

MINUTES OF
BOARD OF REGENTS SPECIAL MEETING
JULY 17, 1976

TEXAS TECH UNIVERSITY
Lubbock, Texas

Minutes

Board of Regents Special Meeting
July 17, 1976

M244. The Board of Regents of Texas Tech University met in special session on July 17, 1976 at 11:25 a.m. in the Board of Regents Suite in the Administration Building. The following Regents were present: Mr. Clint Formby, Chairman, Mr. J. Fred Bucy, Jr., Mr. Bill E. Collins, Mr. A. J. Kemp, Jr., Mr. Robert L. Pfluger, and Mr. Charles G. Scruggs. Regents absent were: Dr. Judson F. Williams, Vice Chairman, Dr. John J. Hinchey, and Mr. Don R. Workman. University officials and staff present were: Dr. Glenn E. Barnett, Executive Vice President, Mr. Clyde Westbrook, Interim Vice President for Financial Affairs for Financial Services; Dr. Charles Hardwick, Vice President for Academic Affairs; Dr. Floyd Perry, Associate Vice President for Academic Affairs; Dr. Robert Ewalt, Vice President for Student Affairs; Mr. Bill J. Parsley, Vice President for Public Affairs; Mr. Fred J. Wehmeyer, Interim Vice President for Financial Affairs for Administrative Services; Dr. Richard Lockwood, Vice President for the Health Sciences Centers; Dr. Clyde E. Kelsey, Jr., Vice President for Development and University Relations; Dr. Monty Davenport, Senior Associate Vice President; Mr. Carlton B. Dodson, Resident Counsel; Mrs. Freda Pierce, Secretary of the Board; Dr. George S. Tyner, Dean, School of Medicine; Mr. Richard Amandes, Dean, Law School; Dr. Carl H. Stem, Dean, College of Business Administration; Dr. Lawrence L. Graves, Dean, College of Arts and Sciences; Dr. John R. Bradford, Dean, College of Engineering; Dr. Donald Longworth, Dean, College of Home Economics; Dr. Robert Anderson, Dean, College of Education; Mr. Jim Bob Jones, Program Assistant for Student and Alumni Affairs, School of Medicine; Dr. C. Thomas Reese; and Mrs. Jane Brandenberger, Director of University News and Publications.

Others present were: Ms. Betsy Furr, Ex-Students Association; Dr. Jacquelin Collins, Chairman-elect, Faculty Council; Mr. Bob White, student; Ms. Ruth Foreman and Mr. David Sterrett, student members of the Presidential Screening Committee; Mr. Jim Blakely, Internal Vice President, Student Association; Mr. David Beseda, External Vice President, Student Association; and Mr. Randy Means, Special Assistant to the President, Student Association; Mr. Joe Hughes and Mr. Preston Lewis, Avalanche-Journal; Ms. Melissa Griggs and Ms. Babs Greyhosky, University Daily; Mr. Johnny Poff and Mr. Abner Euresti, KCBF; Mr. Paul Walker, KLLL; Mr. Jim Roberts, KDAV; Mr. Max Mott, KFYO; Mr. Joe Robbins, KLBK-TV; Mr. Skip Watson, KSEL; and Mr. James Littleton, KEND.

M245. Mr. Formby greeted all who were present, and asked Mr. Bill E. Collins to give the invocation.

M246. Mr. Formby then made the following statement: "The Board of Regents now having been duly convened in open session, and statutory notice of this meeting of the Board of Regents having been duly given to the Secretary of State, I, as Chairman of the Board of Regents, hereby publicly announce an Executive Session of the Board to be held in compliance with Article 6252-17 Texas Civil Statutes, and this Executive Session is specifically authorized by Section 2 - Paragraph E, F, and G, of the Statute."

M247. The board reconvened in open session at 1:35 p.m., and Mr. Formby made the following statement: "As you know, about eight months ago, with the announced resignation of Dr. Grover E. Murray, President of Texas Tech University, we began seeking a new President for this University and the Texas Tech University School of Medicine. Following many letters, phone calls and interviews, we are to make a decision today and name a new President for Texas Tech. Frankly, I can think of very few decisions that are more important than selecting the President of a major institution such as this one. I can think of very few challenges also that are more demanding or more rewarding than that of serving as President of Texas Tech. At this time I would like to open the floor for comment and/or a motion for the specific purpose of our special meeting today."

M248. Upon motion made by Mr. Bucy, seconded by Mr. Pfluger, the Board by unanimous vote approved that Dr. Cecil Mackey be appointed President of Texas Tech University effective September 1, 1976 on specific terms and conditions as shall be mutually agreed upon between Dr. Mackey and the Board of Regents, which shall be reduced to writing and properly placed in the Minutes of this Board of Regents. The terms and conditions are incorporated in the Minutes and made an official part thereof, as they appear, Attachment No. 1.

M249. Upon motion made by Mr. Pfluger, seconded by Mr. Bucy, the Board voted unanimously to adjourn.

FP:lmb

July 17, 1976

Attachments (July 17, 1976)

1. Contract of Employment - Dr. Cecil Mackey; Item M248.

* * * * *

I, Freda Pierce, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University Board of Regents meeting on July 17, 1976.

Freda Pierce, Secretary

SEAL

July 17, 1976

CONTRACT OF EMPLOYMENT

This agreement is made and entered into this 6th day of August, 1976, by and between Texas Tech University and Texas Tech University School of Medicine, herein called "Universities" and Dr. Cecil Mackey, herein called "Dr. Mackey."

Both parties hereto mutually agree that for and in consideration of the mutual benefits and consideration received or to be received by the respective parties that Dr. Mackey is employed by the Universities upon terms, conditions, stipulations, covenants, and agreements as follows:

Employment and Appointments

1. Dr. Mackey is employed and appointed President and Chief Executive Officer of the Universities effective the 1st day of September, 1976, to serve thereafter at the will and pleasure of the Board of Regents until duly terminated by the Board.
2. Also, Dr. Mackey is appointed Professor of Law with tenure in the Texas Tech University School of Law.

Term of Employment

1. Dr. Mackey shall serve in the position of President and Chief Executive of the Universities at the will and pleasure of the Board of Regents of the Universities.
2. Dr. Mackey's appointment as Professor of Law in the Texas Tech University School of Law shall be subject to the policies, rules, regulations and any changes or amendments thereto of the Board of Regents and Texas Tech University concerning rights, privileges, obligations and duties of other tenured personnel within Texas Tech University.

Salary, Residence and Other Benefits

Salary - Dr. Mackey shall be remunerated for services rendered as President and Chief Executive Officer a salary based on an annual rate of \$55,600 per year payable monthly as the same accrues.

Should the Board of Regents elect to terminate Dr. Mackey's employment in the position as President and Chief Executive Officer of the Universities, then in such event he shall assume the duties of Professor of Law and be paid a salary not less than the annualized average amount paid professors of law in the Texas Tech University School of Law at the effective date of his change of duty assignment and the salary, residence, and other benefits remunerated herein and in effect at the time of such change shall be ceased for the position of President and Chief Executive Officer, however the Board may in its sole discretion designate a salary commensurate with duties in excess of the above defined minimum figure as Professor of Law.

Residence - Dr. Mackey as President and Chief Executive Officer shall be furnished a suitable house, as determined by the Board, together with all utilities, yard care service, and maid service. In this connection, Dr. Mackey is required as a condition of his employment to reside on such properties for the convenience of the Universities, use such properties for necessary and proper functions of the Universities, maintain an office thereon with telephone extension service from the President's Office in the executive suite in the Administration Building on the Lubbock campus properties. The exact location of residential properties may be changed from the present location with prior approval of the Board, however, any site selected shall be made with due consideration to convenience and availability for functional service to the Universities. Should the Board, at its sole discretion, determine in the best interests of the Institutions that a residence should not be furnished on University properties then, in such event, Dr. Mackey shall be given a housing allowance adequate to provide comparable accommodations and services at such time.

Other Benefits - In the position of President and Chief Executive Officer of the Universities he shall be entitled to and the Universities agree to furnish certain items necessary for the proper performance of the duties of the office as follows:

1. Membership in the Lubbock Country Club, including dues incurred in the use of the membership on behalf of the Universities;
2. Membership in the Lubbock Club, including dues incurred in the use of the membership on behalf of the Universities;
3. An automobile with insurance and maintenance - In this the Board shall determine the model, make, type, style of the automobile and the appropriate amount of insurance, however, such insurance shall include the usual features such as fire and casualty, collision, public liability, personal injury and medical payment features to adequately protect the various interests of the parties; maintenance shall include warranty items, if any, and other items of repair to the vehicle;
4. An expense account in an amount up to \$6,000 per year for reimbursement.

Performance

In this connection Dr. Mackey agrees to devote his time, labor, effort and attention, in good faith, to conduct and perform the duties assigned to him in this appointment and employment agreement.

Review of Salary and Other Benefits

The Board will review the salary and other benefits of the President and Chief Executive Officer each year prior to the beginning of the subsequent fiscal year of the Universities.

Retirement and Insurance Benefits

Dr. Mackey shall be entitled to participate in applicable retirement and insurance programs available to other officers, professional staff and employees of Texas Tech University. Contributions by the State of Texas and the Universities for Dr. Mackey's participation in such programs shall be in accordance with and limited to applicable state statutes, University rules and regulations governing such contributions and participation.

Representations

Both parties hereto agree and acknowledge that neither of them has made any representation with respect to the subject matter of this agreement or any representations including the execution and delivery hereof except such representations as are specifically set forth herein and both parties further agree that no waiver or modification of this agreement or of any covenant, condition, or limitation herein shall be valid unless in writing and duly executed by the respective parties.

Signed and executed this 6th day of August, 1976.

/s/ Cecil Mackey
Cecil Mackey

ATTEST:

/s/ Freda Pierce
Freda Pierce, Secretary

/s/ Clint Formby
Clint Formby, Chairman
Board of Regents
Texas Tech University

ATTEST:

/s/ Freda Pierce
Freda Pierce, Secretary

/s/ Clint Formby
Clint Formby, Chairman
Board of Regents
Texas Tech University School of Medicine