Project Number:	
Device Pole No:	3143-02	Town:	INSTITUTE	Est. R/W Clearing Capital \$	
Work Order #	DAPO237810	County:	Kanawha	Est. R/W Clearing Maint. \$	
Sta. / Cir Name:	Turner / Dunbar	GPS North	38.376285	GPS West	-81.771082
Sta. / Cir Code:	3143-02	FLAGGING REQUIRED:	No	Speed Limit Over 45 MPH?	No
Voltage:	12.47 KV	Phase:	ABC		
STS#	54132764				
STS#					
Customer:	WV STATE UNIVERSITY				
Location:	BARRON DRIVE				
Customer Ready Date:	8/1/14				
Technician Assigned:	Corky Brown				
Phone Number	(304) 746-2662				
Right of Way Job Number:	J14-900072				
By Truck?	Yes				

LOCATION:
FROM RT 25 IN INSTITUTE AT WEST VIRGINIA UNIVERSITY,
TURN ONTO BARRON DRIVE AND GO TO JOBSITE ON LEFT AT
END OF ROAD AT NEW WEIGHT ROOM.

34 A
34 D -45 Bd of Gov. + WV State
34 F

Agenda Item 6
August 12, 2014

Information

Fiscal Year 2015 BOG Budget Report

NOTE: Material is still being developed and will be provided at the meeting.