

Public Session Minutes

BOARD MEMBERS

Present: Hon. Kweisi Mfume, Chairman, Regent; General (Ret.) Larry Ellis, Vice Chair, Regent; Hon. Tracey Parker-Warren, Secretary, Regent; Dr. Harold Carter, Regent (8:18p); Dr. Linda Gilliam, Regent; Dr. Burney Hollis, Regent; Ms. Emily Hunter, Regent; Dr. Shirley Malcom, Regent; Mr. Wayne Resnick, Regent; Ms. Shelonda Stokes, Regent (7:16p); Mr. Carl Turnipseed, Regent; Dr. Marquis Walker, Regent; Mr. Winston Wilkinson, Regent

Absent: Ms. McCall Brown, Student Regent

STAFF MEMBERS

Present: Dr. David Wilson, University President; Dr. Yacob Astatke, AVP for International Affairs; Dr. Kevin Banks, VP for Student Affairs; Mr. Sidney Evans, EVP for Finance and Administration; Mr. Thomas Faulk, Principal Counsel for Morgan State University, Office of the Attorney General; Ms. Julie Goodwin, General Counsel; Mrs. Cassandra Grogan, Executive Administrator for the Board of Regents; Dr. Douglas Gwynn, Interim AVP for Student Affairs; Ms. Sherita Harrison, Associate General Counsel; Mr. Jeffrey Palkovitz, Senior Counsel for Real Estate, Office of the Attorney General; Dr. Edward Scott, Vice President and Director of Athletics; Dr. Kara Turner, VP for Enrollment Management; Dr. Don-Terry Veal, VP for State/Federal Relations and Chief of Staff to the President

The Morgan State University Board of Regents held an Emergency Meeting on Wednesday, August 18, 2021 via Zoom. Chairman Mfume called the Public Session to order at 7:08 p.m.

Minutes

The Chairman opened the floor for a motion to adopt the minutes from the August 9, 2021 Board meeting. It was MOVED by Regent Malcom and SECONDED by Regent Turnipseed. The MOTION CARRIED unanimously.

Chairman Mfume announced that the Board of Regents would convene in Closed Session to consult with counsel and obtain legal advice regarding the Altus Apartments Lease, which is specifically exempted from public consideration under § 3-305(b)(7) of the Open Meetings Act. The Board may reconvene in Public Session at the conclusion of the Closed Session, if necessary.

After reading the citation into the record, the Chairman opened the floor for a motion to adjourn the PUBLIC SESSION to move into CLOSED SESSION. It was MOVED by Regent Gilliam and SECONDED by Regent Turnipseed to adjourn the PUBLIC SESSION. The MOTION CARRIED unanimously.

The PUBLIC SESSION adjourned at 7:11 p.m.

Approval of the Altus Apartments Lease Agreement (in Closed Session)

Following a discussion of several legal issues from the draft Altus Block Lease Agreement and exhibits, Chairman Mfume opened the floor for a motion to consider. Regent Malcom MOVED to approve the negotiation and execution of the Lease Agreement with the Altus Apartments by the President for up to 70 beds contingent upon the negotiation of that Lease Agreement, including addressing concerns from the Regents with respect to several

issues: (1) removal of the Name, Image and Likeness (NIL) provisions from the contract; (2) that MSU specifically retain the right that only Morgan students occupy the pods; (3) the President or his designee report back to the Board of Regents once those negotiations have concluded; and (4) negotiations be pursued with respect to maintaining the pandemic suspension language (or something close to it). It was SECONDED by Regents Gilliam and Stokes. The MOTION CARRIED unanimously.

**MORGAN STATE UNIVERSITY
CITATION OF AUTHORITY FOR CLOSING A MEETING
UNDER THE OPEN MEETINGS ACT
EMERGENCY MEETING OF THE BOARD OF REGENTS**

Date: Wednesday, August 18, 2021

Time: 7:00 p.m.

Location: Virtual

Motion to close meeting made by: Regent Gilliam

Seconded by: Regent Turnipseed

Members voting in favor: All Regents in attendance

Opposed:

Abstaining:

Absent: Regent Brown

THE STATUTORY AUTHORITY TO CLOSE THIS MEETING CAN BE FOUND AT (check all that apply):

General Provisions Article, § 3-305 (b)(7):

____ (1) (i) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals;

____ (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;

____ (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;

____ (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;

____ (5) To consider the investment of public funds;

____ (6) To consider the marketing of public securities;

(7) To consult with counsel to obtain legal advice on a legal matter;

____ (8) To consult with staff, consultants, or other individuals about pending or potential litigation;

____ (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;

____ (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;

____ (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;

____ (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;

____ (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;

____ (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

General Provisions Article, § 3-103 (a):

____ (1) To carry out an administrative function;

____ (2) To carry out a judicial function;

____ (3) To carry out a quasi-judicial function.


FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

1. To consult with counsel and obtain legal advice regarding the Altus Apartments Lease.

THE BOARD MAY RECONVENE IN PUBLIC SESSION AT THE CONCLUSION OF THE CLOSED SESSION IF NECESSARY TO TAKE ANY FINAL AND BINDING ACTION.

This statement is made by Kweisi Mfume
Chairman of the Board of Regents

SIGNATURE:



***** FOR USE IN MINUTES OF NEXT REGULAR MEETING: *****

TOPICS DISCUSSED AND ACTION(S) TAKEN (IF ANY):