CALED MEETING OF THE
BOARD OF TRUSTEES
SOUTH CAROLINA STATE UNIVERSITY
ORANGEBURG, SOUTH CAROLINA
FEBRUARY 5, 2009

BOARD OF TRUSTEES

Mr. Lumus Byrd, Chairman
Dr. John H. Corbitt, Vice Chairman
Mr. Robert Nance, Secretary
    Mr. Earl Bridges
Mrs. Linda Edwards-Duncan
Mr. Frederick R. Gallant
    Mr. Karl V. Green
    Dr. Shirley Martin
    Mr. Jonathan Pinson
Mrs. Martha Scott Smith
    Dr. Walter Tobin
Mr. Maurice Washington
    Mr. Lancelot Wright

Ex-Officio Members
    Dr. Evelyn Fields
    Mr. Derrick Green
    Ms. Patricia Lott
    Ms. Whitney McCrae
    Mr. George Quick
    Dr. James A. Boykin, Trustee Emeritus
    Mr. Charles C. Lewis, Sr., Trustee Emeritus
MINUTES OF MEETING  
SC STATE BOARD OF TRUSTEES  
BELCHER HALL BOARD ROOM  
FEBRUARY 5, 2009  
11:30 A.M.

I. OPEN SESSION/CALL TO ORDER:  
Chairman Lumus Byrd called the meeting to order at 11:30 a.m. upon establishment of a quorum. He asked Mrs. Mosley to read the public notice and call the roll.

II. PUBLIC NOTICE:  
Mrs. Mosley stated that the meeting was being held in accordance with the Freedom of Information Act, Code Section 30-4-80. Notice of the meeting and the agenda was provided to all interested persons, organizations and news media.

III. INVOCATION:  
Vice Chairman Reverend John Corbitt delivered the invocation.

IV. ROLL CALL:  
Members Present: Chairman Lumus Byrd, Vice Chairman John Corbitt, Secretary Robert Nance, Trustees Mr. Earl Bridges (via telephone), Mrs. Linda Edwards-Duncan, Mr. Reginald Gallant, Mr. Karl Green, Dr. Shirley Martin, Mr. Jonathan Pinson, Dr. Walter Tobin and Mr. Maurice Washington; Ex-officio Members Dr. Evelyn Fields, Mr. Derrick Green, Mrs. Patricia Lott, Ms. Whitney McCrae and Mr. Chuck Whipple.

Members Absent:  
Trustees Mrs. Martha Smith and Mr. Lance Wright; Ex-Officio Members: Mr. Charles Lewis, Mr. George Quick and Dr. James A. Boykin.

Administrators and Others Present: President George Cooper, Legal Counsel Edwin Givens, Executive Director for the Board Ms. Joyce Green, Assistant to the Board Mrs. Eartha Mosley, Director of University Relations and Marketing Ms. Erica Prioleau, Attorney Charles Boykin, Mr. Lee Tant of the Times and Democrat Newspaper, other staff and Mrs. Isreal C. Tyler, recorder.

V. AGENDA ADOPTION:  
Chairman Byrd called for a motion to adopt the agenda as printed.

MOTION: Trustee Martin moved, seconded by Trustee Edwards-Duncan, to adopt the agenda as printed.

VOTE: Unanimous.
VI. **LOW COUNTRY CLASSIC:**
Dr. Walter Tobin stated that on January 12, 2009 at 10 p.m. he was delivered a letter from an attorney representing Trustee Maurice Washington. Dr. Tobin read the letter to the committee which stated that he was being given notice to cease and desist with any inquiry regarding the 2009 Low Country Classic which was intended to slander and defame said client Maurice Washington. The letter further stated that client Maurice Washington authorized prosecution to include attorneys’ fees and penalties. Dr. Tobin contacted Chairman Byrd who said he too received a similar letter.

Dr. Tobin said he was appalled to receive such a letter from an attorney. He said the accusations to slander and defame were totally false, and it was his fiduciary responsibility as a Board member to make inquiry regarding the Low Country Classic. He said the Board is legally bound to have open and frank discussion on any and all matters regarding the University without threat of legal action because someone takes offense at being questioned. He also stated that a proper request was made by the full Board for detailed accounting on the Classic, and a detailed report is still due. Dr. Tobin said all of the trouble with the accrediting agency has to do with this matter. (See attached letter.)

Chairman Byrd said when you receive a letter from an attorney threatening action it is prudent to have an attorney respond, which is what he did. Chairman Byrd stated that his attorney responded to several issues in the letter from Trustee Washington’s attorney. He addressed the fundamental right and duty of the Board of Trustees to discuss any matter related to the University, including financial management and accounting system issues. He added that the Board cannot do anything without a vote taken during a quorum, but it must be free to discuss finances of the University. He said board members may and should speak about the Low Country Classic among themselves, and any order to cease and desist from freedom of discussion would constitute interference with the orderly administration of a state body. It would also prohibit orderly conducting of business by the person acting in the official capacity as chair. No comments were made outside the scope of duties or with malice by anyone on the Board, and board members have the right to request an audit for the Low Country Classic event. Chairman Byrd’s attorney also said in his response that the letter from Trustee Washington’s attorney could be interpreted as a means to block such accounting. Chairman Byrd’s attorney further suggested to Trustee Washington’s attorney that an accounting be presented of all Low Country Classic receipts for 2006, 2007 and 2008 including sponsorships, gates, concerts, auctions or other events surrounding the event. Proof of expenses and where funds were deposited should also be presented. (See attached letter.)

Trustee Washington said he would respond very carefully to what was just presented by Chairman Byrd and Trustee Tobin. He expressed that his letters were addressed specifically to Chairman Byrd and Trustee Tobin and not copied to anyone else. He stated that, when he was chair, prior to every meeting he always made a conscious effort to check motive with a goal to ensure that issues raised

**CALLED MEETING—SCSU BOARD OF TRUSTEES**
**FEBRUARY 5, 2009**
were worth criticism. He continued that it was regrettable that trustees failed to comprehend the implications made against him, but he would not comment beyond this point with the absence of legal representation. Trustee Washington said the burden to produce financial records for the 2006 and 2007 Classics rests with the Foundation. He said in looking through some papers he found a document that showed $60,000 being given to the University in 2006. Trustee Washington said the Board never asked for detailed financial reports for any other regular home football games. This particular game, though a home game, has special appeal to the City of Charleston and City officials have made a contribution each year. Trustee Washington added that comments about a person’s integrity would bring the same reaction that he had regarding the barrage of questions regarding the Classic. He repeated that he did not copy all of the trustees in hopes that the matter would be kept personal. He then told the Board that he would have his attorney prepare a response.

Chairman Byrd asked Vice Chairman Corbitt to take the gavel because he wanted to make a motion. Vice Chairman Corbitt asked that the motion be presented.

MOTION: Trustee Byrd moved, seconded by Trustee Tobin, that the Board of Trustees, by and through persons hired who are competent in the field of forensic accounting, undertake to perform a full accounting of the South Carolina State university Low Country Classic for the years 2006, 2007 and 2008. This would be a full audit of the Low Country Classic, and it would include interviews with persons of knowledge and a search for and review of any and all records, receipts and other documentation which would evidence or indicate gross revenue from the Low Country Classic, or any cost related to the event. The accounting would cover sponsorships, gates receipts, concession receipts (if applicable), parking (if applicable), and any other streams of revenue connected to the low Country Classic, directly or indirectly, including but not limited to any fundraising events, concerts, auctions, and other sources of gross proceeds. The accounting would then track the disposition, use, or deposits of those gross proceeds, including but not limited to expenses related to the event, any other payments made with such monies, and any deposits made with the monies. The accounting would then be reported to the Board of Trustees showing a profit or loss, together with a balance sheet reconciling gross revenue with disposition of the funds. The accounting should also advise of any anomalous, abnormal, or other receipts, expenditures or deposits that the auditor believes merit further investigation.

VOTE: IN FAVOR: Byrd, Nance, Pinson, Tobin, Gallant, Edwards-Duncan and Martin

IN OPPOSITION: Karl Green

IN ABSTENTION: Corbitt and Bridges

DID NOT VOTE: Washington

Trustee Washington asked that Mr. Smalls be allowed to present the financial report for Low County Classic 2008. Mr. Smalls distributed and reviewed a consolidated report from the Advancement Foundation and the University.

CALLED MEETING—SCSU BOARD OF TRUSTEES
FEBRUARY 5, 2009
Vice Chairman Corbitt resumed his place at the table and said he was deeply troubled that the board members could not have open debate or ask questions without getting a letter from a lawyer. He said he did not hear any slander and he was present for all of the meeting. He said it was deeply troubling that board members could be sued for asking questions. He continued that the citing from the accreditation body was precisely regarding the Low Country Classic. He recommended moving the game back to Orangeburg under the direction of the University, and prohibiting any trustee from having anything to do with it. He said he was embarrassed for this Board.

VII. ADJOURNMENT:
Chairman Byrd called for a motion to adjourn the meeting. Pinson moved, seconded by Trustee Washington, for adjournment. The motion carried, and the meeting was adjourned at 12:20 p.m.

[Signatures]
CHAIRMAN, BOARD OF TRUSTEES
SECRETARY, BOARD OF TRUSTEES

[Signature]
RECORDER
ICT Professional Services, LLC