

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of

THE CLEMSON UNIVERSITY

BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall

January 10, 1976

The Board convened at 1:30 p. m. with the following members present: Paul W. McAlister, Chairman, presiding; Robert R. Coker, T. Kenneth Cribb, W. G. DesChamps, Jr., Lewis F. Holmes, E. Oswald Lightsey, W. Gordon McCabe, 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, Melford A. Wilson, Melvin C. Long, George C. Skelley, Jr., Reginald L. Foster, E. N. Tyndall and Joseph B. McDevitt, Secretary.

Item 1. Announcement of Election of Life Member to the Board of Trustees

The Chairman of the Board of Trustees announced that the Life Members of the Board had elected William Green DesChamps, Jr. to fill the vacancy created by the resignation of Frank J. Jervy. The new **Life** Member had accepted election, had been assigned to the Development Committee of the Board and was present for the meeting of the Board of Trustees.

Item 2. Minutes

The minutes of the meeting of November 14, 1975, heretofore submitted by mail to all members of the Board of Trustees, were approved **as** submitted.

Item 3. Clemson Players

Statement: The Secretary read a communication to the Board of Trustees from the Clemson Players transmitting the following Petition signed by 4,169 persons:

The need to expand facilities for performing arts productions at Clemson University has become increasingly apparent over the past several years. Existing facilities cannot meet present or future needs of an institution the size and caliber of this University.

Recognizing that the Trustees are aware of and are sympathetic to the needs of the arts at Clemson, the undersigned encourage them to take appropriate action toward the improvement and expansion of Clemson's performing arts facilities.

Board Action: The Chairman recognized four members of the Clemson Players present at the meeting, stated that the Board appreciated their remarkable effort and show of interest, stated that the Board is well aware of the need for improved facilities for the performing arts at the University and that appropriate action to that end will be taken when it is financially feasible to do so.

Item 4. 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 Executive Committee: That revisions to the United States Department of Agriculture Poultry Inspection Regulations (Title 9, Chapter 111, Sub Chapter C, Code of Federal Regulations) be approved and adopted by the Board of Trustees as revisions of the South Carolina Poultry Products Inspection Act of 1969 (Act 344 of 1969).

Board Action: Approved and adopted.

Item 5. State Crop Pest Commission-Fertilizer Board of Control

Statement: Title 3, Section 101, Code of Laws of South Carolina, 1962 provides that the Board of Trustees of Clemson University shall designate not over five of its members who shall constitute and be known as the "State Crop Pest Commission of South Carolina." Title 3, Section 503 of the Code provides that the Board of Trustees may delegate duties pertaining to fertilizer control to the fertilizer committee of the Board which shall be known as the "Fertilizer Board of Control." The new By-Laws, adopted by the Board on November 14, 1975, abolished the "Agricultural Regulatory Committee" which had theretofore served as the State Crop Pest Commission and the Fertilizer Board of Control. The new By-Laws contain the following paragraph in Article IV, Section 2:

Five members of the Executive Committee (excluding the Chairman) are designated by the Board as: (1) The State Crop Pest Commission (3-101, Code of Laws of South Carolina, 1962, as amended); and (2) The Fertilizer Board of Control, (3-503, Code of Laws of South Carolina, 1962, as amended). Being so designated, the said Commission, and the said Board of Control, are vested with all the power and authority to carry out the statutory responsibilities of the Board of Trustees. The Vice Chairman of the Executive Committee serves as Chairman of the Commission and of the Board of Control.

In adopting the By-Laws, the Board indirectly delegated to the Executive Committee its statutory responsibilities relating to the Pest Commission and Fertilizer Board. However, it is considered advisable to make the delegation explicit and spread the action on the minutes of a Board meeting.

Recommendation of the Executive Committee: That, pursuant to Article IV, Section 2 of the By-Laws, the Board of Trustees designate five (5) members of the Executive Committee, excluding the Chairman, as the State Crop Pest Commission and the Fertilizer Board of Control, with the Vice Chairman of the Executive Committee serving as Chairman of the Commission, and of the Board, and that the Board of Trustees delegate to the Commission and to the Board the responsibility for carrying out the related statutory responsibilities imposed upon the Board of Trustees by law.

Board Action: Approved.

Item 6. Right-of-Use for Florence-Darlington Area Commission for Technical Education

Statement: Mr. Fred C. Fore, President of Florence-Darlington Technical College, negotiated with Dean Luther P. Anderson of the College of Agricultural Sciences for the acquisition of a right-of-use of an additional portion of the Pee Dee Experiment Station property for use as a parking lot. Mr. Fore had made two previous requests for property for the same use, both of which were granted. Dean Anderson, in consultation with Dr. W. C. Godley, Director of the Experiment Station, and Dr. John B. Pitner, Superintendent of the Pee Dee Station, had no objections to granting the right-of-use, with one important additional condition. Briefly, the new condition required that a protective fence be erected between Pee Dee Station property and the property granted to the Commission for use by the College.

By mail ballot of December 9, 1975 the members of the Board of Trustees approved the granting of the right-of-use and it was executed by the Chairman of the Board on December 31, 1975 and forwarded to the Commission.

Recommendation of the Executive Committee: That the execution of the right-of-use by the Chairman of the Board of Trustees be ratified.

Board Action: Approved and ratified.

Item 7. Amendment of Traffic Code

Statement: Article 6-10 of the Traffic Code provides as follows:

"Any vehicle which is operated, or parked, on the Clemson University campus after surrender of the decal or permit therefor has been properly requested shall be impounded. The person of whom such request was made shall be responsible for the cost involved in removing, impounding, and storing of the vehicle. Clemson University, its officers and employees shall not be liable for any damage to the vehicle occurring during or resulting from the impoundment, removal, or storage thereof."

The requirement that a request be made for surrender of the decal as a condition precedent to towing a vehicle renders this provision of the Traffic Code unworkable from a practical standpoint. The Administration considers that authority should exist to tow a vehicle, after more than four unpaid violations, without requiring surrender of the decal. This facilitates

enforcement since the vehicle is readily identified if brought back on campus. The Administration has recommended that the first two sentences of Article 6-10 be revised *to* read as follows (the last sentence to remain unchanged):

"Any person who has accumulated more than four (4) unpaid violations shall, upon proper notification, have his/her car impounded and shall be required to keep any vehicle off campus until the total fine is paid in full. The person whose vehicle has been impounded shall be responsible for the cost involved in removing, impounding and storing of the vehicle. "

Recommendation of the Executive committee: That Article 6-10 of the Traffic Code be revised as recommended by the Administration.

Board Action: Approved.

Item 8. Beer License for the Edgar A. Brown University Union

Statement: The Clemson University Union Governing Board requested the Administration to make application for a beer license which, if granted, would make possible the purchase and sale of beer in a designated lounge in the Edgar A. Brown University Union. Student Government sponsored a student opinion survey and in answer to the question, "Are you in favor of having a beer license in the new Student Union nightclub with certain limitations placed on this policy? (i.e. no beer taken outside nightclub, etc.)," 1622 students voted in favor while 469 indicated opposition. It is the consensus of the staff of the Office of Student Affairs that the reasons supporting a beer license for the Union outweigh those opposing this action. On December 19, 1975 the President's Cabinet considered this matter and recommended to the Student Affairs Committee of the Board that the Administration be authorized to apply for a license to sell draft beer in the University Union in accordance with policy to be developed by the University Union as approved by the Administration.

On January 9, 1976 the Student Affairs Committee of the Board met with two (2) members present and one (1) absent. The beer license recommendation of the Administration was considered by the Committee and resulted in one (1) member voting in favor of an application being made and one (1) member being opposed. The report of the Committee was made to the Executive Committee which voted to recommend to the full Board that authorization be given for the Administration to make application for the license.

Recommendation of the Executive Committee: That the Board of Trustees authorize the Administration to apply to the South Carolina Alcoholic Beverage Control Commission for a license to sell draft beer in the Edgar A. Brown University Union in accordance with policy to be developed by the Union and approved by the Administration.

Board Action: Approved.

Item 9. 1964 Sale of Utilities to Duke Power Company

Statement: The original conveyance from Clemson to Duke Power Company, dated December 31, 1964, of certain off-campus electric and water facilities was never recorded. Duke Power Company desired to have the transfer and conveyance recorded in the public records. Inasmuch as the instrument of conveyance was not in recordable form in that it was not properly witnessed and did not contain a Probate, Mr. William L. Watkins prepared a "Confirmation of Transfer" and submitted it for the approval of the Board and signature of the Chairman.

By mail ballot of November 17, 1975 the members of the Board approved the execution of the document by the Chairman and this was accomplished on November 21, 1975.

Recommendation of the Budget and Finance Committee: That the execution of the Confirmation of Transfer by the Chairman of the Board of Trustees be ratified.

Board Action: Approved and ratified.

Item 10. Conveyance of Property to Pendleton District Historical and Recreational Commission

Statement: At its meeting on September 12, 1975 the Board of Trustees authorized the Administration to negotiate with the Pendleton District Historical and Recreational Commission with regard to the conveyance of approximately six (6) additional acres of University property adjoining the present Woodburn Tract in Anderson County for the purpose of constructing thereon an Agricultural Museum. The Administration has determined that the required tract can, and should, be made available for this worthy purpose provided (1) adequate funding for the undertaking is assured, (2) a suitable fence is constructed by the Commission to provide security for adjoining University buildings and lands, and (3) that the Commission ensure that the University receive credit for the value of the tract from the State Budget and Control Board as has been required in other recent non-Compensated conveyances of University property.

Recommendation of the Business and Finance Committee: That the Board of Trustees authorize the conveyance of the property to the Commission and execution of the requisite legal instruments by the Chairman of the Board of Trustees, subject to the three above conditions.

Board Action: Approved.

Item 11. Sale of Holtzendorff Residence

Statement: In 1922 the Clemson College Young Men's Christian Association purchased two lots of land on North Clemson Avenue in the town of Clemson. Subsequently, a house was constructed on the lots for the purpose of housing the Secretary of the YMCA. No appropriated funds were used to purchase the lots or construct the house. The property is located in the vicinity of Hardee's Restaurant. Mr. P. B. Holtzendorff, the Secretary, and his wife occupied the house from the date of its construction until his death in 1971. Mrs. Holtzendorff recently vacated the residence, moving to the Presbyterian Home in Clinton, South Carolina.

The wooden frame dwelling was poorly constructed in 1922. It is not now economical to maintain and, being located on lands not contiguous to other University lands, it is the opinion of the Administration that the property should be sold. There are legal questions to be resolved as to whether the seller of the property should be Clemson University or the Young Men's Christian Association.

Recommendation of the Business and Finance Committee: That the Board of Trustees approve the disposal of the property in the manner determined by the Administration to be legally appropriate, and that the net proceeds realized from disposal of the property be utilized to benefit the Young Men's Christian Association.

Board Action: Approved.

Item 12. Authority to Sell Official Residence #2

Statement: Official Residence #2 has been vacant since October 1975. Because of the high rental rate required to maintain the property, no interest has been exhibited by eligible University employees. The property will continue to prove difficult to rent at a rate commensurate with its value.

Recommendation of the Business and Finance Committee: That the Board of Trustees authorize the Administration to determine the land area to be assigned to Official Residence #2 and subject to the approval of the State Budget and Control Board, to sell Official Residence #2 in accordance with applicable statutes of the State of South Carolina, and that the Chairman of the Board be authorized to execute the requisite legal instruments.

Board Action: Approved.

Item 13. In Memoriam -- James Oscar Wynn

Statement: At its meeting on November 14, 1975 the Board approved the recommendation of Mr. Frank Jervey that a resolution of appreciation for the valuable contributions made to Clemson University by Mr. James O. Wynn in his capacity as an officer of the Olin Foundation, who died on October 16, 1975, be adopted by the Board and provided to Mr. Wynn's family and to the Foundation. The following resolution of appreciation has been prepared for adoption by the Board.

IN MEMORIAM

JAMES OSCAR WYNN

July 30, 1897 - October 16, 1975

Native of the state of Texas, student at the University of Texas, graduate in law of Georgetown University, recipient of numerous honorary degrees, including the Doctor of Laws from Clemson in 1955, James Oscar Wynn became intimately associated with this University in his capacity as Vice President and Director of the Olin Foundation, Inc.

Engineering education and research at this institution were greatly strengthened and enhanced by the decisions of the Olin Foundation to provide funds for the erection of Olin Hall (1952), which houses the Department of Ceramic Engineering, and Earle Hall (1959), which provides facilities for the Department of Chemical Engineering. With the erection and equipment of these two buildings our College of Engineering quickly attained a position of national leadership in the fields of ceramic and chemical engineering. Mr. Wynn was most closely involved in the discussions with the administration and faculty at Clemson which made possible the gifts from the Olin Foundation for the construction of Olin and Earle Halls.

It was during this time that the members of the Board of Trustees of Clemson came to know better and appreciate more fully James Oscar Wynn. His deep interest in higher education, his keen legal mind, and his wise counsel were qualities which made him an invaluable friend and advisor to all those who were striving to advance the best interests of this institution. In particular do we remember the warm personal friendship which developed between Mr. Wynn and Mr. R. M. Cooper, former Chairman of the Board, and we are grateful that Mr. Wynn was able to deliver the address at the dedication of the Robert Muldrow Cooper Library in 1966.

BE IT RESOLVED, THEREFORE, that the Board of Trustees of Clemson University expresses to Mr. Wynn's family its sincerest and deepest sympathy on the occasion of his death and that it further expresses to his family and to the Olin Foundation its profound gratitude for his significant contribution to the welfare of the University.

BE IT FURTHER RESOLVED, that copies of this memorial be transmitted to the family of Mr. Wynn and to the Olin Foundation, and that the memorial itself be spread upon the minutes of the Board of Trustees.

Recommendation of the Development Committee: That the Resolution be adopted by the Board and that copies be provided to Mr. Wynn's family and to the Foundation, and that the Resolution be spread upon the minutes of the Board of Trustees.

Board Action: Approved and adopted.

Item 14. Policy Concerning Use of the Name "Clemson University"

Statement: The following policy statement is submitted by the Development Committee:

WHEREAS, it is essential that a cooperative and unified plan for the future enhancement of the University be assured, and

WHEREAS, it is essential in this regard that there be control of the use of the name "Clemson University" and of the use of the official seal of the University, and the symbol of the University, now therefore,

BE IT RESOLVED, that it is the policy of the Board of Trustees of Clemson University that the name "Clemson University" or the word "Clemson" used in the context of Clemson University, the University seal, and the University symbol shall not be used for any official, quasi-official, promotional or similar purpose by any organization, group or activity without the express approval of the Board of Trustees, provided, however, that the Board hereby delegates to the Administration the responsibility for the implementation of this policy.

Recommendation of the Development Committee: That the policy be adopted by the Board of Trustees.

Board Action: Approved and adopted.

Item 15. Policy Concerning Presidents of the Clemson Alumni Association and the Clemson University Foundation

Statement: The following policy statement is submitted by the Development Committee:

WHEREAS, it is the purpose of the Clemson Alumni Association to promote the welfare and future development of Clemson University in its educational and scientific purposes, to strive to maintain among former students of Clemson University a sense of belonging, to perpetuate a sentiment of affection for Clemson University, to foster among the alumni a general regard for one another, to serve alumni in the pursuit of their careers, and to promote the Alumni Loyalty Fund, and

WHEREAS, it is essential that both the Clemson Alumni Association and the Clemson University Foundation be fully informed concerning activities and future plans of Clemson University in order to achieve their respective purposes, and

WHEREAS, direct and timely knowledge of the actions and decisions of the Board of Trustees of Clemson University can serve to keep the Association and the Foundation accurately and currently informed, now therefore,

BE IT RESOLVED, that it is the policy of the Board of Trustees of Clemson University that the President of the Clemson University Foundation shall be invited to attend, as observers, meetings of the Board of Trustees of Clemson University and meetings of the ~~Development~~ ^{Development} Committee of the Clemson University Board of Trustees ^{as the individual committee members shall deem appropriate to extend an invitation to attend.}

AMENDED
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Recommendation of the Development Committee: That the policy be adopted by the Board of Trustees.

Board Action: Approved and adopted.

Item 16. Policy Concerning the Clemson Alumni Association of Clemson University

Statement: The following policy statement is submitted by the Development Committee:

WHEREAS, it is the purpose of the Clemson Alumni Association to promote contributions for the benefit of Clemson University, to manage said contributions, and to make distribution of the net income derived from such contributions, and

WHEREAS, the Clemson Alumni Association, by tradition, history, ratified constitution and state charter, is the official organization of former students of Clemson University, in which capacity it conducts and coordinates the University's service program to alumni and alumni services to the University, and

WHEREAS, the Department of Alumni Relations of the Clemson University Development Office has responsibility for the maintenance of alumni records and the promotion of the annual giving program through the Alumni Loyalty Fund, now therefore,

BE IT RESOLVED, by the Board of Trustees of Clemson University (1) that organizational entities of the University, other than the Department of Alumni Relations and IPTAY, shall not maintain a formal alumni fundraising organization, (2) that fund solicitations of alumni by such institutional entities shall be conducted only through official cooperative efforts with the Department of Alumni Relations, and (3) that the words, "Alumni Association," or "Alumni," shall not appear in the name or title of any organizational entity of the University other than the Clemson Alumni Association.

Recommendation of the Development Committee: That the policy be adopted by the Board of Trustees.

Board Action: Approved and adopted.

Item 17. Report of the Educational Policy Committee

The Chairman reported (1) that in-depth self-studies of the Colleges of Agricultural Sciences and Architecture have been scheduled for submission to the Committee in September and November, 1976, respectively; and (2) that it is planned to have six meetings of the Committee in 1976.

Item 18. Report of the Student Affairs Committee

The Chairman reported (1) that the Committee had received briefings from the Presidents of Student Government and Student Senate, and from members of Student Affairs staff; (2) that consideration of the proposal that a beer license be obtained for the Student Union (as reported in Item 8 above) had occupied the remainder of the meeting time of the Committee; and (3) that a special meeting of the Committee will be held on February 21, 1976.

Item 19. Proposal Regarding Joint Coordinating Committee for Clemson University and the University of South Carolina

The Chairman referred to his letter of December 18, 1975 to The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee, and The Honorable Julian F. LeMond, Chairman of the House Ways and Means Committee, and explained the genesis of the letter. He noted that all members of the Board had concurred in the contents of the letter before it was mailed. He stated that the letter represented a reversal of an earlier

position he had taken in a communication dated September 9, 1975 to the same addressees, which also had had the unanimous endorsement of Board members. The earlier position had recommended the establishment of a joint Coordinating Committee for Clemson and the University of South Carolina to handle new programs, budgetary matters and other actions relating to the two universities. He stated that upon receipt of additional facts, and further study and reconsideration, he had concluded that a joint coordinating committee is not feasible and not in the best interest of Clemson University or the State of South Carolina, and notification of that change in position was the purpose of his letter of December 18, 1975.

Board Action: The Board received the report of the Chairman.

Item 20. Statutory Roll Call Vote


Resolution: RESOLVED, that all measures and recommendations made at this, the January 10, 1976 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 21. Adjournment

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

Respectfully submitted,


Joseph B. McDevitt
Secretary of the Board of Trustees