

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of

THE CLEMSON UNIVERSITY

BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall

September 12, 1980

The Board convened at 2:30 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., Buck Mickel, James C. Self, D. Leslie Tindal, James M. Waddell, Jr., and Joseph B. McDevitt, Secretary.

President's Cabinet present: Bill L. Atchley, Ben W. Anderson, Melvin E. Barnette, Ed F. Byars, Edwin M. Coulter, Walter T. Cox, W. Harry Durham, Oscar F. Lovelace, Jr., W. David Maxwell, George M. Moore, and James L. Strom.

Official Observers present: Charles W. Bussey and Billy G. Rogers.

Item 1. Minutes

The minutes of the meeting of May 8, 1980, heretofore submitted to all members of the Board of Trustees, were approved as submitted.

Item 2. Location of Golf Course

STATEMENT: A firm financial plan for the proposed golf course cannot be developed until the site for its construction has been selected. If the currently proposed location is to be changed, it is imperative that a new site be identified and reserved in the near future so efforts to finance the project can proceed.

RECOMMENDATION OF THE DEVELOPMENT COMMITTEE: That Lockwood-Greene Engineers which is presently conducting a campus master planning study be instructed to assign a high priority to the siting of the proposed golf course.

BOARD ACTION: Approved.

Item 3. Changes in By-Laws

STATEMENT: The Planning Committee met on Tuesday, July 29, 1980, and considered changes in the Board By-Laws as recommended by various Board members. The Committee recommended changes which were circulated to the members on August 4, 1980. On September 11, 1980, the Executive Committee considered the changes recommended by the Planning Committee in light of comments of Board members pertaining thereto.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: (1) That the full Board approve and adopt the following changes in the By-Laws of the Board, and (2) That related provisions in the Manual of the Board of Trustees be conformed accordingly.

- (1) Article III. Section 2. Chairman. Next-to-last line, the word "Board" be substituted for the words "Executive Committee."
- (2) New Section 3 be inserted as follows:
"Section 3. Vice Chairman. At the next meeting succeeding the election of a Chairman of the Board, the trustees shall elect one of the members of the Executive Committee to serve as Vice Chairman of the Board for a two year term. He shall be ineligible to serve more than three consecutive terms; however, there shall be no restriction as to age."
- (3) Present Sections 3, 4, 5 be renumbered 4, 5, 6.
- (4) Article III. Section 5. First full paragraph after listing of the six standing committees, lines 4 and 5, delete the words "other than the Chairman of the Executive Committee,".
- (5) Article III. Section 5. Second full paragraph after listing of the six standing committees, delete in its entirety the second sentence beginning "At its next meeting" etc.

BOARD ACTION: Approved.

Item 4. Policy on Honorary Degrees

STATEMENT: Current Board policy on the awarding of honorary degrees was adopted on February 3, 1971.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE. That the President re-evaluate the policy and recommend to the Education Policy Committee of the Board such changes as are deemed to serve the current best interests of the University.

BOARD ACTION: Approved.

Item 5. Agreement Concerning Foundation Seed Program

STATEMENT: Clemson University is responsible and accountable for the conduct of a foundation seed program in South Carolina. The Board of Trustees is desirous of formalizing an arrangement whereby, in cooperation with the South Carolina Crop Improvement Association, the University will designate the South Carolina Foundation Seed Association, a private, not-for-profit corporation under the laws of South Carolina as its agent for the purpose of carrying out the foundation seed program. A tripartite agreement has been informally agreed between the University and the two Associations to accomplish that purpose.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the President of the University be authorized to execute the Agreement, as it appears in Exhibit A of the Minutes of this meeting, in behalf of the University.

BOARD ACTION: Approved.

Item 6. Acting Secretary of the Board of Trustees

STATEMENT: On August 23, 1972, the Board of Trustees authorized and empowered Colonel E. N. Tyndall to perform the duties of the Secretary of the Board of Trustees in the absence or inability to act of the regularly appointed Secretary of the Board. Colonel Tyndall retired on June 30, 1980. It is desirable that the duties of the Secretary of the Board of Trustees be consolidated within the Office of the President.

RECOMMENDATION OF THE ADMINISTRATION: That Benjamin W. Anderson, Esq. be designated as Acting Secretary of the Board of Trustees to perform the duties of the Secretary in the absence or inability to act of the regularly appointed Secretary.

BOARD ACTION: Approved.

Item 7. Change in Name from Department of Entomology and Economic Zoology to Department of Entomology, Fisheries, and Wildlife

STATEMENT: For several years Clemson University has been involved in wildlife and fishery activities in the Department of Entomology and Economic Zoology. The Economic Zoology portion of the departmental

name has, to the informed, meant Wildlife and Fisheries; however, it has required an explanation to our constituency out in the state and to our peers at other institutions. A recent review of the Department of Entomology and Economic Zoology by an outside group strongly recommended this departmental name change. It has been the practice of the Administration to have the names of colleges and departments reflect as accurately as possible the teaching, research, and extension efforts of the respective areas. There is an agreement on record between the College of Forest and Recreation Resources and the College of Agricultural Sciences as it relates to the wildlife management at Clemson University and this name change would not affect this agreement. With these factors in mind, it appears timely that a change in name, concurred in by the administration of both the involved colleges, is in order.

RECOMMENDATION OF THE ADMINISTRATION: That, effective September 15, 1980, the Department of Entomology and Economic Zoology of the College of Agricultural Sciences, have its name changed to the Department of Entomology, Fisheries, and Wildlife.

BOARD ACTION: Approved.

Item 8. Certified Seed Tag Fees

STATEMENT: In 1945, the General Assembly authorized 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." The law further authorized the University "to promulgate rules and regulations and provide other facilities" necessary to carry out that program. A certification program was established, seed certification standards have been promulgated as regulations and a fee schedule exists indicating charges made by the Seed Certification Department for field inspections and for tags which are affixed to bags containing certified seeds. The Seed Certification Department intends to retain the current charges which it makes for field inspections of crops for certification. However, the increase in cost of tag stock, shipping costs and costs of other supplies used in printing certified seed tags mandate an increase in the charge for the tags. Currently, the charge per tag varies from 3.5 cents each to 5 cents each, depending upon the quantity purchased. It is the recommendation of the Seed Certification Department (1) that current economic factors warrant the increase of the charge per tag to 5 cents, and (2) that a discount for larger quantities can no longer be justified. The approval of these recommendations will bring charges for certified seed tags in South Carolina in line with charges made by other southern states.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the charge per tag for certified seed tags sold by the Department of Seed Certification be increased to 5 cents per tag, effective immediately.

BOARD ACTION: Approved.

Item 9. State Institution Bond Resolution

STATEMENT: For permanent improvements itemized in the attached Resolution, Section 3, the Administration asks that an application be made for funds pursuant to Chapter 107, Title 59, Code of Laws of South Carolina, 1976, as amended. The Resolution provides in Section 10 that the Board of Trustees convenants and agrees that the schedule of tuition fees now in effect will be revised from time to time and whenever necessary in order to provide the annual principal and interest requirements of all State Institution Bonds now or hereafter to be outstanding, which have been or will be issued on behalf of Clemson.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the Board adopt the Resolution as it appears in Exhibit B of the Minutes of this meeting, and authorize the Administration to make formal application for the issuance of State Institution Bonds for Clemson to the extent of \$3,500,000.

BOARD ACTION: Approved.

Item 10. Passive Solar Heating Research

STATEMENT: The Brick Institute of America proposed to contract with the Ceramic Engineering Department to fund research to obtain quantitative thermal data for designing passive solar homes in the Southeastern United States.

The research would require construction of ten brick cubicles on University land. The project would extend over a twenty-four-months period, at the end of which the cubicles would be dismantled. Construction of the cubicles would be pursuant to a separate contract awarded by the Brick Institute. The Brick Institute desired that a lease of land be executed to it as lessee. The term of the lease would be for the period of construction, and at the end of that period the Brick Institute would give the cubicles to the University.

Since the lease involved an interest in land it required execution by the Chairman of the Board. Since it did not involve a sale of land the Executive Committee had authority to authorize execution of the lease by the Chairman.

By mail ballot of June 23, 1980, the Executive Committee authorized the Chairman to execute the lease. The lease was executed on July 1, 1980, and has been provided to the Brick Institute of America.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the mail ballot authorization by the Executive Committee of June 23, 1980, and the execution of the lease by the Chairman of the Board of Trustees be confirmed and ratified.

BOARD ACTION: Approved.

Item 11. Construction of New Fire Station

STATEMENT: On July 16, 1980, at 2 P.M. bids for construction of the new Fire Station were opened publicly in Room 300 Sikes Hall. The Low Base Bid will result in a total project cost of \$461,100, \$226,100 more than presently budgeted for the project.

After careful analysis of factors involved, the Administration recommended (a) that a construction contract be awarded to the low bidder, South General Construction Company, Inc., Anderson, South Carolina, in the amount of \$436,200 and (b) that the Administration be authorized to allocate \$226,100 Excess Bonds and Fees to provide the additional funds required. By mail ballot action of July 17, 1980, members of the Board of Trustees approved the recommendation of the Administration.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the mail ballot approval by the Board of Trustees of July 17, 1980, and the award of the construction contract to South General Construction Company be confirmed and ratified.

BOARD ACTION: Approved.

Item 12. Easement for Water Meter Vault at New Pee Dee Station

STATEMENT: The Darlington County Water and Sewer Authority agreed to install a pipeline to deliver potable water to the new Pee Dee Station. The Authority desired to obtain a permanent twenty foot by twenty foot easement for the construction of a water meter vault and appurtenances. Inasmuch as an easement involves an interest in land, it must be executed by the Chairman of the Board. However, since it does not involve a sale of land (which would need at least 9 votes of Board Members), the action was one within the authority of the Executive Committee to approve. Approval was given by the Executive Committee by mail ballot of June 6, 1980, and the easement has been executed by the Chairman and provided to the Darlington County Water and Sewer Authority.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the mail ballot authorization by the Executive Committee and the execution of the easement by the Chairman of the Board be confirmed and ratified.

BOARD ACTION: Approved.

Item 13. Lease for National Council of Engineer Examiners (NCEE)
Headquarters Building

STATEMENT: At its meeting on April 14, 1980, the Planning Committee was briefed on a proposed lease of about two and one-half (2.5) acres for the NCEE to construct its national headquarters building. The Executive Committee subsequently approved by mail ballot a ninety-nine year lease to NCEE of approximately two and one-half acres of University land located on the West side of Hartwell Lake adjoining the YMCA property and across the road from the

Ravenel Research Center property. The lease has not yet been executed because the survey of the land has not yet been completed. The lease had a provision which provided that if NCEE ever decided to sell its building located on University land it would give the University the right of first refusal to buy the building. If the University decided not to purchase the building the lease provided that NCEE could sell the building to a third party provided the University consented and provided that the purchaser would qualify as an eleemosynary institution.

NCEE has now requested that a clause be added to the lease to the effect that if it should ever need to acquire a fee simple title to the University property that it occupies under the ninety-nine year lease in order to sell the building to a third party (after the University had declined on its right of first refusal), the University would take whatever action is necessary to convey a fee simple title and would deed the property to NCEE provided that the University consents to the new purchaser of the building. There would also be a statement added to the effect that the purchaser would not have to necessarily qualify as an eleemosynary corporation if the University consents to the new purchaser.

If these provisions are added to the lease, a future sale of the leased land is possible and therefore Board approval is necessary. The Administration has no objection to these provisions being added.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the University be authorized to work out the details of the lease with the above stated provisions included and that the Chairman of the Board be authorized to execute said lease on behalf of the University.

BOARD ACTION: Approved.

Item 14. Pee Dee Research and Education Center, Construction Phase I

STATEMENT: On August 12, 1980, at 2 P.M. bids for the Pee Dee Research and Education Center, Phase I were opened publicly in the private dining room, Quality Motel, Florence, South Carolina.

It was determined that the Low Base Bid will result in a total project cost of \$1,764,543, which is \$235,457 less than budgeted for this part of the construction project. The Administration recommended that a construction contract be awarded to the low bidder, Industrial Maintenance Overflow Corporation, Hendersonville, North Carolina, in the aforesaid bid amount.

By mail ballot of August 13, 1980, the Board of Trustees approved the recommendation of the Administration.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the mail ballot action of August 13, 1980, and the award of the construction contract

to Industrial Maintenance Overflow Corporation be confirmed and ratified.

BOARD ACTION: Approved.

Item 15. Housing Loan from HUD

STATEMENT: The Administration decided to submit an application to HUD for a favorable interest rate loan to assist in financing the new housing facility presently under construction. It was necessary that the application be filed prior to August 15, 1980. It was required that the application be accompanied by a Resolution of the Board of Trustees. By mail ballot of July 31, 1980, the Board of Trustees approved the following Resolution:

WHEREAS, there has been in recent years a tremendous shortage of housing for students on the campus of Clemson University, and

WHEREAS, the Board of Trustees of Clemson University at its meeting on January 14, 1978, authorized the Administration of Clemson University to proceed with plans for financing, selection of architects and other matters pertaining to the construction of new student housing providing for at least 500 beds, and

WHEREAS, a site located on the East Campus of Clemson University has been selected for the construction of a new student dormitory complex that will provide 500 new beds for students, and

WHEREAS, the Board of Trustees at its meeting on May 8, 1980, approved the name of the new student housing complex to be the Patrick Noble Calhoun Courts, and

WHEREAS, the Board of Trustees of Clemson University now desires to apply for a housing loan for the aforesaid student housing complex from the Department of Housing and Urban Development;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Trustees of Clemson University hereby authorizes the Administration of Clemson University to take any and all actions necessary to make a housing loan application to the Department of Housing and Urban Development for the new student housing complex, the Patrick Noble Calhoun Courts.

APPROVED by the Board of Trustees of Clemson University on the 31st day of July, One thousand nine hundred and eighty.

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RECOMMENDATION OF THE EXECUTIVE COMMITTEE: That the mail ballot approval by the Board of Trustees of the foregoing Resolution be confirmed and ratified.

BOARD ACTION: Approved.

Item 16. University Budget for Fiscal Year 1980-81

STATEMENT: In its meeting of June 19, 1976, the Board adopted policies, rules, regulations, and delegations of authority to the Administration which state, in part:

"Budgets for each year shall be prepared and submitted to the Board of Trustees as soon as practicable after passage of the General Appropriations Bill of the State. When the Board of Trustees finds that it is impracticable, due to the date on which an appropriations bill is passed or for other reasons, to review and adopt a new annual budget prior to the beginning of a new fiscal year, the Administration is authorized and directed to utilize appropriations and other funds available in continuing into a new fiscal year the general level of operations prevailing at the end of the previous fiscal year pending approval of a new annual budget by the Board of Trustees. In carrying out the interim operations, the Administration shall implement to the extent practicable any known changes in budget items adopted previously by the Board of Trustees, provided by legislation, or directed by the State Budget and Control Board."

The Fiscal Year 1980-81 General Appropriations Bill of the State was passed on June 10, 1980. The present meeting of the Board of Trustees is the first meeting since the passage of the General Appropriations Act and provides the first opportunity for the Board to take action on the annual budget of the University for Fiscal Year 1980-81, resulting in the need of the Administration to function within the above guidelines.

RECOMMENDATION OF THE BUDGET AND FINANCE COMMITTEE: (1) That the proposed 1980-81 budget submitted by the Administration be approved 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 and with the following delegations of authority to the Administration contained on page 57 of the proposed budget:

"In approving this budget, the Board of Trustees recognizes that the amounts shown as income are estimates and subject to changes, 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 1980-81 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."

(2) That budget income and expenditure adjustments deemed essential and already made by the Administration for 1980-81 be confirmed and ratified.

BOARD ACTION: Approved.

Item 17. Seven Resolutions of Appreciation

STATEMENT: President Atchley, being desirous of according appropriate recognition to seven long-time administrators at the University, stated: "I want each one to know how much we at Clemson -- the students, faculty and staff -- sincerely appreciate their many years of hard work and dedication, and the distinguished service which has characterized their careers at Clemson University."

RECOMMENDATION OF THE PRESIDENT: That the Board approve Resolutions of Appreciation which have been prepared for the following persons and instruct the Secretary to provide them with copies suitable for framing:

Headley Morris Cox
John Wallace Gordon Gourlay
Victor Hurst
Geraldine Labecki
Wallace Dabney Trevillian
Lyle Chester Wilcox
Samuel Marsh Willis

BOARD ACTION: Approved.

Item 18. Expression of Appreciation for Mrs. Orene G. Fleming

STATEMENT: For three years prior to accompanying her husband to Washington on a year's leave of absence, Mrs. Orene G. Fleming provided administrative services in Board of Trustee matters in an outstanding manner. Board members unanimously agreed with Mr. Coker's observation that the appreciation of the Board should be conveyed to Mrs. Fleming.

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BOARD ACTION: The Secretary of the Board is directed to inform Mrs. Fleming that the members have publicly expressed their sincere appreciation for her loyal and effective support and wish her and her husband a successful year in Washington, D. C.

Item 19. Statutory Roll Call Vote

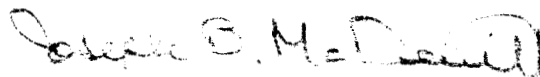
RESOLUTION: RESOLVED, that all measures and recommendations made at this, the September 12, 1980 meeting, which according to the By-Laws require a roll call vote of nine or more members, be hereby adopted and confirmed, and that the Vice President for Business and Finance be authorized to issue his checks for all expenditures authorized at this meeting.

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

Item 20. 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