The Board convened at 1:00 p.m. with the following members present: Messrs. R. M. Cooper, President of the Board, Presiding; Edgar A. Brown, James F. Byrnes, Robert R. Coker, L. D. Holmes, A. M. Quattlebaum, Paul Quattlebaum, Jr., James C. Self, and Robert L. Stoddard. Dr. Barnette's absence was due to illness and the members of the Board and the administration extended to Dr. Barnette by telegram their best wishes for a speedy recovery.

Others present at the meeting were R. C. Edwards, M. A. Wilson, J. K. Williams, W. T. Cox, F. J. Jervey, J. E. Sherman, G. F. Meenaghan, W. L. Watkins, and G. E. Metz.

Item 1. Minutes of the Meeting of June 5, 1961. The Chairman asked if there were any corrections to the minutes of the meeting held on June 5, 1961. There were no corrections and the minutes were approved.

Item 2. Budget Request for 1962-1963

Executive Committee Recommendation: It is recommended that the Summary Budget Request for 1962-1963 as distributed to the Board with the agenda for the meeting be approved.

Board Action: Approved.

Item 3. Hartwell Reservoir -- Stipulations of Agreement with the United States Government

Statement: As authorized by the Board of Trustees, the Administration has negotiated with the United States Government through the District Attorney relative to the case of United States of America, Plaintiff vs. 7,666.90 acres of land, more or less, situate in Anderson, Oconee and Pickens Counties, South Carolina, and the Clemson Agricultural College of South Carolina, et al., and Unknown Owners, Defendants. Presented herewith for confirmation and approval of the Board in meeting assembled are Stipulation No. 1 and Stipulation No. 2 as filed on February 3, 1961, and August 18, 1961, respectively, in the United States District Court for the Western District of South Carolina, Anderson Division. Also submitted for confirmation of the Board in meeting assembled is the authorization of William L. Watkins of the firm of Watkins, Vandiver, and Freeman and Kirven to sign these stipulations as the duly authorized representative of the College.

All agreements embodied in the Stipulations have been previously approved by individual votes of Board members. Agreements in Stipulation No. 1 were approved by a poll of Board members in December 1960 as indicated in a memorandum to all members of the Board dated January 19, 1961. Stipulation No. 1 in full was also confirmed by mail vote of the Board in response to a memorandum to all members of the Board dated July 24, 1961. Also in response to the July 24, 1961, memorandum, the Board by individual votes (1) approved all agreements embodied in Stipulation No. 2, (2) authorized the President of the College and the College Attorney to approve any minor changes in the
language of Stipulation No. 2 provided such editorial changes did not affect the agreements embodied in the Stipulation, (3) confirmed William L. Watkins as the representative of the College authorized to sign Stipulation No. 1, and (4) designated William L. Watkins as the duly authorized representative of the College to sign Stipulation No. 2.

Executive Committee Recommendations: It is recommended that the Board of Trustees in meeting assembled:

(1) Confirm and approve Stipulation No. 1 attached hereto and all agreements embodied therein.

(2) Confirm and approve Stipulation No. 2 attached hereto and all agreements embodied therein.

(3) Confirm and approve William L. Watkins of the firm of Watkins, Vandiver, Freeman and Kirven as the duly authorized representative of the College designated to sign Stipulations No. 1 and No. 2 as attached hereto.

Board Action: Approved.

Item 4. Hartwell Reservoir -- Stipulation No. 3

Statement: As authorized by the Board of Trustees, the Administration has negotiated with the United States Government through the District Attorney relative to the case of United States of America, Plaintiff v. 7,666.90 acres of land, more or less, situated in Anderson, Oconee and Pickens Counties, South Carolina, and the Clemson Agricultural College of South Carolina, et al. and Unknown Owners, Defendants.

Recommendation: It is recommended that the Board of Trustees in meeting assembled:

(1) Approve Stipulation No. 3 as attached hereto and all agreements embodied therein.

(2) Approve William L. Watkins of the firm of Watkins, Vandiver, Freeman and Kirven as the duly authorized representative of the College designated to sign Stipulation No. 3 as attached hereto.

Board Action: Approved.

Item 5. Appreciation to the State Budget and Control Board -- Investment of Funds of the "Condemned Lands -- Hartwell Dam Project" Account

Board Action: By unanimous action the Board passed a vote of appreciation to the State Budget and Control Board for permitting the investment of funds of the "Condemned Lands -- Hartwell Dam Project" account, with the interest to accrue to this account. The Secretary of the Board was instructed to convey this appreciation by letter to the State Budget and Control Board.

Item 6. Sewage Disposal Plant -- Planning Authorization

Statement: On December 22, 1960, the Executive Committee adopted, and the Board later confirmed, a policy that a complete treatment sewage disposal plant would be constructed and in operation not later than December 31, 1963. This action was necessary to secure the required approval of the South Carolina State Board of Health Water Pollution Control Authority for the construction of two new dormitories, which approval was granted with the provision that the sewage disposal plant is constructed and is in operation by the date indicated.

Subsequent developments in this matter are summarized in the attached letter of President Edwards to Attorney General McLeod (July 28, 1961) and the attached reply from the Attorney General (August 16, 1961). These developments have included (1) a desire by the United States Government to make post-impoundment studies over a period of two years after the reservoir is filled and prior to the operation of a disposal plant, which would delay the operation of the plant until 1965 or 1966, (2) an indication by one government official that if the sewage treatment plant should be placed in operation by December 31, 1963, the United States Government would probably
seek an injunction against its use, (3) a refusal by the South Carolina State Board of Health Water Pollution Control Authority to extend beyond December 31, 1963 the date when the sewage treatment plant would have to be in operation, (4) an appeal to the Attorney General for advice in this matter (letter of July 28, 1961), and (5) the advice of the Attorney General (letter of August 16, 1961) "that construction of the sewage disposal plant should proceed as planned and as directed and approved by the Water Pollution Control Authority with the target date of completion being December 31, 1963."

Following the advice of the Attorney General, and upon approval of the Chairman of the Executive Committee and the President of the Board, the College has secured the services of B. P. Barber and Associates, Inc., as Engineers in the design and supervision of construction of the Sewage Disposal Facilities and appurtenances. Similarly approved were the decisions (1) that such advanced planning fees as are needed on this project should be advanced from the college restricted account, "Land Use Area Timber Sales", and (2) that the College should apply as soon as practicable for a Federal grant of thirty percent of the cost of the waste treatment plant.

Nothing in any of these developments or in the actions recommended below affects in any way the right of the College to litigate in the Hartwell Dam proceedings or in any court having jurisdiction of the same its claim that it is entitled to recover from the United States the cost of constructing a sewage treatment plant, including engineering fees and expenses for designing and supervising the construction thereof, and the cost of operating the same for a reasonable number of years.

Executive Committee Recommendations: It is recommended (1) That the Administration be authorized to proceed with plans and specifications for the construction of a complete treatment sewage disposal plant, (2) that the selection of B. P. Barber and Associates, Inc., as Engineers for this project be confirmed, (3) that such advanced planning fees as are needed on this project be advanced from the college restricted account, "Land Use Area Timber Sales", (4) that an application for a Federal grant of thirty percent of the cost of the waste treatment plant be authorized and R. M. Cooper, President of the Board, designated to execute this application on behalf of the College, and (5) that, in taking these actions, the college reassert the responsibility of the United States to provide funds for the cost of constructing and operating this facility.

Board Action: Approved.

Item 7. Sewage Disposal Plant -- Authorization to Apply for Federal Grant

The attention of the Board was called to the fact that there must accompany the application for a Federal Grant for sewage treatment work a specific authorization for its execution and filing. Thereupon, the following resolution was adopted:

RESOLVED that R. M. Cooper, President of the Board of Trustees of The Clemson Agricultural College of South Carolina, be and he is hereby authorized to file with the Public Health Service of the Department of Health, Education and Welfare of the United States an application for a Federal Grant under Title 33 of the United States Code, Section 466 and following, for the allowable portion of the cost of construction of sewage treatment works to serve Clemson College; that The Clemson Agricultural College of South Carolina will, if a Federal Grant for the project is made pursuant to the Federal Water Pollution Control Act, pay the remaining cost of the approved project, and will provide proper and efficient operation and maintenance of the approved project after the completion of construction thereof; the Board of Trustees hereby commits itself to take whatever action as may be necessary to procure such funds for construction and operation, the funds to be obtained from others if the legal right of the College thereto can be established, or otherwise by appropriation by the South Carolina General Assembly, or by the sale of State Institution Bonds, or by loans from other appropriate sources available to the College.
Item 8. Sanitary Sewer Outfall

Statement: In the interim between meetings, upon consultation with the Chairman of the Executive Committee and the President of the Board, bids were solicited, received and opened on the construction of a Sanitary Sewer Outfall. There were three bona fide proposals as follows:

- Terry Construction Co., Greenville $18,342.80
- Harold A. Pickens & Sons, Anderson 19,370.79
- G. E. Moore, Construction Co., Greenwood 20,402.08

The Kellett Plumbing Company, Greenville, submitted a bid for $18,197.00 but did not provide the necessary bid bond in time for this proposal to be considered.

Upon approval by the Chairman of the Executive Committee and the President of the Board, and with authorization of the State Budget and Control Board, the contract has been awarded to the bona fide low bidder, Terry Construction Company, in the amount of $18,342.80.

Executive Committee Recommendation: That the above actions, including the award of the Sanitary Sewer Outfall contract to Terry Construction Company be confirmed.

Board Action: Approved.

Item 9. Classroom Building Contract -- Confirmation of Interim Action

Statement: On June 7, 1961, detailed information was mailed to all members of the Board concerning the bids on the construction of the Classroom Building (Mathematics and English) as opened publicly at 2 p.m. that day (June 7, 1961). At that time, in order that the contract would be safely within the estimated funds available, the administration recommended and the Board approved acceptance of deductive alternate 1 and the award of the contract to Roberson Construction Company in the amount of $1,094,222. Later, however, it was determined that sufficient funds were available to reinstate the construction work eliminated by alternate 1 and this was accomplished by a change-order, all of which has been approved by the State Budget and Control Board. Roberson Construction Company was the lowest bidder on either basis, with or without acceptance of alternate 1.

Executive Committee Recommendations: (1) That the interim action of awarding the contract to Roberson Construction Company be confirmed, and (2) That the subsequent action of reinstating the construction work eliminated by alternate 1 be approved.

Board Action: Approved.

Item 10. Right-of-Way Easements -- Confirmation of Interim Actions

Statement: In the interim between meetings, the President of the Board, upon recommendation of the administration, has approved right-of-way easements as identified below:

- Right-of-way easement to Blue Ridge Electric Cooperative, Inc. -- 20' R/W approximately 100' long and a 10' R/W, approximately 700' long in the Coneross Division of Clemson College lands as shown on a sketch, a portion of Map 10-F, Hartwell Reservoir Project.
- S. C. Highway Easement Docket No. 4,528 -- Construction of a section of the State Highway from Route No. 24 to Routes No. 28 and 76 on Route No. 187. Width 75 feet, that is 37½ feet on each side of the center line of highway.
- S. C. Highway Easement Docket No. 39,378.1 -- Construction of a section of the State Highway from Clemson, S. C. to Easley, S. C. on Route No. 123. Width 150' to 180', more particularly shown on plan sheets No. 26 and 69 of the plans for docket No. 39,378.1 and containing approximately 1.66 acres.
S. C. Highway Easement Docket No. 37,42A -- Construction of a section of the State Highway from Road 65 to Near Intersection with Road 22 on Road 37. Width 66 feet, that is 33 feet on each side of center line of highway.

Right-of-way easement to Duke Power Company near Clemson College Sheep Farm and crossing State Road S. C. 56 and more particularly shown on a map attached to easement.

Right-of-way easement dated June 28, 1961, to the Carolina Pipeline Co. for an underground gas main across lands of the Sandhill Experiment Station at Pontiac, S. C., for a consideration of $435.00.

Right-of-way easement dated June 27, 1961, the Blue Ridge Electric Cooperative, Inc., to relocate its power line on lands of the College near Seneca Creek. This relocation was necessitated by Hartwell Dam Basin.

Right-of-way easement to Duke Power Company across lands of the College extending from U. S. Highways 123 and 76 to the industrial site authorized by action of the Board on June 5, 1961. The consideration for this grant was $828.00.

Executive Committee Recommendation: That the granting of the right-of-way easements identified above be confirmed.

Board Action: Approved.

Item 11. Industrial Site -- Confirmation of Sale of Land

Statement: At the June 5, 1961 meeting, the Board authorized the sale to an industrial concern of approximately one hundred acres of L. U. lands, located on the southerly side of U. S. Highway 123, west of privately owned Royal Acres housing development, at a selling price of three hundred dollars per acre. On July 25, 1961 this transaction was concluded and 82.07 acres were deeded to W. Francis Marion, as attorney, for a consideration of twenty-four thousand six hundred twenty-one dollars ($24,621.00).

Executive Committee Recommendation: It is recommended that the above sale of land be confirmed.

Board Action: Approved.

Item 12. Refund Policy on Student Fees

Statement: Presently, the refund policy applying to all students as it relates to tuition and other academic fees is as follows:

"Charges for periods of attendance of five weeks or less during a semester shall be made on the following basis:

Two weeks or less 20%
More than 2 but not more than 3 weeks 40%
More than 3 but not more than 4 weeks 60%
More than 4 but not more than 5 weeks 80%
More than 5 weeks 100%"

The President of the United States has ordered a build-up of the armed forces in view of continued world tension and the current situation in Berlin. Students are receiving their orders to active duty, and, therefore, are being forced to discontinue their enrollment.
Executive Committee Recommendation: That effective with the beginning of the 1961-1962 school session and continuing until terminated by the Board of Trustees, any student required to discontinue his enrollment to report for active duty in the armed forces of the United States shall be refunded paid tuition, maintenance and activities fee and medical fee on a daily pro rata basis, holidays excepted, instead of the percentage basis now being used, provided, that such discontinuance of enrollment is the result of circumstances, conditions, or actions over which the student has no control.

Board Action: Approved.

Item 13. Dismantling Old Residences -- General Authorization

Statement: A total of 41 Old College residences remain on or near the campus, the majority of these units having been constructed between the dates of 1893 and 1914. It has become increasingly difficult to keep these homes occupied since they cannot be economically maintained or provided with modern facilities and conveniences comparable to those required by tenants and available in other units. In addition, to develop the campus in accordance with the College Master Plan, many of the residences will have to be removed from the present locations.

Executive Committee Recommendation: It is recommended that the administration be authorized to have any or all of these residences dismantled and removed from the premises at such time as reasonable occupancy of these units cannot be maintained or when their locations prohibit the proper development of the campus.

Board Action: Approved.

Item 14. Dismantling Old Residences -- Specific Units

Recommendation: It is recommended that the administration be authorized to dismantle and remove, or sell at public auction and have removed, the following specific units as identified below:

<table>
<thead>
<tr>
<th>Old College Residences as Numbered Below</th>
<th>Currently Occupied by</th>
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<tbody>
<tr>
<td>39 Lex Norton (Poultry)</td>
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</tr>
<tr>
<td>43 Burkett (Poultry)</td>
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<tr>
<td>103 Lott</td>
<td></td>
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<td>105 Earle House (unoccupied)</td>
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<td>119 Fox House</td>
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<td>128 Gambrell House</td>
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<td>154 Cureton House (unoccupied)</td>
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<td>155 Weedon</td>
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<tr>
<td>127 Clint Swiney</td>
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<tr>
<td>162 Willimon</td>
<td></td>
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<tr>
<td>165 Henderson House (unoccupied)</td>
<td></td>
</tr>
<tr>
<td>167 Mitchell House (unoccupied)</td>
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<tr>
<td>168 Robinson</td>
<td></td>
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<tr>
<td>200 Palmer</td>
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<td>212 Feeley</td>
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<td>213 Bradley</td>
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<td>219 Gooding</td>
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<tr>
<td>220 Pollard House (unoccupied)</td>
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<tr>
<td>211 Goodman House</td>
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<tr>
<td>270 Eskaw</td>
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<td>1124 Jordan House</td>
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<tr>
<td>1152 Ramsey House (unoccupied)</td>
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<tr>
<td>(Unnumbered) McGinty House</td>
<td></td>
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<tr>
<td>(Unnumbered) Mell Apartments</td>
<td></td>
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<tr>
<td>(Unnumbered) Furman Apartments</td>
<td></td>
</tr>
</tbody>
</table>

Board Action: Approved.
Item 15. Disposal of Structures in Kibler-Farm Area

Statement and Recommendation: Located on or near land that will be used for the construction of an airport is one ten-room wooden frame residence (Kibler) and one large wooden barn. The buildings have been vacated for some time and authority is requested to sell them at public auction and have them removed from the premises.

Board Action: Approved.

Item 16. Soil and Water Conservation Field Station

Statement: The Congress has appropriated to the Agricultural Research Service USDA funds for the establishment of a Soil and Water Conservation Field Station in the vicinity of Florence, South Carolina. A tract of land on the Pee Dee Experiment Station has been selected which is highly suitable for this facility. The particular site selected fronts Highway 52 from Florence to Darlington and is approximately 800 feet along the highway and approximately 1,000 feet deep. The topography of this site is well suited to the establishment of this type of facility, and is located on soil which is not particularly useful in any future research plans of Clemson College.

Executive Committee Recommendation: That the College Administration be authorized to deed without cost to the appropriate Federal Agency a tract of land approximately 800 by 1,000 feet for the establishment of a Soil and Water Conservation Field Station on land occupied by the Pee Dee Experiment Station, Florence, South Carolina.

Board Action: Approved.

Item 17. Land for Summerville Air Strip at Coast Experiment Station

Statement: An Airport Committee from the Town of Summerville, South Carolina, has requested that Clemson make available through the South Carolina Aeronautics Commission an area of land at the Coast Experiment Station, Summerville, South Carolina, for the construction of an air strip. A suitable strip located on the western boundary of this Station can be made available which does not interfere seriously with the present or future contemplated research programs. The strip requested lies along the western boundary of the Coast Station property and will cover an area of 200 feet wide and 3,000 feet along. An additional strip for parking planes will be required in an adjacent strip 200 by 400 feet parallel to the main air strip. The property will be made available to the South Carolina Aeronautics Commission for a minimum of 25 years with appropriate provisions for termination. The Commission will agree to have the facility constructed at no cost to Clemson College and will further agree to maintain the facility. The Commission will also make the necessary arrangements with Dorchester County officials to relocate fences, provide drainage facilities, and provide an access road off the highway to the strip involved. The airport will be used mainly by business people of Summerville and could be of value to Clemson in the future.

Executive Committee Recommendation: That the College Administration be authorized to make available to the South Carolina Aeronautics Commission a site for a landing strip at the Coast Experiment Station by lease or appropriate agreement in accord with the conditions outlined above.

Board Action: Approved.

Item 18. Suit Against M. B. Kahn Construction Company and Chas. J. Craig Construction Company

Statement: On December 22, 1960, the Executive Committee took action, confirmed by the Board on March 22, 1961, instructing the Attorney General and the College Attorney "to enter suit against M. B. Kahn Construction Company and Chas. J. Craig Construction Company to recover for the College the amounts of the respective bid bonds furnished by them, or so much thereof as may be recoverable by law." This action was taken with reference to the bids submitted by these companies as opened publicly on December 15, 1960, on
construction of two new dormitory units. Appropriate legal steps have been taken in this matter.

Executive Committee Recommendation: That the Executive Committee be authorized to act for the full Board on the above matter including any further steps to be taken, decisions to be made and final settlement.

Board Action: Approved.

Item 19. Electric Current Rates -- Married Student Housing

Statement: As oil burning water heaters in the married student housing units wear out, they are being replaced by electric water heaters. In order to avoid the expense of purchasing, installing, maintaining and reading separate meters for water heaters, a graduate schedule of rates has been determined as nearly equitable as possible to both the residents of the units and the college. These rates have been devised to result in the same income to the college as would resulted from a dual meter plan.

Recommendation: It is recommended that the following special rates on the sale of electric current to occupants of college-rented married-student houses be authorized effective with the first billing rendered after February 1, 1962:

- 80 cents for the first 10 KWH, or less, used per reading period.
- 3½ cents per KWH for the next 40 KWH used per reading period.
- 2 cents per KWH for the next 400 KWH used per reading period.
- 1 cent per KWH for all over 450 KWH used per reading period.

Minimum charge is 80 cents per reading period.

Board Action: Approved.

Item 20. Water Agreement with the Town of Clemson

Statement: It is in the interest of the College and its educational purpose to divest itself as far as feasible of water services to individual residents and business concerns in the Town of Clemson and outlying areas. Steps have been taken in this interest to discontinue the sale of water to individual customers in the Town of Clemson by selling water at wholesale rates to the Town which in turn will retail water to individual customers. A Memorandum of Agreement, specifying wholesale rates, providing changes in rates upon due notice, safeguarding the college from certain liabilities, and containing other appropriate details is to be signed by the College and the Town. It is proposed that Mr. R. M. Cooper be authorized to sign this agreement on behalf of the college.

Recommendation: It is recommended that Mr. R. M. Cooper, President of the Board of Trustees, be authorized to sign on behalf of the College the Memorandum of Agreement with the Town of Clemson concerning the sale of water to the Town at wholesale rates.

Board Action: Approved.

Item 21. Site for Technical Training Center

Statement: A Tri-County Citizens Committee of Anderson, Oconee and Pickens Counties, with the full support of the delegations of the three counties, is working toward the establishment of a Technical Training Center to be equally supported by the three counties. The Tri-County Committee desires a location in the Clemson-Pendleton area, and the Site Selection Committee appointed by the Tri-County Committee has selected a specific site which is on Clemson College property.

The site urgently requested by the Site Selection Committee consists of approximately twenty-five acres on the Northeast side of the new U. S. 76, S. C. 28 Bypass at the intersection of the Bypass with S. C. Highway 175.
Recommendation: It is recommended (1) that the administration be authorized to make available by deed, lease, or other mutually satisfactory procedures, the site described above for the establishment of a Technical Training Center by Anderson, Oconee, and Pickens Counties when officially requested by proper authorities, and (2) that the instrument of conveyance or agreement specify that the site be used solely for the purpose indicated and revert to the College if or when it is not so used.

Board Action: Approved.

Item 22. Physics Building -- Extension of Construction Time

Statement: The Physics Building contract with General Construction Company provided for specific completion dates and for $100.00 of liquidated damages per calendar day of delay. The contract also provided for the granting of an extension by the Architect upon justifiable request of the contractor under specific procedures outlined in the contract.

The Physics Building was not completed on schedule. Since the contractor had not officially requested an extension, the Architects, Baker and Gill, recommended in July that the liquidated damages be enforced. In September, however, after reviewing the matter, the Architect decided (1) that the delay was justifiable, (2) that if the contractor had requested an extension of 75 days in strict accordance with the contract, the extension would have been granted, and (3) that liquidated damages could be enforced only on a technicality. The Architect recommends a 75-day extension without liquidated damages.

Joint Recommendation of Executive and Development Committees: It is recommended that, in accord with the recommendation of Baker and Gill, Architects, the General Construction Company be granted a 75-day extension of completion dates in the Physics Building contract without being subject to liquidated damages.

Board Action: Approved.

Item 23. Dormitory Expansion

Statement: The firm of W. E. Freeman, Jr., and Associates has served as the architect on the two dormitories currently being completed. Since these dormitories constitute two units of a five-unit complex in the master plan for student housing, it will be economical to continue the same architect on the other units. On March 22, 1961, the Board authorized construction of the third and fourth units when needed for increased enrollment, and planning of the third unit should be initiated at this time.

Joint Recommendation of Executive and Development Committees: That the firm of W. E. Freeman, Jr., and Associates be designated at this time as architect for the third unit of the five-unit dormitory complex.

Board Action: Approved.

Item 24. Summer School Sessions -- Extension of Program as Plan for Year-Around Operations

Statement: Following intensive study of varied proposals for year-around operation of the College's academic programs, the administration has drawn up a plan whereby the present nine-week summer school will be extended to twelve weeks, and broken into two terms. This arrangement will allow students to expedite their college careers, will best utilize the faculty and staff, and will enable the College to expand its offerings, both undergraduate and graduate, without disrupting regular short-course programs. In order to give full-time drive and purpose to the expanded summer session, the administration proposes to appoint a director of Summer School who will sit as a member of the Educational Council and report directly to the Dean of the College.

Educational Policy Committee Recommendation: It is recommended that the Board approve the interim action of the administration to offer a twelve-week summer session, divided into two terms, and guided by a full-time director.

Board Action: Approved.
Item 25. Director of the Summer Sessions and Extended Programs

Statement: In view of pending enlargement of the Summer School and added emphasis on extended educational services during the regular academic year, the administration proposes to appoint a director who will devote full time to these activities. This director will report to the Dean of the College and will be a voting member of the Educational Council.

As Director of Summer Sessions he will promote Summer School attendance through the publication and dissemination of the Summer School Bulletin and related materials; he will work closely with department heads and others in planning and coordinating such special summer academic programs as short courses and institutes; he will assist and advise the Registrar and the deans in matters related to the scheduling of summer activities; and he will recommend ways and means of improving summer session activities.

As Director of extended programs, working in cooperation with his administrative colleagues, he will have the responsibility of promotion, organization, and coordination of special non-research academic programs (on and off-campus) in areas other than agriculture and home economics.

Extended services will include not only short courses and adult educational programs, but also such areas of cultural and educational activity as the college lecture and seminar series and the college concert series.

Dr. Claud B. Green, who joined the Clemson faculty in 1940, is proposed for appointment as Director of the Summer Sessions and Extended Programs. He is 47 years of age, a native of Georgia, and holds the Ph.D. degree in English from Duke University. He is currently a professor of American Literature. He has served as Acting Head of the Department of English and Modern Languages; as chairman of the College Lectures Committee; as Chairman of the College Honors Program Committee; and as president of the Faculty Senate. He is an author, an especially skillful teacher, and a man who possesses demonstrated administrative ability. As president of the Faculty Senate he has appeared before the Board Committee and the full Board on several occasions.

Educational Policy Committee Recommendation: It is recommended that Dr. Claud B. Green be appointed Director of the Summer Sessions and Extended Programs, effective January 1, 1962.

Board Action: Approved.

Item 26. Transfer Students -- Deadline for Acceptance

Statement: Since the adoption of the new Admissions Policy in June, 1961, the need for a deadline date of acceptance of transfer students has become apparent. In order to properly screen such students, all application materials must be in the hands of the Director of Admissions at least two weeks prior to the date of matriculation. Exceptions to this two-week limitation should be made only in cases where the receipt of mid-year grade transcripts has been unavoidably delayed.

Educational Policy Committee Recommendation: It is recommended that the administration be authorized to establish for each academic semester and for the summer sessions an appropriate special deadline for the acceptance of transfer students.

Board Action: Approved.

Item 27. Bachelor of Arts and Master of Arts Degrees -- Authorization Requested

Statement: For some years Clemson College has offered a curriculum in Arts and Sciences under the School of Arts and Sciences. The degree awarded to the graduates of this curriculum is the B. S. degree. In many respects the contents of this course of study parallel that of a recipient of an A. B. degree, but there are several fundamental differences. For instance, the number of hours required for graduation is much greater than that required for an A. B. degree and the amount of mathematics and physical sciences required is also much greater than for comparable A. B. programs in other institutions. The result has been the loss to Clemson of many superior students who wish to take a normal A. B. program. This has worked a hardship
on young men and women living in the northwestern part of South Carolina who wish to pursue a course of study in a state institution near their home.

With the rapid increase of college age students in the state, it seems logical that Clemson should expand to serve as an institution providing the bachelor of arts courses to those students in the area contiguous to the College. At the present time, Clemson is one of only ten Land-Grant colleges in the country that does not have A.B. and M.A. programs.

The possibility of an A.B. and M.A. curriculum has been studied by a special committee of the faculty and it is believed that almost no additional faculty would be required for such a program. Recruitment of outstanding faculty in the English and Social Sciences areas would be much facilitated and it would be much easier to retain those we already have. The service to the students in the northwestern part of South Carolina and adjacent areas of Georgia would be most logical and welcome.

Educational Policy Committee Recommendation: It is recommended that Clemson College be authorized to offer the Bachelor of Arts and the Master of Arts degrees at such time as may seem best to the administration.

Board Action: Approved.

Item 28. Two-Year Program in Agriculture

Statement: In March, 1961, the School of Agriculture was directed to study the advisability of offering a two-year, non-degree educational program in agriculture, similar to that now being offered by North Carolina State College. This study has proceeded under the direction of Dr. J. W. Jones, and a report has been made to the Administration. This report points out the lack of success other states have had with such programs; the heavy cost involved; and the fact that there is little or no faculty interest in such endeavors. It is the consensus of the School of Agriculture that an expanded effort in short-course and demonstration work would better meet the needs of farm people in the state.

Educational Policy Committee Recommendation: It is recommended (1) that the School of Agriculture not initiate a two-year program at this time, and (2) that a continuing study be made of this matter in view of pending developments of two-year educational programs in the state.

Board Action: Approved.

Item 29. Acting Dean of the School of Engineering

Statement: Following the untimely death of Dean Walter Lowry on September 14, the administration, acting under interim authority, appointed Dr. R. W. Moorman, Acting Dean of the School of Engineering, and members of the Board were notified of this action.

Educational Policy Committee Recommendation: It is recommended that the Board confirm the interim appointment of Dr. R. W. Moorman to serve as Acting Dean of the School of Engineering from September 14, 1961, until a new Dean is selected and appointed.

Board Action: Approved.

Item 30. Vote of Appreciation to Dr. R. W. Moorman

Board Action: Upon recommendation of the administration and the Committee on Educational Policy and Student Affairs, and by unanimous action of the Board, a vote of appreciation to Dr. R. W. Moorman was officially adopted for his loyal and faithful service to Clemson College. The Board was especially grateful for his service as Acting Dean of the School of Engineering in the interim period following the death of Dean Walter Lowry, and Mr. R. M. Cooper, President of the Board, was asked to write Dr. Moorman, conveying these expressions of appreciation.

Item 31. Dean of the School of Engineering

Statement: During the two months since Dean Lowry's death a thorough survey
has been made by the administration, aided especially by the engineering department heads, to secure a permanent dean for the school. The administration is now prepared to recommend Dr. Linvil Gene Rich for that position.

Dr. Rich was born in Pana, Illinois, and is forty-one years of age. He holds a Bachelor's degree in Civil Engineering, a Master's degree in Sanitary Engineering, and a Ph.D. degree in Biochemistry, all from Virginia Polytechnic Institute. He has also studied at the University of Illinois, West Virginia University, and Stanford University.

During the period 1949-1955 he held the ranks of Instructor, Assistant Professor, and Associate Professor at Virginia Polytechnic Institute. During the academic year 1955-1956 he was a United States Government training adviser in engineering, serving in Bolivia, South America. From 1956 to February 1961 he held the ranks of Associate Professor and Professor at Illinois Institute of Technology. He came to Clemson in February 1961 as the Head of the Department of Civil Engineering.

Dr. Rich is the author of sixteen professional and scientific papers and of a book, Unit Operations of Sanitary Engineering, published this year by John Wiley and Company. He is a member of six professional societies.

He is married and has two children.

Educational Policy Committee Recommendation: That Dr. Linvil Gene Rich be appointed Dean of the School of Engineering, effective immediately.

Board Action: Approved.

Item 32. Dean of the School of Agriculture

Statement: The present Dean of the School of Agriculture, Dr. M. D. Farrar, has resigned his position as Dean effective as soon as a successor can be found. For the past several months the administration has been conducting an active, nationwide search, and is now prepared to recommend Dr. William H. Wiley for the position.

Dr. Wiley did junior-college study at the John Tarleton Agricultural College (Stephensville, Texas), then graduated with honors from the A&M College of Texas with a major in Poultry Science and a minor in Vocational Agricultural Education. His master's and doctor's degrees were also earned at the Texas A&M College, with majors in poultry and minors in genetics, zoology, and economics. He has done additional graduate study at the University of Arkansas and at the State University of Iowa.

Dean Wiley's work experience has included the following: Statistician with the Texas Agricultural Experiment Station; Instructor in poultry and livestock management at Sam Houston State College; Instructor to Associate Professor of Animal Industries at the University of Arkansas; Head, Poultry Science Department and Director of the Rhode Island Agricultural Experiment Station; and, currently, Dean of Agriculture at the University of Rhode Island. He has served on numerous important committees of the Agricultural Council of the Land-Grant Association and is now vice-chairman of the United States Department of Agriculture Marketing Advisory Committee (poultry division).

Dean Wiley became interested in the position at Clemson as a result of our inviting him to come to the campus for a series of talks with the administration and the director-department head group in the School of Agriculture. He fully understands our situation and is impressed with our facilities and with the challenge our programs present.

Dean Wiley was born in Cherokee County, Texas, and is forty-eight years of age. He is married and has one child.

Educational Policy Committee Recommendation: That Dr. William H. Wiley be appointed Dean of the School of Agriculture, effective July 1, 1962, or at an earlier date if practicable.

Board Action: Approved.
Item 33. Honorary Degree Policy

Statement: At the present time there is no specific policy regarding the awarding of honorary degrees by the College. It is believed that the publication of a Board policy statement on this matter would be welcomed by all concerned. Secondly, the faculty of the College does not, at the present, participate officially in the selection of candidates for honorary degrees. The faculty would appreciate an opportunity to participate with the Board in this endeavor.

Educational Policy Committee Recommendation: It is recommended that the Board approve the following policy and procedure concerning the selection and the awarding of honorary doctor's degrees:

Principles. Honorary degrees will be conferred in recognition of eminent achievement in scholarship or of high distinction in public service. The awarding of honorary degrees will be regarded as a method by which the College expresses its ideals and recognizes exceptional attainments.

Procedures for Nominating Candidates. Nominations may be made by any interested person. A narrative letter setting forth the accomplishments of the nominee should be submitted to any member of the Board of Trustees or to the President of the College. The person receiving the nomination will forward it to the Clemson Faculty Senate via the President of the College. Normally, October 15 will be the deadline date for submission of nominations. The Senate will gather additional information from within and outside the College as deemed necessary.

Procedure for Selecting Candidates. A committee consisting of three members of the Board to be appointed annually by the President of the Board at the fall meeting, two members of the Academic Faculty Senate, the President of the Faculty Senate, and the President of the College will meet at the convenience of the committee to consider all nominations. The Senate President will act as Secretary of the Committee and will present the nominees. The President of the College will act as Committee Chairman. The Committee will forward its recommendations to the full Board of Trustees for final action.

It is the policy of the Board to limit the number of honorary degrees to a maximum of five during any one academic year.

Board Action: The above policy was adopted with the understanding that the deadline for receiving nominations during the current session would be January 1, 1962, and with the further understanding that a prior commitment to award an honorary degree to Sir Eric Bowater of England is not nullified by the adoption of the policy.

Item 34. Economic Poison Act -- Proposed Amendment

Agricultural Regulatory Committee Recommendation: It is recommended that the Legislative Committee to Study the Use and Sale of Insecticides and Related Products Used to Control Insects and Pests Affecting Crop Yields be requested to recommend as early as possible in the next session of General Assembly of South Carolina the following amendments to the South Carolina Economic Poison Act (R310, S59):

(1) That Section 2, page 7, be amended by inserting the words each of in two places in the sentence beginning "For the purposes of defraying expenses ....", with the amended sentence to read in full as follows:

For the purposes of defraying expenses connected with the enforcement of this act, the registrant shall pay to the South Carolina State Crop Pest Commission an annual inspection fee of twenty dollars for each of the first ten brands and grades to be offered for sale in this State; and ten dollars for each of the next twenty brands and grades.
(November 10, 1961, Continued)

(2) That Section 3, page 8, be amended by deleting two words agricultural chemical and substituting therefor the words economic poison, with the amended section to read in full as follows:

SECTION 3. Act No. 541 of 1954 is amended by adding new Section 4.1 which shall read as follows:

"Section 4.1. It shall be unlawful for any economic poison manufacturer to do business in this State until he has made application for and received a license from the State Crop Pest Commission. The license fee for economic poison manufacturers shall be fifty dollars per annum."

Board Action: Approved.

Item 35. Authorization to Purchase Houses

Statement: The administration has just learned that the U. S. Corps of Engineers wishes to dispose of sixteen houses in the vicinity of Excelsior Mills at Clemson. It is not definite at this time as to whether these houses can be secured as surplus government property or whether disposal will be effected by some other plan. The administration requests authorization to secure these houses if they can be obtained at a cost sufficiently low as to warrant removal and renovation on an economical basis for needed faculty housing.

Recommendation: It is recommended that Mr. M. A. Wilson, Comptroller, be authorized to arrange for obtaining, moving and relocating any or all of the sixteen houses identified above.

Board Action: Approved.

Item 36. Resolution of Appreciation to Joseph Clyde McComb. On motion of Mr. Robert R. Coker, the Board unanimously adopted the attached resolution of appreciation to Mr. Joseph Clyde McComb who ably served the College in the Extension Service in four different counties prior to his retirement due to physical disability in 1956.

Item 37. Appreciation to the Clemson Staff. On behalf of the Board of Trustees, Mr. R. M. Cooper commended the faculty and staff of the College on their excellent work in developing and improving the institution and requested the Dean of the College to let the faculty know that the Board was aware of the fine job being done.

Item 38. Final Roll Call Vote

Resolution: RESOLVED That all measures and recommendations made at this the November 10, 1961 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 Comptroller be authorized to issue his checks for all expenditures authorized at this meeting.

Board Action: The resolution was unanimously ADOPTED on roll call vote with nine members present and voting "aye".

Item 39. Adjournment. The meeting was adjourned at 3:30 p. m.

CORRECT: APPROVED:

G. E. Metz, Secretary
R. M. Cooper, President
UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF SOUTH
CAROLINA, ANDERSON DIVISION

United States of America
Plaintiff

-vs-

7,666.90 acres of land, more
or less, situate in Anderson,
Oconee and Pickens Counties,
South Carolina, and the Clemson
Agricultural College of South
Carolina, et al, and Unknown
Owners,

Defendants

This Stipulation entered into this 31st day of January,
1961, by and between the UNITED STATES OF AMERICA,
hereinafter called the Plaintiff, and the CLEMSON
AGRICULTURAL COLLEGE OF SOUTH CAROLINA and the
STATE OF SOUTH CAROLINA, hereinafter called the
Defendants.

WHEREAS, it has been determined to be advantageous
to both the Plaintiff and the Defendants to eliminate as
many issues as possible from the pending trial in these proceedings and the Plaintiff and the Defendants have agreed on certain matters that may, with the Court's approval, be eliminated from consideration by the Court and/or the Commission appointed by the Court, all as hereinafter more fully set forth;

NOW, THEREFORE, it is hereby stipulated and agreed by and between the Plaintiff and Defendants as follows:

1. (a) That the Defendants shall have the right to construct, operate and maintain a raw water intake structure of its own design at the location described in Exhibit "A" attached hereto and by this reference made a part hereof.
(b) That in consideration of the obligation on the part of the Defendants to construct, operate and maintain the water intake facilities as aforesaid, the Plaintiff shall, upon approval of this Stipulation by the Court, pay into the registry of the Court the sum of $115,000, as payment in full for any damages to the existing raw water intake facilities of the Defendants, that
may result from the Plaintiff's construction and operation of the Hartwell Dam and Reservoir Project, and it is specifically understood and agreed that there shall be no further payment by the Plaintiff for the construction, operation and maintenance of the Defendants' water supply system as it now exists or as it may exist in the future.

(c) That the Defendants shall have the right at all times to draw water from the Lake for the use of Clemson College and the areas which it now supplies, and reasonable additions to such areas resulting from normal growth. The area which it now serves is generally delineated upon the map hereto attached as Exhibit "B". The effective filtering capacity of the water supply system at the date of taking was about 1,800,000 g.p.d. If at some date in the future it becomes necessary to increase the water supply system to a filtering capacity in excess of 3,000,000 g.p.d. in order to meet the above requirements, it shall be the responsibility of the Defendants to notify the Plaintiff prior to formulating.
definite plans for the expansion of such facilities, provided, however, that the right to withdraw water in excess of the natural flow of the Seneca River at the point of intake shall be subject to the provisions of the Water Supply Act of 1958 (Public Law 85-500, Title III).

2. It is further stipulated and agreed between the parties hereto that this agreement be filed in Court and made a part of the official Court Records in this proceeding and that the Court shall enter such judgments and/or orders as it may deem necessary to substantiate and make effective the terms of this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the day and year first herein written.

UNITED STATES OF AMERICA, Plaintiff

By (S) JOSEPH E. HINES
United States Attorney

WATKINS, VANDIVER, FREEMAN & KIRVEN, Attorneys for Clemson Agricultural College of South Carolina and the State of South Carolina

By (S) Wm. L. WATKINS
Member of Firm
United States of America,  
Plaintiff,  

vs.  

7,666.90 Acres of Land, More  
or Less, Situate in Anderson,  
Oconee and Pickens Counties,  
South Carolina, and the Clemson  
Agricultural College of South  
Carolina, et al, and Unknown  
Owners,  

Defendants.  

This Stipulation entered into this 18th day of August, 1961, by and between the UNITED STATES OF AMERICA, hereinafter called the Plaintiff, and the CLEMSON AGRICULTURAL COLLEGE OF SOUTH CAROLINA and the STATE OF SOUTH CAROLINA, hereinafter called the Defendants.

WHEREAS, it has been determined to be advantageous to both the Plaintiff and the Defendants to eliminate as many issues as possible from the pending trial in these proceedings and the Plaintiff and the Defendants have
agreed on certain matters that may, with the Court's approval, be eliminated from consideration by the Court and/or the Commission appointed by the Court, all as hereinafter more fully set forth; and

WHEREAS, the parties have agreed that when the undertakings herein set forth have been performed, the obligation of the Plaintiff to pay the Defendants just compensation for the taking of the lands and interests in lands as described in the Declaration of Taking in this cause, including interest from the date of taking, will have been fully discharged with the exception of the elements of the claim described in Paragraph 4 hereof.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the Plaintiff and Defendants as follows:

I. In exchange for the 43.20 acre parcel described in the Declaration of Taking as Tract X-2425 (Said tract being a part of the lands devised to the State of South Carolina under the will of Thomas G. Clemson) and upon payment by the Defendants to the Plaintiff of the additional sum of $3,000, the Plaintiff, by the Secretary of the Army, will convey to the Defendant, the State of South Carolina, by quit-claim deed, a tract of land in Oconee County, South Carolina, on the West side of...
Seneca River, being a part of the lands acquired by the Plaintiff from Joseph W. Perry and being particularly described in Exhibit I hereto attached and made a part hereof, reserving to the Plaintiff a flowage easement over said tract as defined in Paragraph 3(c) of the said Declaration of Taking. The estimated just compensation for said Tract X-2425 in the amount of $5,450 is included in the sum of $459,152 deposited in the Registry of this Court on October 22, 1958. In view of the exchange of lands hereby stipulated, said sum of $5,450 is to be returned to the Plaintiff. The return of said sum to the Plaintiff and the payment of said additional sum of $3,000 shall be accomplished by a credit of $8,450 against the total agreed compensation as set forth in Paragraph 3 hereof.

2. The Plaintiff, at its expense, will construct a storm drainage system of pumping capacity of 51,000 G. P. M. and a sewage lift station in accordance with plans and specifications heretofore submitted to and approved by the Defendants. Upon completion of the construction of the above systems in accordance with said plans and specifications and the acceptance thereof by the Plaintiff from its contractor after such
performance tests as the Plaintiff customarily requires, title to the same, together with an assignment of the rights of the Plaintiff under the warranties of the contractors and their suppliers, and a perpetual easement for operation and maintenance over lands of the Plaintiff particularly described in Exhibit 2 hereto and the non-exclusive use of an access road described in Exhibit 3 hereto, will be conveyed to the Defendant, The Clemson Agricultural College of South Carolina. Upon payment to it of the sum of $252,540, which payment will be made simultaneously with the conveyance aforesaid, said Defendant will accept title thereto and will thereafter be solely responsible for the operation and maintenance of said systems. Said Defendant shall maintain the areas over which it shall have the easements described in Exhibits 2 and 3 hereto. The Plaintiff will prosecute to completion the construction of protective dikes, the relocation of sewage outfall lines, storm water lines and power lines of the Defendant, The Clemson Agricultural College of South Carolina, now under construction or contemplated for immediate construction. Upon completion, said sewage outfall lines and storm water lines will be conveyed to the Defendant, The Clemson Agricultural College of South Carolina.
tural College of South Carolina, together with perpetual easements, for their operation and maintenance, in, on or over lands of the Plaintiff, described in Exhibits 4 and 5, respectively, hereeto. Also upon completion, relocated power lines to the Hog Farm, together with perpetual easements for their operation and maintenance over lands of the Plaintiff, as described in Exhibit 6 hereeto, will be conveyed to the Defendant, The Clemson Agricultural College of South Carolina, and said Defendant will accept title thereto and will thereafter be solely responsible for the operation and maintenance thereof. However, any maintenance in the above described areas which could possibly affect the safety of the lower diversion dam and dikes must have approval of the Plaintiff prior to commencement of the work involved. The Plaintiff assumes the obligation to pay to the Defendant, The Clemson Agricultural College of South Carolina, the sum of $2,697 which represents the total cost for the relocation of the power line to the Fish Hatchery located in the Cherry Crossing vicinity taken by virtue of these proceedings. The line will be relocated by the College entirely on property of the Defendants and title to same will remain in the College. Compliance with
the provisions of this paragraph will be accepted by the Defendants as payment in full for any damages to the sewer and electrical systems of the Defendants that may result from the Plaintiff's construction and operation of the Hartwell Dam and Reservoir Project with the exception of the claim described in and reserved to the Defendants by Paragraph 4 hereof. It is understood that $1,910 of the above sum of $252,540 represents the capitalized cost for operating and maintaining for fifteen (15) years the sewage lift station for the sewage from the outfall line not owned by the College but which is presently connected to the sewage facilities of the College.

3. That the sum of $1,150,000.00, together with the other undertakings set forth herein, constitutes just compensation for the entire taking of the lands and interests in lands as described in the Declaration of Taking filed in this cause, including any claims for damages resulting from said taking, except the claim reserved in Paragraph 4 hereof. The sum of $459,152 was paid into the Registry of this Court on October 22, 1958. The Plaintiff is entitled to a credit against the total compensation in the amount of $8450 as set forth in Paragraph 1 hereof. The
The Plaintiff will, upon approval of this Stipulation by the Court, pay into such Registry the additional sum of $682,398, which amount together with such part of the amount paid into such Registry on October 22, 1958, as has not already been withdrawn, may be withdrawn by the Defendants upon proper order.

4. This Stipulation shall not be deemed to affect in any way the right of the Defendant, The Clemson Agricultural College of South Carolina, to litigate in this proceeding or in any court having jurisdiction of the same its claim that it is entitled to recover from the Plaintiff the cost of constructing a sewage treatment plant, including engineering fees and expenses for designing and supervising the construction thereof, and the cost of operating the same for a reasonable number of years. Nor shall this Stipulation be deemed to affect any right of the Plaintiff to contend that it is not liable to the Defendant for said costs or any part of them, nor to confer jurisdiction of the matter upon any court nor to deprive any court of jurisdiction. There has been no other agreement regarding the sewage treatment facilities.
5. The Defendants, by signing this Stipulation, hereby enter their appearance in this action and waive all rights to a trial or hearing in this matter for the determination of just compensation for said taking, except the claim set forth in Paragraph 4. The Defendants hereby warrant that they are the owners of all lands described in the Declaration of Taking, subject to all rights of way and easements existing at the time of taking and know of no other adverse claims thereto. That the Defendants, upon performance by the Plaintiff of the undertakings herein set forth, hereby waive any rights or claims for damages which may result from the taking involved herein and hereby stipulate that the United States is hereby released therefrom and from any claims for damages which might result from flooding of the protected area, except the flooding as may be caused by improper design, construction or maintenance, if any, of the diversion and protective facilities being constructed by the Department of the Army through the Corps of Engineers and its contractors.
6. It is further stipulated and agreed between the parties hereto that this agreement be filed in court and made a part of the official court records in this proceeding and that the court shall enter such judgments as it may deem necessary to substantiate and make effective the terms of this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the day and year first herein written.

UNITED STATES OF AMERICA, Plaintiff

By /S/ JOSEPH E. HINES
United States Attorney

THE CLEMSON AGRICULTURAL COLLEGE OF SOUTH CAROLINA

By /S/ Wm. L. WATKINS
Of Watkins, Vandiver, Freeman, & Kirven, Its Attorneys

THE STATE OF SOUTH CAROLINA

By /S/ DANIEL R. McLEOD
Its Attorney General
UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF SOUTH
CAROLINA, ANDERSON DIVISION

United States of America
Plaintiff

-VS-
7,666.90 acres of land, more
or less, situate in Anderson,
Oconee and Pickens Counties,
South Carolina, and The Clemson
Agricultural College of South
Carolina, et al., and Unknown
Owners,

Defendants

THIS STIPULATION, entered into this __________ day of __________, 1962, by and between the UNITED
STATES OF AMERICA, hereinafter called the Plaintiff,
and THE CLEMSON AGRICULTURAL COLLEGE OF SOUTH
CAROLINA, hereinafter called the Defendant.

WHEREAS, Stipulation No. 2 was entered into on
18 August 1961, by and between the Plaintiff and
Defendant, and Judgment thereon affecting the terms
thereof has heretofore been filed in these proceedings
wherein it was AGREED, ORDERED and ADJUDGED that Plaintiff, as part of all obligations to The Clemson Agricultural College of South Carolina for the taking of the lands and interest in lands as described in the Declaration of Taking in this cause, will construct and relocate power lines to the Hog Farm; and

WHEREAS, the Defendant, The Clemson Agricultural College of South Carolina, has agreed to perform the construction and relocation of said power lines to the Hog Farm in accordance with the plans and specifications heretofore submitted to and approved by the Defendant at a total cost of $9,460.00.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the Plaintiff and the Defendant herein as follows:

1. The Defendant will perform such construction and relocation of the power lines to the Hog Farm in accordance with the plans and specifications heretofore approved by the parties hereto.

2. That upon completion of construction and relocation of said power lines, Plaintiff will pay into the Registry of said Court the sum of $9,460.00, which amount may be withdrawn by the Defendant herein upon proper order.

3. That upon acceptance of the above sum, together with title to said power lines and perpetual
easements over lands of the Plaintiff as described in Exhibit 6 to Stipulation No. 2 referred to herein for the operation and maintenance thereof which Defendant will thereafter be solely responsible, Plaintiff will be completely discharged of any and all obligations to Defendant, The Clemson Agricultural College of South Carolina, insofar as Stipulation No. 2 relates to the relocation and construction of the power lines to the Hog Farm.

IT IS FURTHER stipulated and agreed that this agreement be filed in Court and made a part of the official Court records in this proceeding and that the Court shall enter such judgments as it may deem necessary to substantiate and make effective the terms of this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands on the day and year first herein written.

UNITED STATES OF AMERICA, Plaintiff
By
United States Attorney

THE CLEMSON AGRICULTURAL COLLEGE OF SOUTH CAROLINA, Defendant
By
Of Watkins, Vandiver, Freeman & Kirven, Its Attorneys

THE STATE OF SOUTH CAROLINA, Defendant
By
- 3 - Its Attorney General
(Secretary's Note: Stipulation No. 3 properly executed was appropriately filed in the U. S. District Court for the Western District of South Carolina, Anderson Division, on May 18, 1962)

ATTACHMENTS TO STIPULATIONS

All exhibits indicated in the above stipulations were presented at the meeting.
The Honorable Daniel R. McLeod
Attorney General
Columbia, South Carolina

Dear Mr. McLeod:

I appreciate very much your generosity in taking time to discuss with me several very important matters involving Clemson College.

It is quite apparent at this moment that the claims of Clemson College against the United States Government for damages incurred as a result of the construction of the Hartwell Dam and Reservoir project are being settled out of court with one exception -- this exception being our claim against the government for the cost of designing, constructing, operating, and maintaining for a reasonable number of years a sewage treatment plant. Such a plant will be required because the South Carolina Water Pollution Control Authority has determined that the impounded waters in the Hartwell Reservoir in South Carolina will be classified in the "A" category. Reference to this claim is included as Item # 4 in the draft of Stipulation # 2 copy of which was left with you on July 26.

We are attaching for your information and easy reference correspondence relating to this subject between the college and the Corps of Engineers and the Water Pollution Control Authority. You will note that in the absence of any specific time schedule or other information from the Corps of Engineers the Board of Trustees of Clemson College made a commitment to the State Board of Health that a sewage treatment plant would be constructed and in operation not later than December 31, 1963. You will note further that subsequent to a meeting with representatives of the Corps of Engineers and the Water Pollution Control Authority made a commitment to the State Board of Health that a sewage treatment plant would be constructed and in operation not later than December 31, 1963. You will note further that subsequent to a meeting with representatives of the Corps of Engineers and the United States Department of Justice in January of this year, we informed the State Board of Health of the time schedule and other pertinent information received from the Corps of Engineers and the Department of Justice which would indicate that if a sewage treatment plant were constructed and placed in operation by December 31, 1963 such action would seriously affect the United States Government's ability to present its case since post-impoundment studies of the Reservoir with untreated sewage being involved would not be available. On the basis of information developed at the January conference, we requested the State Board of Health to reconsider the college's commitment and extend until December 31, 1966 the date when the sewage treatment plant would have to be in operation. Mr. William L. Watkins and the writer appeared before the Water Pollution Control Authority on May 17, 1961 and presented the full story to the Board regarding all factors involved. The position of the college in this matter can be summarized as follows:
(1) It is the responsibility of the State Board of Health to prescribe rules and regulations that are necessary to protect the health of the citizens of this state and the responsibility of the Water Pollution Control Authority to classify streams into which waste is discharged. Clemson College desires to cooperate fully with the State Board of Health and the Water Pollution Control Authority in discharging their responsibilities in such matters.

(2) Clemson College believes that the responsibility for the cost of providing the necessary sewage treatment plant, including the cost of operating the plant for a reasonable number of years, is the responsibility of the United States Government and consequently we are anxious to present to the Court the best evidence and strongest possible case.

(3) Since the State of South Carolina, with Clemson College, is a defendant in the proceedings referred to, we are most anxious to have the benefit of your advice in determining our future course of action relating to this matter.

By letter dated July 21, 1961 you will note that the Water Pollution Control Authority has denied our request for an extension of time for the construction of a sewage treatment plant beyond December 31, 1963.

It is respectfully requested that you, in consultation with the College Attorney, Mr. William L. Watkins of the firm of Watkins, Vandiver, Freeman and Kirven of Anderson, S. C., advise the Administration if any further request should be made to the Water Pollution Control Authority. In this connection I call your attention to the fact that Mr. Ralph Luttrell of the United States Department of Justice has indicated that if the sewage treatment plant should be constructed and placed in operation by December 31, 1963 the United States Government would probably seek an injunction against its use.

Sincerely yours,

/S/ R. C. EDWARDS

Robert C. Edwards, President

RCE/V

CC: Mr. William L. Watkins
Mr. W. T. Linton
Dr. Robert C. Edwards, President
Clemson College
Clemson, South Carolina

Dear Dr. Edwards:

Your letter of July 28, 1961, requests advice with respect to the action which should be taken by Clemson College in connection with the construction, operation and maintenance of a sewage treatment plant made necessary by reason of the construction of Hartwell Dam and Reservoir.

Ultimately the question of whether Clemson College is entitled to damages incurred by reason of the necessity for the construction of such a sewage disposal plant will probably be decided by legal action between Clemson College and the United States government.

In order to proceed with the construction of needed dormitories, it was necessary that a complete sewage disposal plant be constructed. Approval for such construction is required to be given by the State Water Pollution Control Authority, which agency has authorized construction of the dormitories provided a sewage disposal plant is constructed and in operation by not later than December 31, 1963. Clemson College requested an extension of three years beyond that date, which request was disapproved by the Water Pollution Control Authority by letter dated July 21, 1961. The reason stated by the Authority in that letter support the position it has taken and substantiate the classification placed by the Authority on the waters of Hartwell Reservoir lying within the State of South Carolina.

The Corps of Engineers now states that the effect of discharge of raw sewage into the Seneca River cannot be determined until some time after impoundment of the reservoir is completed. The Corps of Engineers estimate that maximum impoundment will not be reached until the late summer of 1963, and that a determination of the effect of raw sewage discharge cannot be made until approximately the winter of 1966.
The position of the Corps of Engineers seems to be that it wishes construction of the sewage disposal plant delayed so that the effect of the dumping of raw sewage into Hartwell Reservoir can be assessed. Governmental officers have indicated that they will attempt to procure delay of the construction of the sewage disposal plant by injunction in order that these studies can be made.

I am of opinion that injunctive relief does not lie in such a case and that construction of the sewage disposal plant should proceed as planned and as directed and approved by the Water Pollution Control Authority with the target date of completion being December 31, 1963.

I know of no equitable grounds upon which the government would be entitled to injunctive relief and I do not believe that any Court of Equity would lend its arm to permit the dumping of raw sewage into Hartwell Reservoir for the purpose of permitting studies of the effect thereof, particularly in view of the fact that such a practice would be contrary to the regulations of the proper administrative body of this State.

I do not feel that the United States is legally or equitably entitled to such relief.

Very truly yours,

Daniel R. McLeod
Attorney General

DRM/d
WHEREAS, the members of the Board of Trustees of The Clemson Agricultural College of South Carolina desire to record their gratitude to Joseph Clyde McComb for his outstanding service to this institution, the State of South Carolina and the Nation,

WHEREAS, as a member of the Clemson Agricultural Extension Service and a public spirited citizen, his diligent application, conscientious spirit and devotion to ideals have contributed in no small measure to agricultural progress in South Carolina and the betterment of his fellowman,

WHEREAS, his unselfish service and sincere leadership have gained for him the respect, admiration and recognition of his colleagues in South Carolina and the Nation,

BE IT RESOLVED that the Board of Trustees of The Clemson Agricultural College of South Carolina hereby makes formal acknowledgement of its gratitude to Joseph Clyde McComb and that the Board herein expresses to him its abiding respect, sincere admiration and cordial best wishes;

FURTHER RESOLVED, that this resolution be inscribed in the minutes of this Board.

ADOPTED by the Board of Trustees of The Clemson Agricultural College of South Carolina and spread upon the minutes of the meeting on this tenth day of November, 1961.

G. E. Metz, Secretary of the Board  R. M. Cooper, President of the Board