

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of

THE CLEMSON UNIVERSITY

BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall
Clemson University, Clemson, South Carolina

July 26, 1974

The Board convened at 2:00 p.m. with the following members present: Edgar A. Brown, presiding; Robert R. Coker, T. Kenneth Cribb, Frank J. Jervey, Lewis F. Holmes, E. Oswald Lightsey, Paul W. McAlister, W. Gordon McCabe, Jr., Paul Quattlebaum, Jr., D. Leslie Tindal and James M. Waddell, Jr.

Others present were: Robert C. Edwards, Walter T. Cox, Stanley G. Nicholas, Melford A. Wilson, E. N. Tyndall, Charles R. Dillon, Melvin C. Long, Reginald Brantley and Joseph B. McDevitt, Secretary.

Item 1. Minutes

The minutes of the meeting of March 29, 1974, heretofore submitted by mail to all members of the Board of Trustees, and the minutes of the meeting of May 10, 1974, submitted prior to the present meeting, were approved as submitted.

Item 2. Fertilizer Inspection and Analysis

Statement: The Report of the Department of Fertilizer Inspection and Analysis for the period, February 1, 1974 - June 30, 1974, identifies irregularities and suggests fines therefor.

Recommendation of the Administration: That the fines as suggested be approved.

Board Action: Approved.

Item 3. Poultry Products Inspection Regulations

Statement: Section 16 of the South Carolina Poultry Products Inspection Act of 1969 authorizes the Board of Trustees to promulgate rules and regulations as shall enable the Director of the Livestock-Poultry Health Department to carry out the purposes and intent of that Act. The Federal Poultry Products Act of 1968 provides that a state poultry inspection service must be "equal to" federal inspection. In order for our regulations to be equal to federal inspection, we need to update our regulations which are essentially identical to federal regulations.

Recommendation of the Administration: That the new May 1973 USDA Poultry Inspection Regulations (Title 9, Chapter III, Subchapter C, Code of Federal Regulations) be approved and adopted by the Board of Trustees as the regulations of the South Carolina Poultry Products Inspection Act of 1969 (Act 344 of 1969). These regulations supersede previous regulations.

Board Action: Approved.

Item 4. Imported Fire Ant Quarantine

Statement: The professional staff of the South Carolina State Crop Pest Commission has proposed a Revision, dated May 21, 1974, to the Imported Fire Ant Quarantine, superseding all prior supplemental regulations.

Recommendation of the Administration: That the Revision of the Supplemental Regulations, dated May 21, 1974, to the Imported Fire Ant Quarantine and superseding all prior supplemental regulations, be approved.

Board Action: Approved.

Item 5. Appointment of the State Crop Pest Commission of South Carolina

Statement: Section 3, 101 South Carolina Code, 1962 requires the designation by the Board of Trustees on or after April first of each even-numbered year of not more than five (5) of its members to constitute the State Crop Pest Commission. Article IV, Section 4 of the Bylaws provides that the members of the Agricultural Regulatory Committee shall constitute the State Crop Pest Commission.

Recommendation of the Administration: That the following members of the Board of Trustees be designated as the State Crop Pest Commission of South Carolina: T. Kenneth Cribb, Robert R. Coker, Lewis F. Holmes, D. Leslie Tindal and James M. Waddell, Jr.

Board Action: Approved.

Item 6. Architectural-Engineering Firm for the Continuing Education Center

Statement: On April 18, 1974 members of the Board of Trustees were informed by mail that, pursuant to a policy prescribed by the State Budget and Control Board, the Administration had taken the required actions to ascertain qualified Architectural-Engineering firms for the Continuing Education Center. As a result the Administration recommended that Craig and Gaulden be selected, with Hallman and Weems as second choice, and McMillan, Bunes, Townsend & Bowen as third. The Board approved the recommendation by mail ballot.

Recommendation of the Administration: That the interim action of the Board in approving the recommendation of the Administration that Craig and Gaulden be selected as the Architectural-Engineering firm for the Continuing Education Center, with Hallman and Weems as second choice, and McMillan, Bunes, Townsend & Bowen as third be confirmed.

Board Action: Approved and confirmed.

Item 7. Contract for Construction of Field Processing Laboratory, Sandhill Experiment Station, Columbia, South Carolina

Statement: On May 17, 1974 information was mailed to the members of the Board of Trustees concerning bids for the construction of the Field Processing Laboratory, Sandhill Experiment Station, Columbia, South Carolina, which were opened publicly on May 14, 1974. Burriss Construction Company, Columbia, S. C. was the low bidder in the total amount of \$39,405.00. The Administration recommended and the Board approved by mail ballot the acceptance of the bid and the awarding of the contract to Burriss Construction Company at the above amount.

Recommendation of the Administration: That the action of accepting the bid and awarding the contract to Burriss Construction Company in the amount of \$39,405.00 for construction of a Field Processing Laboratory at the Sandhill Experiment Station, Columbia, S. C. be approved and confirmed.

Board Action: Approved and confirmed.

Item 8. Contract for Construction of Machinery and Feed Storage Building

Statement: On May 21, 1974 information was mailed to the members of the Board of Trustees concerning bids for the construction of a Machinery and Feed Storage Building at the Simpson Experiment Station, which were

opened publicly on May 21, 1974. Automated Farms Systems of Clemson, South Carolina was the low bidder in the total amount of \$16,175.00. The Administration recommended and the Board approved by mail ballot the acceptance of the bid and the awarding of the contract to Automated Farms Systems in the above amount.

Recommendation of the Administration: That the action of accepting the bid and awarding the contract to Automated Farms Systems in the amount of \$16,175.00 for construction of a Machinery and Feed Storage Building at Simpson Experiment Station be approved and confirmed.

Board Action: Approved and confirmed.

Item 9. Contract for Construction of Brooder Houses

Statement: On June 19, 1974 information was mailed to the members of the Board of Trustees concerning bids for the construction of Brooder Houses, which were opened publicly on June 18, 1974. Condon Construction Company, Inc., Greenville, S. C. was the low bidder in the total amount of \$42,150.00. The Administration recommended and the Board approved by mail ballot the acceptance of the bid and the awarding of the contract to Condon Construction Company, Inc. at the above amount.

Recommendation of the Administration: That the action of accepting the bid and awarding the contract to Condon Construction Company, Inc. in the amount of \$42,150.00 for construction of Brooder Houses be approved and confirmed.

Board Action: Approved and confirmed.

Item 10. Easement to Duke Power Company at Simpson Experiment Station

Statement: Duke Power Company requested a 100 Kv. right of way over University lands at the Simpson Experiment Station for the purpose of installing a power transmission line to service the new Michelin Tire Plant at Sandy Springs. The easement involved two tracts: Tract I being 68 feet wide and approximately 5690.1 feet long; Tract II being 60 feet wide and approximately 1523.8 feet long. By mail ballot the Executive Committee approved the granting of the easement and authorized the President of the Board of Trustees to execute the necessary instruments. The easement has been executed and forwarded to Duke Power Company.

Recommendation of the Administration: That the action of the Executive Committee in approving the granting of the easement at Simpson Experiment Station to the Duke Power Company and the execution of the instruments to accomplish the granting of the easement by the President of the Board of Trustees be approved and confirmed.

Board Action: Approved and confirmed.

Item 11. Easement to S. C. State Highway Department on Clemson University Campus

Statement: The Director of Athletics and the Director of the Physical Plant desire extension of "A" Street southward to Perimeter Road for the purpose of expediting the exit flow of traffic after football and basketball games. The extension will be constructed by the S. C. State Highway Department which requires an appropriate easement before bids can be advertised. The easement will be 82 feet wide and located on land which was part of the original Fort Hill Plantation. By mail ballot the Executive Committee approved the granting of the right of way and authorized the President of the Board of Trustees to execute the necessary instruments. The right of way easement has been executed in favor of the State Highway Department.

Recommendation of the Administration: That the action of the Executive Committee in granting an easement to the S. C. State Highway Department over lands located on the Clemson University campus and the execution of the instruments to accomplish the granting of the easement by the President of the Board of Trustees be approved and confirmed.

Board Action: Approved and confirmed.

Item 12. Naming of Former Post Office Building

Statement: The Committee on Names of Campus Buildings and Roads has recommended that the former post office building be named officially as "Mell Hall." Dr. Patrick Hues Mell was President of Clemson Agricultural College from 1902 to 1910. The name on the exterior of the building would be Mell Hall, and an appropriate plaque would be placed inside the building giving the full name.

Recommendation of the Administration: That the former post office building be named Mell Hall.

Board Action: Approved.

Item 13. Establishment of Reid-Baskin Scholarship Fund

Statement: Mr. Cecil L. Reid, Class of 1902, established the John Bryce Baskin Fund in 1930, "in appreciation of the aid given him by Mr. Baskin." The income from the endowed principal and interest on loans provided funds to "loan worthy boys for the purpose of enabling them to secure an education at Clemson College." These funds were available to any resident of South Carolina but "if all things are equal, preference to be given to boys from York or Newberry Counties." Upon the suggestion of Mr. Reid, the John Bryce Baskin Fund was transferred from Clemson College to Clemson College Foundation by the Board of Trustees of the College on June 20, 1947. In 1949, in honor of Cecil Reid, donations by the beneficiaries of the John Bryce Baskin Fund established the Cecil L. Reid Loan Fund. After Mr. Reid's death, Mrs. Caroline G. Reid suggested the two funds be merged into the Reid-Baskin Loan Fund. The merger was approved by the Trustees of the Clemson College Foundation on January 15, 1960. Generous bequests to the Reid-Baskin Fund were provided in the Wills of Mr. and Mrs. Reid, contributing substantially to bringing the current fund balance to more than sixty thousand dollars. In recent years federal and state sponsored loan and grant programs have greatly curtailed the usefulness and attractiveness of private loan funds through loan cancellation and interest subsidy features. No loans have been made from the Reid-Baskin Loan Fund since 1965, and there are no loans outstanding.

In his December 8, 1930 letter to Dr. E. W. Sikes, then President of Clemson College, Mr. Reid made provision for the John Bryce Baskin Fund to change--if need be--to meet changing conditions. The significant paragraph is quoted below in its entirety:

"The Board of Trustees of Clemson College shall have the right to change any of the conditions of this fund by a resolution duly adopted by a majority of said board provided they think that it is to the best interest of the College so to do. The Board of Trustees of Clemson College are given the further right to make whatever disposition of this fund which they might think proper, if the time should arrive when the fund in their opinion is no longer needed or if they think that it is to the best interests of the College to abolish the fund."

On June 7, 1974 the Directors of the Clemson University Foundation approved a Memorandum of Agreement, to be effective retroactive to January 1, 1974, changing the Reid-Baskin Loan Fund to the Reid-Baskin Scholarship Fund. A copy of the Memorandum of Agreement is attached.

Recommendation of the Administration: That the action of the Directors of the Clemson University Foundation changing the Reid-Baskin Loan Fund to the Reid-Baskin Scholarship Fund be approved.

Board Action: Approved.

Item 14. Clemson University Golf Course

Statement: Action is needed to accept a restricted gift to be used for the construction of an eighteen-hole championship golf course on Clemson University property and to accept and receive future gifts from the same source, or other sources, for the development of the subject golf course.

Mr. Charles B. Fellers, Class of 1943, made a gift of five hundred shares of American Hospital Supply Corporation common stock (\$19,625.00) to the Clemson University Foundation on December 31, 1973, to be held in escrow for eventual payment to Clemson University. The Executive Committee of the Clemson University Foundation has approved the transfer of this gift and income to Clemson University. Mr. Fellers plans to give similar gift amounts over the next seven-year period to help with the construction of this golf course. (Mr. Fellers is contemplating giving gifts totaling (\$240,000.)

The gift in 1973 and the forthcoming gift in 1974 should be used, following Mr. Fellers' instructions, to contract with a golf course architect and to have the necessary architectural drawings completed for the layout of the golf course.

It is anticipated that there will be accumulated funds in the 1974 calendar year to accomplish the necessary planning, architectural fees, completed working drawings, and some funds should remain to begin some of the preliminary construction work.

Recommendation of the Administration: That the restricted gift of Mr. Charles B. Fellers to be used for the construction of an eighteen-hole championship golf course on Clemson University property be accepted and that the Administration be authorized to accept and receive future gifts from the same source, or other sources, for the same purpose, and to proceed with the construction of the golf course.

Board Action: Approved.

Item 15. Resolution in Appreciation of Alexander McQueen Quattlebaum

Statement: Mr. Robert Coker intended to present a Resolution in Appreciation of Alexander McQueen Quattlebaum, a member of the Board of Trustees from 1957 to 1974, at the meeting of the Board on March 29, 1974. Since he was unable to attend, he requested that the Resolution be circulated by mail, and this was done on April 8, 1974. The members of the Board unanimously approved the Resolution and it was presented by the Secretary to Mr. Quattlebaum on May 13, 1974.

Recommendation of the Administration: That the interim action of the Board of Trustees in approving the Resolution in Appreciation of Alexander McQueen Quattlebaum be confirmed and that the Resolution be entered in the official minutes of the Board of Trustees.

Board Action: Approved and confirmed.

Item 16. Resolution Concerning Federal Tax Reform

Statement: Numerous bills have been introduced in both the House and the Senate of the United States Congress which would have an adverse effect on charitable gifts to churches, schools, hospitals, health, social welfare and other publicly sustained organizations that perform a vital role in the nation with the assistance of private philanthropy. Examples are the proposals to tax for income tax purposes the appreciation of property at the time gifts of such property are made; to tax for income tax purposes the unrealized appreciation of securities, real estate, or other property transferred at death; to place a floor under the amount of charitable contributions deduction that can be taken by an individual; and to impose a ceiling on the allowable charitable deduction for bequests.

Recommendation of the Administration: That the Board of Trustees adopt the attached Resolution, to be communicated to all members of the S. C. Delegation to the U. S. Congress, the Chairmen of both the Ways and Means Committee of the U. S. House of Representatives and the Finance Committee of the U. S. Senate, and the General Assembly of the State of South Carolina, expressing the serious concern of Clemson University with proposed tax reforms which could adversely affect private financial support for the University.

Board Action: Approved.

Item 17. Samuel R. Rhodes Professorship of Electrical Engineering

Statement: By a revocable trust, dated October 26, 1969, as modified on October 24, 1972, the late Mrs. Emma B. Rhodes made a gift of \$48,654.12 to Clemson University to be used as its governing body shall determine. A Resolution of the Board of Trustees will constitute an appropriate instrument to record the Board's determination in this matter.

Recommendation of the Administration: That the following Resolution be adopted:

RESOLUTION

WHEREAS, by an instrument dated October 26, 1969 the late Mrs. Emma B. Rhodes created a revocable trust, with the right of modification thereof, and

WHEREAS, by an instrument dated October 24, 1972 the said revocable trust was, in fact, modified by the said Mrs. Emma B. Rhodes, and

WHEREAS, pursuant to the said modification one-fifth of the principal and accumulated income of the revocable trust remaining after other gifts and expenses were satisfied would be paid as follows: "1/5 to Rhodes Foundation, an agency of Clemson University established in honor of my late husband." and

WHEREAS, the said revocable trust explicitly provided that the said one-fifth gift to Clemson University and similar gifts to other institutions, "shall be used as the respective governing bodies thereof shall determine," and

WHEREAS, the said one-fifth gift has been determined to be in the amount of \$48,654.12, receipt of which has heretofore been acknowledged by Clemson University, and

WHEREAS, there are presently contained in the Clemson University Student Loan Fund certain monies, heretofore donated by various individuals in honor of the late Professor Samuel R. Rhodes, which are sufficient in amount when added to the aforesaid \$48,654.12 to constitute the sum of \$50,000, now therefore,

BE IT RESOLVED, by the Clemson University Board of Trustees, in its capacity as the governing body of Clemson University, and in the exercise of its discretion as authorized in the aforesaid revocable trust, as follows:

(1) There is hereby established the Samuel R. Rhodes Endowment Fund in the principal amount of fifty thousand dollars (\$50,000) to be constituted of the \$48,654.12 gift of Mrs. Emma B. Rhodes and the sum of \$1,345.88 to be withdrawn from the Clemson University Student Loan Fund.

(2) There is hereby established the Samuel R. Rhodes Professorship of Electrical Engineering.

(3) There are hereby established four (4) awards (one each to a Freshman, Sophomore, Junior and Senior) to be known as the Samuel R. Rhodes Electrical Engineering Awards.

(4) The Samuel R. Rhodes Professorship will be filled, beginning with the 1975-76 academic year, following a recommendation of the Department of Electrical and Computer Engineering whose recommendation shall be made to the Dean of the College of Engineering and approved by the Dean of the University.

(5) The basic salary of the professor selected as the recipient of the Samuel R. Rhodes Professorship will be supplemented annually by an amount of \$2,500 which is realized as income from the Samuel R. Rhodes Endowment Fund.

Board Action: Adopted.

Item 18. Electric Power Distribution Line at Sandhill Experiment Station

Statement: The S. C. Electric & Gas Company has requested the granting of a right of way for the construction and operation of an electric power distribution line on University property at the Sandhill Experiment Station to serve a new development known as "Northsprings Subdivision." The right of way will run along Road S-40-1834 for a distance of approximately 1940.8 feet and will include the right to enter and clear for a distance of 10 feet either side of the center line.

Recommendation of the Administration: That the President of the Board of Trustees be authorized to execute the necessary instrument to grant the aforesaid right of way.

Board Action: Approved.

Item 19. Belle W. Baruch Foundation

Statement: Pursuant to the Last Will and Testament of Belle Wilcox Baruch, there was established the Bernard M. Baruch Foundation Trust (commonly referred to as the Belle W. Baruch Foundation). In pertinent part, the Will provided that the income of the Trust would be used, after legitimate expenses had been met, for the purposes of teaching and/or research at Hobcaw Barony, Georgetown, South Carolina, in forestry, marine biology and the care and propagation of wildlife and flora and fauna in South Carolina in connection with colleges and/or universities in the State of South Carolina. On November 14, 1968 an agreement was entered into between the Foundation and Clemson University, pursuant to which the Belle W. Baruch Research Institute was established, and since that time Clemson University has furnished professional advice to the Foundation with respect to the scientific management of forested lands, beach areas and aquatic environments at Hobcaw, and the operation and management thereof in their use as research and teaching facilities. The University has also assembled data with respect to trees and vegetation and the succession and interaction of plant and wildlife populations; made studies of soil types, insects and diseases; developed and implemented programs of research in forestry; and conducted biological investigations of the Foundation's property. Since March 1972 the University of South Carolina, pursuant to an agreement with the Foundation, has furnished advice to the Foundation and conducted research with respect to the preservation of marsh and estuarine areas, marine biology and has erected a laboratory for those purposes. The Foundation, and the two universities, in order to more efficiently and economically accomplish the purposes of Miss Baruch's bequest, eliminate the overlapping functions being carried out by the three parties under the existing separate agreements, and thereby maximize the scientific benefits derived from teaching and research, are desirous of negotiating and implementing a single, cohesive agreement. Initially, basic policy and legal understandings would be established between the Foundation, on the one hand, and the Attorney General, for the State of South Carolina, on the other. A tripartite operational agreement between the Foundation and the two universities would delineate the specific duties and responsibilities of each party.

Recommendation of the Administration: That the Administration be authorized to enter into a tripartite agreement with the Belle W. Baruch Foundation and the University of South Carolina, pursuant to which teaching and research in forestry, marine biology and the care and propagation of wildlife, flora and fauna in South Carolina will be conducted at Hobcaw Barony.

Board Action: Approved.

Item 20. Rental Rates on University Housing

Statement: It has been the policy of the University Administration to recommend to the Board of Trustees proposed rental rates on the various University-owned housing units. Generally, this has been done at infrequent intervals. Due to the continued spiraling increase in cost of operation and maintenance of the Old College, Experiment Station, Faculty, Staff and Married Student units, it is desirable that the Administration have authority to adjust rentals on those units when it appears that rental income is insufficient to cover cost of operation.

Recommendation of the Administration: That the Administration be authorized to adjust rental rates on one or all housing units, in accordance with standard contract procedures, at such times as it appears necessary to maintain an income sufficient to cover operating costs.

Board Action: Approved.

Item 21. Architects-Engineers for the College of Nursing Building

Statement: The firm of Riley, Bultman, Coulter (formerly Upshur, Riley and Bultman) Architects-Engineers, Columbia, South Carolina, has been engaged since 1971 in the preparation of materials relating to an application to National Institutes of Health for a construction grant for a College of Nursing Building. Notice has been received from the NIH that a grant in an amount not to exceed \$2,025,646 has been approved and placed on its Active Funding List. In view of the long-time connection and familiarity with the proposed Nursing Building project, it is recommended that the Administration be authorized to commission the firm of Riley, Bultman and Coulter to perform the necessary architectural-engineering services involved in this project.

Recommendation of the Administration: That the firm of Riley, Bultman and Coulter, Architects-Engineers, Columbia, South Carolina be commissioned to perform the architectural-engineering services for the construction of the College of Nursing Building.

Board Action: Approved.

Item 22. University Budget

Statement: The proposed University budget for fiscal year 1974-75 has been submitted to all members of the Board of Trustees. The following recommendation gives specific recognition to the role of the State Budget and

Control Board in the final approval of salaries as provided in Section 94 of the Appropriation Act for 1974-75.

Recommendation of the Administration: That the proposed University budget for the fiscal year 1974-75 be approved as submitted, with adjustments necessary to reflect the determination by the State Budget and Control Board of the salary for the President and any changes made by that Board in the proposed salaries of other employees of the University.

Board Action: Approved.

Item 23. Statutory Roll Call Vote

Resolution: RESOLVED, that all measures and recommendations made at this, the July 26, 1974 meeting, which according to the Bylaws require a roll call vote of nine or more members, be hereby adopted and confirmed, and that the Vice President for Business and Finance and Comptroller be authorized to issue his checks for all expenditures authorized at this meeting.

Board Action: The Resolution was adopted with eleven members present voting "Aye."

Item 24. Adjournment and Executive Session

There being no further business, the President of the Board proposed, and seven or more members concurred, that the Board go into executive session. The meeting was adjourned.

Respectfully submitted,



Joseph B. McDevitt
Secretary of the Board of Trustees

Clemson University
Clemson, South Carolina

MINUTES OF THE EXECUTIVE SESSION

THE CLEMSON UNIVERSITY

BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall
Clemson University, Clemson, South Carolina

July 26, 1974

Following the regular meeting of the Board of Trustees, the Board convened at 4:00 p.m. in Executive Session with the following members present: Edgar A. Brown, presiding; Robert R. Coker, T. Kenneth Cribb, Frank J. Jervey, Lewis F. Holmes, E. Oswald Lightsey, Paul W. McAlister, W. Gordon McCabe, Jr., Paul Quattlebaum, Jr., D. Leslie Tindal and James M. Waddell, Jr.

The President of the Board appointed Mr. McAlister to act as Secretary for this executive session.

It was moved and seconded that the playing surface in Clemson Memorial Stadium be named "Frank Howard Field." The motion carried unanimously.

In response to Dr. Edwards' comments on the many changing situations that are now developing which will require more of the Board's time, it was the sentiment of all of the members of the Board present that the Board should make itself more available to the Administration. The Board suggests for the Administration's consideration that meetings be planned insofar as practicable at two-month intervals as follows: January, March and July, to be held in Columbia, South Carolina, and May, October and December, at Clemson, and that the Secretary of the Board in advance of such meetings obtain by mail an indication of the best meeting dates.

There being no further business, the meeting was adjourned.