

Board of Trustees Rudolph Jones Student Center Room 242

FULL BOARD Wednesday, July 30, 2025 9:00 A.M.

AGENDA

Call to Order Dr. Kimberly Jeffries Leonard, *Chair*

Invocation

Roll Call Frederick Nelson, Secretary

The State Government Ethics Act Dr. Kimberly Jeffries Leonard, *Chair*

Swearing-In Ceremony

Information Items:

There are no information items to be presented.

Action Items:

A. A.1 - 2025-26 Annual Meeting Approval

B. A.2 - Fayetteville PWC Utility Easement

C. A.3 - Establishment of Subcommittee On Equality Policy

D. A.4 - Nominating Committee Report 2025-26 Executive Officer Elections

Chair's Report Dr. Kimberly Jeffries Leonard, *Chair*

Chancellor's Report Darrell T. Allison, Chancellor

Announcements Dr. Kimberly Jeffries Leonard, *Chair*

Adjournment



Board of Trustees

Agenda Item A-1

Executive Summary

MEETING DATE: July 30, 2025

SUBJECT Approve July as 2025-26 Annual Meeting Date

BACKGROUND: The University of North Carolina (UNC) Board of

Governors is requesting that each system institution's Board of Trustees hold their annual elections prior to July 31, 2025, to comply with the establishment of a Subcommittee on

Equality Policy.

Article III. Section 2. of the Fayetteville State University Board of Trustees Bylaws states that the Annual Meeting of the Board shall be the fourth Thursday in September unless changed by the Board itself.

In accordance with the bylaws, the recommendation is being

made to approve July as the annual meeting for 2025-26.

MOTION: Move to approve July as the annual meeting for 2025-26.

Supporting Document FSU Board of Trustees Bylaws

Reviewed by: Wanda L. Jenkins Date: 7/23/2025

General Counsel & Vice Chancellor

Prepared by: Karen Bussey Date: 7/23/2025

Secretary to the University

FAYETTEVILLE STATE UNIVERSITY BOARD OF TRUSTEES BYLAWS

ARTICLE I MEMBERSHIP, APPOINTMENT, TERM AND REMOVAL

Section 1. Effective July 1, 1973, the Fayetteville State University (FSU) Board of Trustees shall be composed of thirteen (13) persons chosen as follows: (a) eight (8) elected by the UNC Board of Governors, (b) four (4) appointed by the Governor, and (c) the President of the FSU Student Government Association, ex officio. (See G.S. 116-32(d).

Section 2. Effective July 1, 1973, the terms of trustees elected by the UNC Board of Governors shall be designated as follows: (a) four (4) for four-year terms and (b) four (4) for two-year terms; the terms of trustees appointed by the Governor shall be designated as follows: (a) two (2) for four-year terms, and (b) two (2) for two-year terms.

Section 3. In every odd-numbered year, the Board of Governors shall elect four (4) persons to the Board of Trustees and the Governor shall appoint two (2) persons to the Board of Trustees; the term of office of all such elected or appointed trustees (excluding ex officio trustees) shall be four years, commencing on July 1 of such odd-numbered year [See G.S. 116-31(e) and (f)].

Section 4. Effective July 1, 1973, any person who has served two (2) full four-year terms in succession as a member of the Board of Trustees shall, for a period of one year, be ineligible for election or appointment to the FSU Board of Trustees but may be elected or appointed to the Board of another institution.

Section 5. Effective July 1, 1973, whenever any vacancy shall occur in the membership of the Board of Trustees among those appointed by the Governor, it shall be the duty of the Secretary of the Board of Trustees to inform the Governor of the existence of such vacancy, and the Governor shall appoint a person to fill the unexpired term; and whenever any vacancy shall occur among those elected by the Board of Governors, it shall be the duty of the Secretary of the Board of Trustees to inform the Board of Governors of the existence of the vacancy, and the Board of Governors shall elect a person to fill the unexpired term.

Section 6. Trustees are expected to attend all regular meetings of the Board. Whenever a trustee shall fail, for any reason other than ill health or service in the interest of the State or nation to be present for three (3) successive regular meetings of the Board, his/her place as a member shall be deemed vacant [(See G.S. 116-31(j)].

Section 7. Effective July 1, 1973, no member of the General Assembly or officer or employee of the State or of any constituent institution or spouse of any such member, officer or employee shall be eligible for election or appointment as a trustee. Any trustee officer or employee shall be eligible for election or appointment as a trustee. Any trustee who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution of the University of North Carolina, or whose spouse is elected or appointed to the General Assembly or becomes such an officer or employee, shall be deemed thereupon to resign from his membership on the FSU Board of Trustees [(See G.S. 116-31(h)].

Section 8. No person may serve simultaneously as a member of the FSU Board of Trustees and as a

member of the UNC Board of Governors. Any trustee elected or appointed to the Board of Governors shall be deemed to have resigned as a trustee effective as of the date that his/her term begins as a member of the Board of Governors [(See G.S. 116-32(I)].

Section 9. Effective June 1979, by authority of the Board of Governors of the University of North Carolina, the Board of Trustees of Fayetteville State University may elect, appoint or designate Trustees Emeriti. In order to be considered for designation as Trustee Emeritus, a person must be a former member of the FSU Board of Trustees who has reached age 65 and who has rendered exceptional service to the University. Any current member of the Board of Trustees may recommend at any regular Board meeting that the Board of Trustees honor any former Board member who meets the above criteria by election to the position of Trustee Emeritus. The recommended candidate(s) must submit a biographical sketch to include: his/her name, date of birth, number of years served as a member of the FSU Board of Trustees, any outstanding contributions to Fayetteville State University and its community family as a member of the FSU Board of Trustees, and any outstanding contributions in his/her own field. A Trustee Emeritus, when elected by vote of the Board of Trustees, shall be entitled to attend the regular meetings of the Board but shall not have the right to vote.

ARTICLE II OFFICERS OF THE BOARD AND DUTIES

- **Section 1.** The officers of the Board of Trustees shall be Chair, Vice Chair and Secretary, all of whom must be members of the Board.
- **Section 2.** At each Annual Meeting, the Board shall elect from its membership a Chair, a Vice Chair and a Secretary (See G.S. 116-32) for one-year terms or until their respective successors have been elected and qualified. No person may serve in these capacities for more than two (2) years in succession. If a vacancy occurs in any of these officers, the Board of Trustees shall elect a person to serve for the remainder of the unexpired term. These officers shall perform the duties prescribed by these Bylaws and by the parliamentary authority adopted by the Board of Trustees.
- **Section 3.** The Board of Trustees may also elect an Assistant Secretary from among members of the Chancellor's staff. Copies of all minutes, papers and documents of the Board of Trustees may be certified by its Assistant Secretary with the same force and effect as though such certification was made by the Secretary of the Board.
- **Section 4.** The Chair of the Board of Trustees shall preside at all meetings of the Board and of the Executive Committee at which he may be present. The Chair shall also appoint committees.
- **Section 5.** The Vice Chair of the Board of Trustees shall preside at all meetings of the Board and of the Executive Committee in the absence of the Chair.
- **Section 6.** The Secretary of the Board of Trustees, assisted by the Assistant Secretary, shall perform duties as follows:
 - A. Keep minutes of all meetings of the Board of Trustees and of the Executive Committee.
 - B. Transcribe the minutes of each meeting of the Board and/or the Executive Committee. Upon approval by the Chancellor and the Chair of the Board, mail a copy to each member of the Board.
 - C. Keep the Board of Governors, through the Secretary of the University, fully and promptly

- informed concerning activities of the Board of Trustees, including notice of any changes in the Board's membership or in its committee structure or Bylaws, as well as notice of meetings and a copy of the minutes of all meetings.
- D. Receive from the Chancellor the agenda items covering matters relating to the administration of FSU for all meetings of the Board and of the Executive Committee.
- E. Prepare the agenda for the Board meeting in consultation with the Board Chair. Mail the agenda for regular meetings of the Board to each member of the Board at least seven (7) days before such meetings. (Any member of the Board may enter items on the agenda by notifying the Chair at least ten (10) days in advance of the regular meeting).
- F. Preserve all minutes and documents that pertain to the business and proceedings of the Board of Trustees and of the Executive Committee.
- G. Be the custodian of the university seal; and attest the Chairman's execution of all university legal documents and instruments.

ARTICLE III MEETINGS AND ORDER OF BUSINESS OF THE BOARD

- **Section 1.** There shall be four (4) regular meetings of the Board of Trustees each calendar year as follows: the fourth Thursday in September; the second Thursday in December; the Fourth Thursday in March; and the second Thursday in June. (G.S. 116-32 requires the Board of Trustees to hold not fewer than three regular meetings a year and may hold such additional meetings as may be deemed desirable).
- **Section 2.** The Annual Meeting of the Board shall be the fourth Thursday in September unless changed by the Board itself.
- **Section 3.** The Board of Trustees may hold special meetings from time to time upon the call of the Board Chair or at the request of three (3) members of the Board.
- **Section 4.** A quorum for transaction of business shall consist of a majority of the voting members of the Board then in office. A Board member may be counted as present for purposes of determining a quorum if the Board member is physically present at a Board, committee, special or emergency meeting. A Board member may also be counted as present if the Board member attends a committee, special, or emergency meeting by telephone or an electronic means that allows for two-way voice interaction.
- **Section 5.** All actions of the Board shall be taken by a majority vote, a quorum being present. A Board member may participate and vote when physically present at a Board or committee meeting or when participating in a special, emergency or committee meeting by telephone, video conference, or other electronic means that allows for two-way voice interaction.
- **Section 6.** Except as modified by specific rules and regulations enacted by the Board of Trustees, Robert's Rules of Order (latest edition) shall constitute the rules of parliamentary procedure applicable to all meetings of the Board of Trustees and its several committees.

Section 7. Order of Business of the Board of Trustees

A. At least seven (7) days prior to each regular meeting of the Board of Trustees, a copy of the agenda, including (insofar as is practicable) copies of all reports and other written materials to be presented to the meeting, shall be mailed to each member of the Board by the Assistant Secretary. Insofar as practicable, a copy of the agenda of each special meeting of the Board

shall be mailed to each member of the Board at least seven (7) days in advance of the special meeting; however, if such advance mailing is not practicable, the agenda for a special meeting may be presented to the members of the Board as the first order of business at the meeting. No items may be considered at a special meeting except by common consent.

- B. The agenda for every meeting of the Board shall be prepared by the Chancellor with the approval of the Chair. Every request for inclusion of an item on the agenda of a meeting shall be put in writing and filed, together with any supporting documents, with the Chair far enough in advance of the meeting to permit a determination to be made by the Chair in consultation with the Chancellor with respect to the propriety and practicability of including that item on the agenda for the meeting.
- C. Any member of the Board of Trustees or the Chancellor may present to any regular meeting of the Board any item whether or not the same is on the agenda of the meeting, but no final action shall be taken on an item not on the agenda except by unanimous consent by the Board

ARTICLE IV JURISDICTION, POWERS AND DUTIES OF THE BOARD OF TRUSTEES

Section 1. The Board of Trustees shall promote the sound development of Fayetteville State University within the functions prescribed for and powers delegated to it, helping it to serve the people of the State in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every area of endeavor.

Section 2. The Board of Trustees shall serve as advisor to the UNC Board of Governors on matters pertaining to Fayetteville State University.

Section 3. The Board of Trustees shall serve as advisor to the Chancellor concerning the management and development of Fayetteville State University.

Section 4. The Board of Trustees shall have the power to authorize the Chancellor to confer degrees at Fayetteville State University as are usually conferred by similar institutions.

Section 5. The Board of Trustees shall have the power to approve the awarding of honorary degrees by Fayetteville State University.

Section 6. The Board of Trustees shall have the power to recommend to the President of The University of North Carolina candidates for the position of Chancellor, whenever a vacancy shall occur.

Section 7. The Board of Trustees shall have such other powers and duties, not inconsistent with provisions of the *Code* of The University of North Carolina or with applicable provisions of State Law, as shall be defined and delegated by the Board of Governors. [(See G.S. 116-33 and G.S. 116-11(13) and (14)].

ARTICLE V STANDING COMMITTEES OF THE BOARD OF TRUSTEES

Section 1. The Board of Trustees shall have the power to establish standing and special committees for the conduct of its business.

Section 2. Standing Committees of the Board of Trustees

- A. The Board of Trustees shall have an Executive Committee and create such other standing committees as it deems appropriate.
- B. The Executive Committee shall be composed of the officers, the immediate past chair of the Board of Trustees (if s/he is a current member of the Board) and a committee chairperson selected by the Chair of the Board. The Executive Committee shall be empowered to act for the Board between Trustee meetings with the responsibility to report on its actions at the next Board meeting.
- C. Following the Annual Meeting and prior to the next regularly scheduled meeting, the newly elected Chair shall appoint the members of the standing committees and designate a chair for each committee. The Chair of the Board shall be an ex officio voting member of all standing committees, except the Nominating Committee. In any meeting of a standing committee, the Chair of the Board shall be counted in determining if a quorum is present.
- D. The Board of Trustees may delegate to its committees such powers, as it deems appropriate. The chair of the Board, upon consultation with the Chancellor, shall present to the Board, for its approval, a description of committee responsibilities. The chair, in consultation with the Chancellor, shall review such descriptions annually. The Board must approve any changes to the descriptions.
- E. A Nominating Committee shall be appointed each year by the Chair and shall consist of not less than three nor more than five members of the Board. The Chair shall not serve as a member of the Nominating Committee. The Nominating committee shall be responsible for presenting a recommended slate of nominees to the Board at its Annual Meeting. The slate of nominees shall contain at least one nominee for each of the offices of Chair, Vice Chair, and Secretary.

ARTICLE VI COMMUNICATIONS TO THE BOARD OF TRUSTEES OR THE EXECUTIVE COMMITTEE

Section 1. All communications to the Board of Trustees or to the Executive Committee from students, faculty, staff members, alumni or others, must be in writing and must be filed with the Chancellor in sufficient time to be included, if necessary and/or appropriate, as an agenda item or in the Chancellor's Report before any meeting of the Board or the Executive Committee.

Section 2. Communications not received in time to meet the requirements specified in Article VI, Section 1, will be carried over to the next meeting of the Board or the Executive Committee

ARTICLE VII AMENDMENTS, SUSPENSIONS

Section 1. These Bylaws may be amended at any regular or special meeting of the Board of Trustees, at which a quorum is present, by a majority vote, but no proposal to amend may be considered by the Board unless it has been filed with the Secretary and a copy has been mailed to each member of the Board at least **seven (7)** days before the meeting in which the amendment is to be offered.

Section 2. At any regular or special meeting of the Board of Trustees, a quorum being present, any Bylaw may be suspended for that meeting ONLY by consent of two-thirds of the members present.

ARTICLE VIII SUBORDINATION TO UNIVERSITY CODE

To the extent that any of these Bylaws may be inconsistent with the *Code* of The University of North Carolina, as the same may be amended from time to time, said *Code* shall control.

Amended – 11/10/2022 Amended – 09/22/2022 Amended – 09/23/2021 Amended – 06/09/2005

Amended - 06/10/2004



Board of Trustees

Agenda Item A-2

Executive Summary

MEETING DATE: July 30, 2025

SUBJECT Fayetteville Public Works Commission Utility Easement

BACKGROUND: To complete the construction of the FSU Parking Deck, FSU

must abandon an underground sanitary sewer line that will be re-routed by Fayetteville PWC to the perimeter of campus along Langdon Street. Fayetteville State University has signed a Temporary Right of Entry/Construction Agreement to begin the construction of the new utility line. PWC is requesting a permanent easement as described in the attached documents to complete construction and provide ongoing maintenance of the sewer line. All permanent easements will be further reviewed/approved by NC State

Property Office and NC Council of State.

MOTION: The Board approves granting Fayetteville Public Works

Commission a permanent utility easement on the northern perimeter of campus to construct and maintain the needed

sanitary sewer line.

Supporting Document Included: FAYPWC Easement

Reviewed by: Kenny Spayd Date: 7/2/2025

Chief Financial Officer

Prepared by: Gene Cottrell Date: 7/2/2025

Director of Facilities Budget & Administration

NORTH CAROLINA CUMBERLAND COUNTY PARCEL: 001

PROJECT: Jasper to Langdon 8" Sewer Main Replacement

Prepared by and return to: Fayetteville Public Works Commission Attn: Tracy Clark, Real Estate and Right-of-Way Manager

RIGHT OF ENTRY AND TEMPORARY CONSTRUCTION EASEMENT

This Right of Entry and Temporary Construction Easement is made this the day of	of
, 2025 (the "Effective Date") by GRANTOR Fayetteville State University	
(whether one or more. "GRANTOR") to Fayetteville Public Works Commission ("GRANTEE	")
(GRANTEE and GRANTOR is a "Party" are collectively referred to herein as the "Parties").	

- 1. GRANTOR, for one dollar (\$1.00) and other good and valuable consideration, hereby acknowledged as paid and received, has bargained and sold, and by these presents does grant, bargain, sell and convey to GRANTEE and its employees, agents, contractors, subcontractors, licensees, assigns, and all other persons and entities deemed necessary by GRANTEE (collectively, the "Builders") on and after the Effective Date, the right, authority and permission to enter in and onto the Property to conduct the Construction (as such terms are hereinafter defined).
 - 2. Definitions.
 - (a) The "Property" means that certain land of GRANTOR located in <u>Cross Creek</u> Township, CUMBERLAND County, North Carolina, and described as follows:

Being a portion of that property owned by Fayetteville State University, Cumberland County Tax PIN 0438-03-7602, with a physical address of 632 Langdon Street, bounded on the north by Alanah Homes 2200 LLC, N/F, et al, on the west by CSX Railroad, on the south by Langdon Street, and on the east by Lonnie Wendell Glaspie, N/F, et al, and more specifically the proposed 20-ft Fayetteville PWC Utility Easement as shown PWC Drawing No. AS-15887B, incorporated herein as Exhibit A.

- (b) The "Construction" means the building activities related to the Plan,
- (c) The "Plan" means The installation of new sanitary sewer in accordance with the plans and specifications on file in GRANTEE Administrative Building in Fayetteville,

NORTH CAROLINA – CUMBERLAND COUNTY
I Terrance B Robinson, a Notary Public of said County and State, do hereby certify that Kenneth Spand on behalf of
that Kenneth Spayd on behalf of
Fayetteville State University, personally appeared before me this day and acknowledged the execution of
the foregoing instrument in the capacity indicated herewith.
WITNESSED my hand and Notarial seal, this the
Notary Signature
Notary (Printed)
My commission expires: 12-20-2025

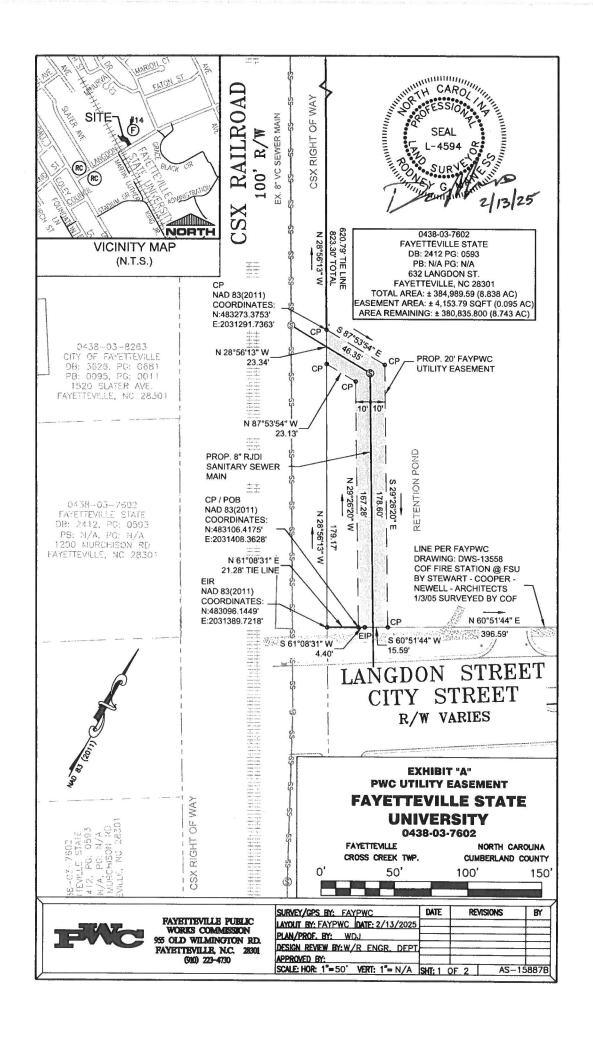
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North Carolina. This Right of Entry shall be in effect until the proposed easement agreement is properly conveyed and recorded in the Cumberland County Register of Deeds.

- 3. GRANTOR shall cooperate with the GRANTEE and the Builders as reasonably necessary to create or allow sufficient space on and access to and over the Property in order to complete the Construction.
- 4. This instrument and right of entry of GRANTEE and the Builders shall terminate upon completion of the Construction.
- 5. GRANTOR represents and warrants to GRANTEE that GRANTOR is the lawful GRANTOR of the Property, is seized of the Property in fee simple, and has the right and legal authority to grant to GRANTEE the rights described in this instrument.
- 6. This is the entire agreement of the Parties on the subject matter hereof, and all prior negotiations, representations, proposals, letters, agreements, understandings, or other communications between the Parties, whether written or oral, are hereby merged into the instrument and superseded by this instrument. This instrument shall not be modified unless such modifications are evidenced in writing, signed by both Parties. This instrument shall be governed by the laws of the State of North Carolina without the application of the laws of any other state. The exclusive venue for all mediations and litigation and any other legal proceedings regarding this instrument shall be the State and Federal Courts serving Cumberland County, North Carolina, and Grantor consents to personal jurisdiction in such courts. Grantor irrevocably waives, to the fullest extent permitted by law, any objection that it may now or hereafter have to the laying of the venue of any such suit, action or proceeding in any such court serving Cumberland County or that any such suit, action or proceeding brought in any such court serving Cumberland County has been brought in an inconvenient forum.

IN WITNESS WHEREOF, the undersigned FAYETTEVILLE STATE UNIVERSITY has duly executed this instrument as of the day and year first above written.

FAYETTEVILLE STATE UNIVERSIT	Υ	000000000000000000000000000000000000000
By: Kenneth Spayd	(SEAL)	00748
Kenneth Spayd _{CFO}	(Print Name / Title)	
# M B Just Just		. Sold Session Control Control



CUMBERLAND COUNTY NORTH CAROLINA

I, RODNEY G. MANESS, PLS, certify that the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision. I also certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 2412, page 0593 etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found on PWC drawing # DWS-13558; that the positional accuracy as calculated is: 0.08°; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this 13 th day of February, A.D., 2025.



Professional Land Surveyor License Number: L-4594

NOTES:

- This map has been prepared for easement acquisition only.
- This map was prepared from recorded maps and deeds by others and is a partial survey.
- The Surveyor has, to the best of his ability, examined the public records of Cumberland County, but does not certify title to any person or entity.
- 4. Property subject to any and all restrictions, easements of record, rights of way, as the same may appear of record in the Register of Deeds, Clerk of Court, County Tax Office, or which may have been acquired by prescriptive use.
- 5. Date of survey on 11/25/2024
- 6. Proposed Easement corners not set.

<u>LEGEND</u>	
EXISTING IRON PIPE / ROD COMPUTED POINT ACRE DEED BOOK PLAT BOOK PAGE	EIP/EIR OCP OAC DB PB PG
SURVEYED LINE PROPERTY LINE BY PLAT / DEED PROPERTY LINE/RIGHT OF WAY	
EXISTING EASEMENTS	17.02
PROPOSED FAYPWC EASEMENT	

DEED/PLAT REFERENCES

DB: 2412, PG: 0593

DB: 3626, PG: 0681

PB: 0095, PG: 0011

FAYPWC DRAWING: DWS-13558 COF FIRE STATION @ FSU BY STEWART - COOPER -NEWELL - ARCHITECTS 1/3/05 SURVEYED BY COF

EXHIBIT "A"
PWC UTILITY EASEMENT
FAYETTEVILLE STATE
UNIVERSITY

0438-03-7602

FAYETTEVILLE CROSS CREEK TWP. NORTH CAROLINA CUMBERLAND COUNTY

0.

50'

100

150'



FAYETTEVILLE PUBLIC WORES COMMISSION 955 OLD WILMINGTON RD. FAYETTEVILLE, N.C. 28301 (910) 223-4730

SURVEY/GPS BY:	DATE	REVISI	ONS	BY
AYOUT BY: FAYPWC DATE: 2/13/2025				
PLAN/PROF. BY: WDJ				
DESIGN REVIEW BY: W/R ENGR. DEPT				
APPROVED BY:				\vdash
SCALE: HOR: 1"=N/A VERT: 1"= N/A	SHT: 2 O	F 2	AS-15887B	



Board of Trustees

Agenda Item A-3

Executive Summary

MEETING DATE: July 30, 2025

SUBJECT Establishment of Subcommittee on Equality Policy

BACKGROUND: The University of North Carolina (UNC) Board of

Governors' *Policy on Equality within the University of North Carolina* requires each system institution to annually certify their implementation of the policy. To ensure the comprehensiveness of campus's 2025 Equality Policy Certification, each institution's Chair of the Board of Trustees must establish a subcommittee of five members of the Board, approved by the President of the UNC System. Each subcommittee's collective review of the certification will continue until the Board of Governors deems its specific

A Poversight is no longer needed.

The following recommendation is being made for the Fayetteville State University Board of Trustees to establish the Subcommittee on Equality Policy as outlined by the

UNC Board of Governors.

MOTION: Move to approve the establishment of the Subcommittee on

Equality Policy.

Supporting Document Included: n/a

Reviewed by: Wanda L. Jenkins Date: 7/23/2025

General Counsel & Vice Chancellor

Prepared by: Karen Bussey Date: 7/23/2025

Secretary to the University