

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of
THE CLEMSON UNIVERSITY
BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall

July 16, 1977

The Board convened at 9:00 a.m. with the following members present: Paul W. McAlister, Chairman, presiding; Robert R. Coker, T. Kenneth Cribb, W. G. DesChamps, Jr., E. Oswald Lightsey, W. Gordon McCabe, Thomas B. McTeer, Jr., Buck Mickel, Paul Quattlebaum, Jr., James C. Self, D. Leslie Tindal and James M. Waddell, Jr.

Others present were: Robert C. Edwards, Walter T. Cox, Victor Hurst, Stanley G. Nicholas, Melvin E. Barnette, George H. Aull, Jr., Davis T. Moorhead, Raymond Noblet, John Michael Baxley, Melvin C. Long, Wade A. Green. E. N. Tyndall, Ben W. Anderson and Joseph B. McDevitt, Secretary.

Item 1. Minutes

The minutes of the meeting of May 7, 1977, heretofore submitted by mail to all members of the Board of Trustees, were approved as submitted.

Item 2. University Budget 1977-78

Statement: The proposed University Budget for Fiscal Year 1977-78 was submitted to Board members by mail together with the Preliminary Agenda for this meeting. Members were requested to submit any comments and recommendations to the Chairman, Budget and Finance Committee, prior to the meeting of that Committee on July 15, 1977. The Chairman of the Budget and Finance Committee recommended to the Executive Committee that the proposed budget be approved as submitted by the Administration subject to adjustments which might be made by the State Budget and Control Board relating to salaries and other budget items in accordance with applicable legislation.

Recommendation of the Executive Committee: That the proposed 1977-78 budget submitted by the Administration be approved subject to adjustments as indicated above and with the following delegations of authority to the Administration contained on page 51 of the proposed budget:

"In approving this budget, the Board of Trustees recognizes that the amounts shown as income are estimates and subject to change, and that the amounts shown for expenditures are a reflection of plans and workload estimates as of the time the proposed budget was prepared. It further recognizes that each day may bring new challenges and developments requiring adjustments in plans, programs, estimates, and budget items. In order to provide for continuity and essential flexibility in operations, the Board of Trustees reaffirms for Fiscal Year 1977-78 the delegation of necessary authority to the President to act in all matters, and to the Vice President for Business and Finance to act in fiscal, contractual and other business matters, including specifically authority to negotiate and make timely changes in contracts and adjust operating, permanent improvement and other income and expenditure items, and to take such other actions considered necessary in fiscal, contractual and other business matters in response to changing conditions and estimates. The Chairman of the Board, the Budget and Finance Committee, the Executive Committee or the full Board are to be consulted for further specific directions and approval as conditions appear to warrant."

Board Action: Approved.

Item 3. Emeritus Status for Mr. Melford A. Wilson

Statement: By mail ballot of May 19, 1977, the Executive Committee approved the recommendation of the Administration that Mr. Melford Alonzo Wilson be conferred the title of Vice President Emeritus for Business and Finance on the occasion of his retirement on June 23, 1977. The title was conferred at a testimonial dinner for Mr. Wilson on June 14, 1977.

Recommendation of the Executive Committee: That the interim action by the Executive Committee on May 19, 1977, be confirmed and ratified.

Board Action: Confirmed and ratified.

Item 4. Revision of Appointment Date for Mr. Melvin E. Barnette
as Vice President for Business and Finance

Statement: By mail ballot of April 13, 1977, the Board of Trustees approved the appointment of Mr. Barnette, effective July 1, 1977, and the Board confirmed and ratified that approval at its meeting on May 7, 1977. The Attorney General ruled that State employees paid on a biweekly basis and retiring at the end of a fiscal year must be terminated at the end of the last biweekly pay period in June. Pursuant to that ruling, Mr. Wilson retired on June 23, 1977. In order that there would be an authorized check-writing official for the University during the period June 24-30, 1977, the Administration recommended that the effective date of Mr. Barnette's appointment be advanced from July 1, 1977 to June 24, 1977. By mail ballot of June 7, 1977, the Executive Committee approved the recommendation.

Recommendation of the Executive Committee: That the interim action by the Executive Committee on June 7, 1977, be confirmed and ratified.

Board Action: Confirmed and ratified.

Item 5. Conveyance of 5.414 Acres at Pee Dee Experiment Station to
Florence-Darlington Area Commission for Technical and
Comprehensive Education

Statement: Act 614 of 1971 provided that 39.5 acres of Pee Dee Experiment Station land shall be conveyed to the Florence-Darlington Technical Education Commission "as soon as Clemson University has relocated the Pee Dee Experiment Station." In 1972 and again in 1975, the Board of Trustees authorized the execution in favor of the Commission of Rights-of-Use of 2.2 acres, and of 1 acre with a 74-ft. Right-of-Way, respectively, for parking purposes. Those tracts were a part of the aforesaid 39.5 acres. Rights-of-Use were utilized in view of the statutory provisions that the land would be conveyed to the Commission when the Experiment Station had been relocated. That had not yet occurred.

The Commission, on February 16, 1977, requested that 5.414 acres, including the land being used under the Rights-of-Use, be transferred to Commission ownership. The reason given was:

"In an effort to fulfill the mission given to the institution, we are currently preparing an application for funding of additional facilities. However, this application cannot be forwarded for consideration until the lands currently legally documented as Right to Use is transferred to ownership from Clemson University to the Florence-Darlington Area Commission."

The Superintendent of the Station, the Director of the S. C. Experiment Station and the Dean of the College of Agricultural

Sciences interposed no objection to the granting of the Commission's request. The Rights-of-Use had been executed with the understanding that the property involved would for all practical purposes thereafter belong to the Commission, awaiting only the pro forma execution of a deed at some later date. No further statutory authority was needed for the Board to convey the property.

It was the opinion of the University Counsel that the statutory provisions for transfer of the property after relocation of the Pee Dee Station were for the protection of the Station and its mission, that compliance therewith was not mandatory and that the public interest would best be served by conveying the property to the Commission inasmuch as no current or future use thereof was planned by the Station. That opinion pertained only to the specific 5.414-acre tract and not to the remainder of the 39.5 acres.

The Administration recommended that the Board of Trustees approve the transfer of the 5.414 acres to the Commission and authorize execution by the Chairman of an instrument of conveyance for that purpose. Act 614 of 1971 provided that the University would be credited by the Budget and Control Board with the value of the property, such credit to apply against monies which were advanced by the Board to the University for the purchase of the new Pee Dee Experiment Station.

By mail ballot of June 10, 1977, the members of the Board of Trustees approved the recommendation of the Administration and the Chairman of the Board executed the deed on June 28, 1977.

Recommendation of the Executive Committee: That the interim action of June 10, 1977, by the Board be confirmed and ratified for the record.

Board Action: Confirmed and ratified.

Item 6. Fines for Certain Irregularities Relating to the S. C. Fertilizer Law

Statement: The professional staff, Department of Fertilizer Inspection and Analysis, determined the existence of various weight irregularities, and irregularities other than weights, for which certain fines were recommended by the Administration. By mail ballot of June 24, 1977, the members of the Fertilizer Board of Control approved the recommendation.

Recommendation of the Executive Committee: That the mail ballot action of the Fertilizer Board of Control of June 24, 1977, be confirmed and ratified for the record.

Board Action: Confirmed and ratified.

Item 7. Athletic Council Membership

Statement: At the present time, the Athletic Council as established by the Board of Trustees consists of fifteen (15) members as follows:

6	faculty members	
2	Alumni Association	
	President	Ex-officio
	Immediate Past President	Ex-officio
2	IPTAY	
	President	Ex-officio
	Immediate Past President	Ex-officio
1	Dean of Admissions & Registration	Ex-officio
1	President of Faculty Senate	Ex-officio
1	graduate student	
	Chairman, Graduate Student Assn.	Ex-officio
2	undergraduate students	
	President, Student Senate	Ex-officio
	President, Block "C" Club	Ex-officio

An ad hoc committee of the Faculty Senate has recommended that the Athletic Council faculty membership be strengthened. Upon the concurrence of the faculty members of the Athletic Council, it is the Administration's view that additional faculty representation is desirable and that three (3) ex-officio members of the faculty should be added as follows:

1. In 1977, the Immediate Past President of the Faculty Senate shall be reappointed for two (2) years. Ex-officio.
2. In 1978, the Immediate Past President of the Faculty Senate shall be reappointed for two (2) years. In years thereafter, the Immediate Past President shall be reappointed for two (2) years. Ex-officio.
3. The Faculty Chairman of the Scholarships and Awards Committee. Ex-officio.
4. All ex-officio members of the Council shall have voting privileges.

Recommendation of the Executive Committee: That the Board approve the increase in membership of the Athletic Council and voting privileges for its ex-officio members as recommended by the Administration.

Board Action: Approved.

Item 8. Policy Concerning President of IPTAY

Statement: The Student Affairs Committee considered it useful and appropriate that, in addition to the Presidents of the Clemson Alumni Association and the Clemson University Foundation, the President of IPTAY be invited to attend meetings of the Board of Trustees. Further, it considered that the three Presidents should be extended individual invitations to attend committee meetings when a committee chairman deems it appropriate to extend an invitation.

Recommendation of the Executive Committee: That the Resolution adopted by the Board on January 10, 1976, as recorded on page 11 of the minutes of the meeting of that date be amended to read as follows:

BE IT RESOLVED, that it is the policy of the Board of Trustees of Clemson University that the President of the Clemson Alumni Association, the President of the Clemson University Foundation and the President of IPTAY shall be invited to attend, as observers, meetings of the Board of Trustees of Clemson University and such meetings of the Committees of the Clemson University Board of Trustees as the individual committee chairmen shall deem it appropriate to extend an invitation to attend.

Board Action: Approved.

Item 9. Study of Real Estate Holdings

Statement: Many parcels of Land-Use land deeded to then Clemson College by the federal government in 1954 were isolated from the main campus by the construction and filling of Lake Hartwell. Their isolated location renders it infeasible to utilize them in research and training programs in Forestry and Agriculture. Many of these parcels have substantial fair market value. The federal legislation which authorized their transfer to the College contained a reservation of mineral rights, and a reversionary clause that ownership will revert to the federal government in the event they cease to be used for public purposes. However, amendatory legislation subsequently provided that the two conditions can be released by the Secretaries of Interior and Agriculture, respectively, and that the land can be sold or exchanged by the Board of Trustees provided that any land received in an exchange be made subject to the same conditions, and that any monies received from a sale be placed in a special account, subject to audit, for use in connection with land-use projects. (Thus, money received from the federal government as compensation for the loss of Land-Use land submerged by the waters of Lake Hartwell was used for the purchase of Simpson Experiment Station.)

Recommendation of the Executive Committee: That the Administration make a study of all off-campus real estate holdings and develop comprehensive plan for the best use of this property.

Board Action: Approved.

Item 10. Tribute to Frank Howard

Statement: The members of the Board of Trustees have been fully mindful and concerned for the successful recovery of Coach Frank Howard from recent major surgery. The Board wishes to take the occasion of this meeting to express publicly these concerns. Mr. Kenneth Cribb has brought to the Board's attention a recent editorial aired over radio and television stations of WSPA, Spartanburg, which aptly expresses views shared by all Board members.

Recommendation of the Executive Committee: That the following WSPA editorial be spread on the minutes of this meeting of the Board of Trustees:

"Frank Howard

Frank Howard, the man who put Clemson University on the national map as far as college football is concerned, is back in circulation again, and this is good news to his many friends and admirers not only in South Carolina but throughout the country.

It was difficult to visualize this giant of a man, chewing his cud of tobacco, swapping stories, appearing almost constantly at public gatherings and eating gargantuan meals, ever being sick. But quite suddenly he found himself with an infected gall bladder that had to be removed. A diabetic condition made matters worse. It is not difficult to imagine the stories he has dreamed up and the laughs he will bring when he gets back on the circuit and tells about his operation.

What Frank Howard has meant to Clemson and South Carolina is a story that has only been half told. His influence was felt not only on the gridiron, but the many friends he made over the state gave him clout with powerful members of the Legislature and others in high places. His contribution to helping Clemson move up the ladder to the respected and nationally recognized university it is today was tremendous.

Four years when people thought of Clemson, they thought of Frank Howard. He never failed to use the influence he gained to promote the university he has been a part of for 46 years.

WSPA joins the host of friends of the man from Barlow Bend in wishing for him full restoration of his robust health and many more years of being a good-will ambassador for Clemson and South Carolina."

Board Action: Approved.

Item 11. Selection Process for President

Statement: The Interim Report of the Special Committee which was approved by the Board at its meeting on May 7, 1977, was revised by the Committee in light of comments and recommendations subsequently received from interested individuals. It was considered by the Executive Committee on July 15, 1977, and was approved, with one minor change, for submission to the full Board.

Recommendation of the Executive Committee: That the Board give final approval to the Selection Process for President as submitted and as made an Attachment to the minutes of this meeting.

Board Action: Approved.

Item 12. Statutory Roll Call Vote

Resolution: RESOLVED, that all measures and recommendations made at this, the July 16, 1977 meeting, which according to the By-Laws require a roll call vote of nine or more members, be hereby adopted and confirmed, and that the Vice President for Business and Finance be authorized to issue his checks for all expenditures authorized at this meeting.

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

Item 13. Recess for Executive Session *at 10:15 AM.*

There being no further public business, the meeting of the Board was recessed and the Board went into Executive Session upon unanimous vote of the twelve members present for the purpose of electing a Chairman of the Board as provided in the By-Laws.

Item 14. Public Meeting Resumed *at 11:15 AM*

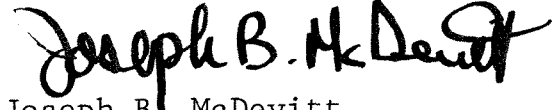
The meeting was reopened to the public and the announcement was made that the Board, in Executive Session, has reelected Mr. Paul W. McAlister for a second term as Chairman.

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Item 15. Adjournment

There being no further business, the meeting of the Board was adjourned.

Respectfully submitted,

A handwritten signature in black ink that reads "Joseph B. McDevitt". The signature is written in a cursive style with a large, prominent initial "J".

Joseph B. McDevitt
Secretary of the Board of Trustees