

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of
THE CLEMSON UNIVERSITY
BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall

May 8, 1980

The Board convened at 5:00 p.m. with the following members present: Paul W. McAlister, Chairman, presiding; Louis P. Batson, Jr., Robert R. Coker, T. Kenneth Cribb, Fletcher C. Derrick, Jr., W. G. DesChamps, Jr., William N. Geiger, Jr., Lewis F. Holmes, Thomas B. McTeer, Jr., James C. Self, D. Leslie Tindal and Joseph B. McDevitt, Secretary.

President's Cabinet present: Bill L. Atchley, Ben W. Anderson, Melvin E. Barnette, Walter T. Cox, Victor Hurst, Oscar F. Lovelace, Jr., Stanley G. Nicholas, C. Stassen Thompson, and E. N. Tyndall.

Official Observers present: John L. Allen, Charles W. Bussey, Jr. (substituting for F. Reeves Gressette), Bill G. Rogers and Robert H. Yeargin.

Others present: Milton Kimpson (Governor's Office).

Item 1. Minutes

The minutes of the meeting of January 26, 1980, heretofore submitted to all members of the Board of Trustees, were approved as corrected to indicate that W. G. DesChamps, Jr., and Lewis F. Holmes were in attendance at the January meeting.

Item 2. Conversion of Married Student Housing and Faculty and Staff Housing

STATEMENT: Clemson University presently utilizes 100 apartment units and 12 small and 2 large homes located on the north side of Highway 93 as faculty and staff housing. The intended purpose through the years has been to provide short- to medium-term accommodations for faculty and staff moving into the community. The development of an

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adequate number of housing units within the community has minimized the necessity of the University providing this type of accommodation.

The University is now confronted with a major shortage of single student housing which will necessitate nearly 700 students being accommodated in overflow housing space for the coming fall; 600 other incoming students are on a waiting list and must seek housing in the community. The 1300-bed shortage of single student housing could be reduced substantially if the 100 apartment units were converted into accommodations for married students, thereby freeing the 100 East Campus married student units for use by single students. Four (4) single students would be assigned to each unit adding a total of 400 new spaces for single students. Those spaces and the 512 spaces becoming available in August 1981 with the completion of the new student housing facility, would make 912 additional spaces for single students available for the academic year 1981-82. At the same time, the Administration would continue to make temporary housing (one year limit) available for critical faculty and staff needs, such as for visiting professors and newly-employed faculty and staff members.

RECOMMENDATION OF THE STUDENT AFFAIRS COMMITTEE: (1) That the 100 faculty/staff apartments be converted to married student housing effective July 1, 1981; (2) that the 100 East Campus married student units be converted for use by single students; (3) that the 12 small homes be used in the future for temporary housing (one year limit) to meet critical faculty and staff needs such as for newly-employed faculty and staff members and visiting professors; (4) that the two (2) large homes be used as in #3 above or for office space; and (5) that in the event the homes referred to in #3 and #4 above are not sufficient to meet the critical faculty and staff temporary housing needs, some of the apartments will also be allocated for that purpose.

BOARD ACTION: Approved.

Item 3. Rental Rate Increase--Faculty/Staff Housing and
Clemson House

STATEMENT: State law requires that rental rates of units housing employees be commensurate with charges for comparable housing in the private sector, thereby insuring that providing University housing will not constitute an unlawful perquisite of employment with the University.

RECOMMENDATION OF THE STUDENT AFFAIRS COMMITTEE: Due to increased costs of operations brought on primarily by inflation and the provisions of state law which prohibit perquisites such as housing being made available to employees at rates which are below fair market value, it is recommended that rental rates for faculty/staff housing units be increased effective July 1, 1980. (The schedule of increased rental rates is available in the University Housing Office.) It is further recommended that the Administration be

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authorized to adjust rental rates in the units where the cost of heating is included in the rental fees at such time that the cost of fuel increases to a point which is beyond the margin for which an allowance has been made in this adjustment.

BOARD ACTION: Approved.

Item 4. Rental of Off-Campus Apartments

STATEMENT: Doyle C. Burton Realty has made a proposal to the University for the rental of 38 apartment units which would house a total of 152 students. The lease would commence on August 1, 1980, and extend through July 31, 1982. Also offered in the proposal is an option to rent an additional 32 units which will be constructed at that same site and be ready for occupancy August 1, 1981.

RECOMMENDATION OF THE STUDENT AFFAIRS COMMITTEE: In order to provide some relief for the immediate shortage in housing that now confronts the University, it is recommended that the University enter into an agreement with Doyle C. Burton Realty for rental of the 38 units for the period specified above. It is further recommended that the University be authorized to contract for use of the additional 32 units for the academic year 1981-82 if it is determined by April 1, 1981, that the need for these units is critical enough to warrant such an agreement.

BOARD ACTION: Approved.

Item 5. Increase in Student Fees

STATEMENT: Based on the Appropriation Bill as passed by the House of Representatives and the recommendation of the Senate Finance Committee, it is estimated that the University's appropriation for 1980-81 will have a shortfall of in excess of \$2.5 million. This will primarily result from mandated pay, merit and related fringe benefit increases with the University receiving only 75% thereof in appropriated funds, the remaining 25% having to come from student fees. This will necessitate an increase in student fees.

RECOMMENDATION: That the present in-state rate per semester be increased from \$492.00 to \$605.00 and that the present out-of-state per semester rate be increased from \$1,044.00 to \$1,244.00.

BOARD ACTION: Approved.

Item 6. Seed Certification Standards

STATEMENT: Title 3, Section 441, Code of Laws of South Carolina, 1962, as amended (now codified in Title 46, Chapter 21, Sections 610, 620 and 630, Code of Laws of South Carolina, 1976), gave

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authority in 1945 for Clemson University (then Clemson College) "to inaugurate a program of seed and plant certification which shall have as its aim the fostering of the production and distribution of pure varieties of seeds and plants in South Carolina." It further authorized the University "to promulgate rules and regulations and provide other facilities" necessary to accomplish that aim. A certification program was established and regulatory seed standards have been promulgated. The entire program is regarded as being properly carried out within the broad purview of the authorizing legislation.

The Head, Seed Certification Department, has recommended three (3) revisions to the present standards. The first would replace the passive method of enforcement which has proven ineffective since adopted in 1977, and which has resulted in the merchandising of some seed detrimental to the reputation of South Carolina certified seed. The revised standards would establish a positive method of enforcement which would require a seed processor to qualify as an "Approved Processor," the essential qualification being the possession of the capability to process seed without introducing admixtures which preclude certification. The second revision would establish "Grow-Out Tests" for comparisons of routine samples of processed certified seed with samples of the same seeds submitted by processors/growers for purity and germination tests. The third revision would add a provision requiring producers/processors to stack and store processed certified seed in such manner as to permit reasonable access thereto for random sampling.

RECOMMENDATION OF THE ADMINISTRATION: That the Board of Trustees adopt the recommended revisions of Seed Certification Standards.

BOARD ACTION: Adopted.

Item 7. Naming of the Patrick Noble Calhoun Courts

STATEMENT: The Special Advisory Committee on Names has recommended that the new housing facility under construction east of the President's Home be named the Patrick Noble Calhoun Courts. Contributions that Mr. Calhoun made to the improvement of education at Clemson University range from his outstanding record as a student at Clemson where, among other honors, he won the Norris Medal and was Regimental Commander of the Cadet Corps, two of the highest honors attainable by a student, to his service to Clemson University as President of the Clemson University Foundation, President of the Clemson Alumni Association, and life member of the Board of Trustees. His contributions to Clemson University were recognized by the Alumni Association when in 1962 he was given the Distinguished Alumnus Award. Members of the Board are well acquainted with the broad range of activities in which Mr. Calhoun contributed to the advancement of the University.

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RECOMMENDATION OF THE ADMINISTRATION: That the new housing facility be named the Patrick Noble Calhoun Courts in honor of the former life Trustee.

BOARD ACTION: Approved.

Item 8. Naming of Lehotsky Hall

STATEMENT: The Special Advisory Committee on Names has recommended that the Forest and Recreation Resources Building be named Lehotsky Hall in honor of the late Professor Koloman Lehotsky who was instrumental in establishing and developing the Department of Forestry at Clemson University, served as Head of this Department from 1956 to 1969, and contributed significantly to the planning and building of the Forest and Recreation Resources Building.

Dr. Lehotsky was not only a good teacher and an effective administrator, he was also a scholar of international renown. Educated in his native Czechoslovakia in the early part of this century, he was a classical scholar in the ideal sense. He read and spoke seven languages and translated scholarly books outside the field of forestry from less widely used European languages into English. In his chosen field, he was perhaps the best known individual in the State, and his reputation at the national level was equally impressive. On the Clemson campus, he was universally respected for his scholarship and his interest in students.

RECOMMENDATION OF THE ADMINISTRATION: That the Forest and Recreation Resources Building be named Lehotsky Hall.

BOARD ACTION: Approved.

Item 9. Fertilizer Inspection and Analysis

STATEMENT: The March 18, 1980, report of the Department of Fertilizer Inspection and Analysis identified weight and labeling irregularities and recommended fines therefor.

RECOMMENDATION OF THE ADMINISTRATION: That the fines, as recommended, be approved.

BOARD ACTION: Approved.

Item 10. Regulations for Standards for Prevention or Control of Wood-Destroying Organisms

STATEMENT: The South Carolina Pest Control Act designated the Division of Regulatory and Public Service Programs of Clemson University as the State agency to administer the Act and made the

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Director of that Division responsible, after due notice and public hearing, to make appropriate regulations for carrying out the provisions of the Act. The Director has proposed regulations for Standards for Prevention or Control of Wood-Destroying Organisms. The proposed regulations were published in the State Register, February 15, 1980, Vol. 4, Issue No. 2. Public notice was also presented in three (3) newspapers on two (2) consecutive Sundays. The University Relations Department published two (2) general information articles dealing with the hearing. The hearing was held March 10, 1980, at the Peebles Auditorium in Columbia, South Carolina. Comments received at the public hearing were considered and incorporated into the proposed regulations. The proposed regulations contained methods and procedures for compliance by every person performing either preventative measures against or control measures for termites and other wood-destroying organisms, both insects and fungi, on the property of another.

RECOMMENDATION OF THE ADMINISTRATION: That the proposed regulations be adopted by the Board of Trustees.

BOARD ACTION: Adopted.

Item 11. Handicapped Access Construction

STATEMENT: Bids for Handicapped Access, HEW 504, Project H12-026, were opened publicly in Room 300, Sikes Hall, at 2:00 P.M., February 28, 1980. After a careful analysis of the bids, it was recommended that the construction contract be awarded to the low bidder, E. L. Jones & Son, Inc., Taylors, South Carolina, in the amount of \$1,361,000.00. By mail ballot action of February 29, 1980, the Board of Trustees approved the recommendation.

RECOMMENDATION OF THE ADMINISTRATION: That the mail ballot action by the Board of Trustees of February 29, 1980, be confirmed and ratified.

BOARD ACTION: Confirmed and ratified.

Item 12. Sale of University Land in Jasper County

STATEMENT: In 1944, Jeremiah Milbank, Sr., gave the University (then Clemson College) a parcel of land in Ridgeland, Jasper County, South Carolina. The University subsequently acquired two (2) adjacent parcels and the property now comprises approximately 3.5 acres with three (3) buildings thereon. From 1944 to 1954, the University leased the property to the Jasper County Farmers' Services which used it to provide services to farmers which were not commercially available. In 1954, the Jasper County Farmers' Service decided that it was now improperly competing with commercial firms. It requested the University to amend the lease to permit

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the Farmers' Service to sublease the property. This was done by adding a provision to the original lease from the University to the Farmers' Service. Also added to the original lease was a modification of the term of the lease providing for an initial period of five (5) years with year-to-year renewal thereafter. Since that amendment was added in 1954, the initial 5-year term of the lease to the Farmers' Service expired in 1959 and the tenancy of the Farmers' Service has been on a year-to-year basis since that time. Pursuant to the authority granted to the Farmers' Service by the amended provision, the property was subleased beginning in 1954 and is under sublease at the present time. The current sublessee is Davis Farm Supplies and the term of the lease is set forth as "five (5) years with three (3) five (5) year options for additional leases." The current lease was executed on July 1, 1974, and the initial 5-year term expired on July 1, 1979. The lease period set forth in the sublease from the Farmers' Service to Davis Farm Supplies is obviously inconsistent with the year-to-year tenancy which the Farmers' Service has under the University's lease to it. It is probable that Davis Farm Supplies is under the understanding that the current period of its lease carries through July 1, 1984. One of the buildings on the property has had fire damage and all three (3) have deteriorated beyond economical repair.

If the properties were to be sold, the Administration would plan to place the proceeds with the \$25,000 bequest that was given to the University in Mr. Milbank's Will in 1972. The endowment income would be used for scholarships for students attending the College of Agricultural Sciences. The Board of Directors of the Jasper County Farmers' Service could be given the opportunity to provide names of students who could be potential recipients of these scholarships. The scholarships, if awarded, would be known as THE JEREMIAH MILBANK, SR., AGRICULTURAL SCHOLARSHIPS. Jeremiah Milbank, Jr., resides in New York City and we would keep him informed of the action being taken.

RECOMMENDATION OF THE ADMINISTRATION: It is recommended that appraisals be obtained of the properties and that the Administration be authorized to initiate steps to sell the property. In the event the current tenant is desirous of continuing for the full term of his present occupancy, i.e., until July 1, 1984, it is recommended that his desires be accommodated and that notice to terminate ~~not be given until~~ July 1, 1983, effective July 1, 1984.

BOARD ACTION: Approved.

The Chairman read the following letter from Associate Professor Horace W. Fleming, Jr., dated May 8, 1980, and addressed to the Chairman, to the members of the Board and requested that it be included in the Minutes of the meeting:

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"I want to thank you and the members of the Board of Trustees for the very kind hospitality, consideration and support extended me as President of the Faculty Senate during the past year. It means a great deal to the faculty and to me personally to know that we have such a devoted and energetic Board working on our behalf.

I know also that our colleagues on the faculty join me in thanking the Board for providing us a President, in the person of Dr. Bill Atchley, in whom we take great pride and in whom we have great confidence.

It is indeed an exciting time to be at Clemson University. We thank you and the Board of Trustees for helping to make it so."

Item 13. Statutory Roll Call Vote

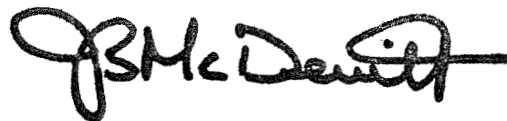
Resolution: RESOLVED, that all measures and recommendations made at this, the May 8, 1980 meeting, which according to the By-Laws require a roll call vote of nine or more members, be hereby adopted and confirmed, and that the Vice President for Business and Finance be authorized to issue his checks for all expenditures authorized at this meeting.

BOARD ACTION: The resolution was adopted with eleven members present voting "Aye."

Item 14. Adjournment

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

Respectfully submitted,



Joseph B. McDevitt
Secretary of the Board of Trustees