

# WILLIAM & MARY

BOARD OF VISITORS  
EXECUTIVE COMMITTEE  
DRAFT MINUTES  
SEPTEMBER 21, 2022  
ALUMNI HOUSE – LEADERSHIP HALL

## **COMMITTEE MEMBERS PRESENT**

Mr. Charles E. Poston, Chair  
Ms. Barbara L. Johnson, Vice Chair  
Ms. Ardine Williams, Secretary

Mr. S. Douglas Bunch (*remote via Zoom*)  
Mr. James A. Hixon  
Mr. John P. Rathbone

## **COMMITTEE MEMBERS ABSENT**

Ms. Cynthia E. Hudson

## **OTHERS PRESENT**

Dr. Katherine A. Rowe, President  
Dr. Peggy Agouris, Provost  
Ms. Amy S. Sebring, Chief Operating Officer  
Ms. Carrie Nee, University Counsel  
Mr. Michael J. Fox, Secretary to the Board of Visitors  
Ms. Jessica L. Walton, Deputy Secretary to the Board of Visitors  
Mr. Daniel Kalish, Student with the Flat Hat News  
W&M Staff

## **CALL TO ORDER AND APPROVAL OF MINUTES**

Mr. Charles E. Poston, Rector, called the Executive Committee meeting to order at 4:05 p.m. and welcomed all who were present.

Mr. Poston said Mr. S. Douglas Bunch had notified him that he was unable to attend the Committee meeting due to a professional matter related to his appointment to serve as a representative to the United Nations. He would like to participate in the meeting electronically from New York, NY. Pursuant to the Virginia Freedom of Information Act and Section III.D of the Board bylaws, Mr. Poston moved that the Board approve this use of electronic participation. The motion was seconded by Mr. John P. Rathbone and approved by voice vote.

Mr. Poston asked Mr. Michael J. Fox, Secretary to the Board of Visitors, to summarize the Board meeting schedule and provide an overview of **Resolution 21**, the Approval of the Board of Visitors Policy for Conduction Meetings by Electronic Communications Means. Resolution 21 will be brought before the full Board on Friday, September 23. Mr. Fox noted that the September meeting will be the first time the Board is required to provide live virtual access to the full Board meeting for members of the public.

## **DISCUSSION**

Mr. Poston call on Ms. Ardine Williams, Secretary to the Board of Visitors and Chair of the Committee on Administration, Buildings and Grounds (ABG), who gave an overview of the ABG Committee's agenda.

Mr. James A. Hixon, Chair of the Committee on Financial Affairs, provided an overview of the Financial Affairs' Committee agenda.

Ms. Barbara L. Johnson, Vice Rector of the Board of Visitors and Chair of the Committee on Academic Affairs, gave an overview of the Academic Affairs' Committee agenda.

Mr. John P. Rathbone, Chair of the Richard Bland College Committee (RBC), gave an overview of RBC's Committee agenda.

Mr. Poston introduced Mr. Daniel Kalish, Student with the Flat Hat News, who was present during the meeting.

Recognizing that a quorum was present, Mr. Poston asked for a motion to approve the minutes of the April 20, 2022, May 19, 2022, and June 9, 2022 meetings. Motion was made by Mr. Rathbone, seconded by Ms. Johnson, and approved by voice vote.

#### **CLOSED SESSION**

Ms. Williams moved the Executive Committee convene into closed session pursuant to Virginia Code Sections: §2.2-3711.A.1 for discussion of the terms of appointment and performance of the Presidents and senior leadership of both Richard Bland and William & Mary; §2.2-3711.A.1 for discussion of the performance of the RBC and W&M Athletics Departments where the conversation will necessarily involve discussion of the performance of individuals; §2.2-3711.A.7 and A.8 for consultation with legal counsel regarding pending and anticipated litigation, contract and regulatory matters; §2.2-3711.A.9 for discussion of university fund-raising activities and related contracts for services; §2.2-3711.A.11 for consideration of honorary degrees to be awarded at Charter Day; §2.2-3711.A.19 for discussion of plans to protect public safety and provide for the security of governmental buildings and the people using them as described in the W&M Crisis and Emergency Management Plan; and §2.2-3711.A.29 for discussion of the terms or scope of a P3 public contract and a separate services contract where discussion in open session would adversely affect the bargaining position or negotiating strategy of the university. Motion was seconded by Mr. Rathbone and approved by roll call vote – 6-0 – conducted by Mr. Michael J. Fox, Secretary to the Board of Visitors. Ms. Cynthia E. Hudson was absent from the meeting.

At that time the Committee, President, Provost, Chief Operating Officer, and University Counsel entered the closed session meeting at 4:18 p.m.

#### **RECONVENED OPEN SESSION**

Following the closed session, the Committee returned to open session at 5:26 p.m. Ms. Williams moved that the Committee certify by roll call vote that, to the best of each member's knowledge, only matters lawfully exempted from the open meeting requirements under the Freedom of Information Act were discussed, and only matters identified in the motion to have the closed session were discussed. Motion was seconded by Mr. Rathbone and approved by roll call vote – 6-0 – conducted by Mr. Fox. Ms. Hudson was absent from the meeting.

#### **ADJOURNMENT**

There being no further business, Mr. Poston adjourned the meeting at 5:28 p.m.