Minutes of the Regular Meeting of the Executive Committee of the Board of Trustees of the University of Kentucky, January 17, 1941.

The Executive Committee of the Board of Trustees, University of Kentucky, met in the President's Office at the University Friday, January 17, 1941, at 9:30 a.m. The members of the Committee present were Judge Richard C. Stoll, Chairman; H. S. Cleveland, Robert P. Hobson, and Lee Kirkpatrick. President Thomas Cooper and D. H. Peak. Secretary of the Board, were present.

1. Approval of Minutes.

The minutes of the meeting of the Executive Committee of November 22, 1941, were approved as published.

2. Financial Report.

The Business Agent submitted financial report for December. 1940. The report was ordered filed, and the summary thereof, ordered published in the minutes, reads as follows:

FINANCIAL REPORT FROM JULY 1, 1940 TO DECEMBER 31, 1940.

GENERAL FUND

Operating Accounts

Budgeted Income
Unencumbered balance 170,653.33
Patterson Hall
Budgeted Income
Experiment Station Fund

Budgeted Income	470,078,22
Salaries and Other Commitments	310.784.00
Available for Expense, Supplies & Equipment	159.294.22
Expended to December 31, 1940	64,930,76
Unencumbered balance	94,363,46

Agricultural Extension Fund

Budgeted Income		 758,7 20 . 00
Salaries and Other Commitments	-	<u> </u>
Available for Expense, Supplies	&	Equipment 124,534.00
Expended to December 31, 1940 -	-	54,324.06
Unencumbered Balance		70,199,94

Special Appropriations

Library Equipment Expended to December 31, 1940 Unencumbered balance	-		 	-	- -		 - -	- 	10,000.00 3,820,56 6,170,44
Scientific Equipment Expended to December 51,1940 Unencumbered balance	-	<u>-</u>		 	- - -		 	- - -	20,000.00 17,851.49 2,148.51
Home Economics Equipment Expended to December 31, 1940 Unencumbered balance	-	 	-		-	-		- - -	15,000.00 14,344.41 655.59
Engineering Equipment Expended to December 31, 1940 Unencumbered balance	_		-		-	-	 -	 	25,000,00 22,996,81 2,003,19

3. Recuisition Committee Report.

The Requisition Committee filed written report of its action each week from November 14, 1940, to January 8, 1941, inclusive. The report shows that orders were made by the Business Office on authority of the Requisition Committee in the manner prescribed by the Board of Trustees and state laws, running from No. 4262 to No. 5766. The report was examined, and on motion and second the orders and budget additions named therein were ratified and approved, and payments on said orders were authorized and approved.

4. Allotments of State Appropriation.

The Business Agent presented the following summary of allotment of State appropriations for third quarter by the State Finance Department:

Summary of Allotments of State Appropriations

December 31, 1940

Name	Amount	Amount Allotted	Amount Expended and Encumbered	Balance	Unallotted Balance
General Appro-College	\$818,000.00	\$629,000.00	\$431,538.34	\$386,461.66	\$189,000.00
Engineering Equipment	_	25,000.00	24,142.05		000.00
Library Equipment		7,000.00	2,568.76	7,431.24	3,000.00
Repairs to Buildings	12,000.00	12,000.00	8,489.12	3,510.88	000.00
Scientific & Lab. Equipment	20,000.00	20,000.00	19,708.17	291.83	000,00
Home Economics Equipment	15,000.00	15,000.00	14,386.77	613.23	000.00
Special Agriculture	24,000.00	18,000.00	12,000.00	12,000.00	6,000.00
	44,438.21	44,438.21	17,350.00	27,088.21	000.00
Int. on bonds 8,644.50	51,394.50	47,072.25	17,146.66	34,247.84	4,322.25
Agricultural Extension	130,000.00	97,500.00	64,912.05	65,087.95	32,500.00
Francis atotion law	000 00	37.250.00	80.00H. 20	22,507,72	10.750.00
	21,000.00	15,245.00	10,085.00	10,915.00	5,755.00 3,720.85
Western Ky. Substation Nursery Inspection	16,000.00	1,500.00	8,007.27	7,992.73	\$000.00 500.00
Tobacco Research	7,500.00	5,745.00	3,290.58	4,209.42	1,755.00

5. Auditor's Report of University's Construction Program.

The President presented a copy of report of D. A. Logan, Auditor of Public Accounts, of examination made by J. I. Dempsey under supervision of the Auditor, of the Construction Program of the University of Kentucky as of June 30, 1940. The report was received, and ordered acknowledged and filed.

6. Payment of Accounts of Swets & Zeitlinger, The Hague, Nether-lands.

The Business Agent presented correspondence with The Netherland Shipping and Trading Committee, 25 Broadway, New York, relative to payment of checks issued to N. V. Swets & Zeitlinger, Amsterdam, for certain purchases of books made and received from said N. V. Swets & Zeitlinger by the University of Kentucky. With the correspondence is filed copy of a letter from the Federal Reserve Bank of New York to banking institutions in its territory and a pamphlet containing information on the following:

Netherlands Royal Decree of May 24, 1940, and Power of Attorney issued thereunder to the Minister of the Netherlands, Washington, D. C.

(Copy of letter dated June 27, 1940, from the Secretary of State to the Secret7of the Treasury setting forth the exchange of notes between the State Department and the Minister of the Netherlands relative to such Decree and Power of Attorney; and copy of English translation of such Decree, certified by the Minister of the Netherlands.)

The Netherland Shipping and Trading Committee asked that the checks, six issued by the State Treasurer, and three issued by the University of Kentucky be reissued, payable to The Netherland Shipping and Trading Committee. The question regarding the State Treasurer checks was submitted to the Treasurer, Mr. E. E. Shannon, whose answer was as follows:

COMMONWEALTH OF KENTUCKY OFFICE OF STATE TREASURER Frankfort

December 9, 1940

Mr.D. H. Peak, Business Agent, University of Kentucky, Louisville, Ky.

Dear Sir:

We have your letter of Nov. 29 in regard to checks issued to the Netherland Shipping and Trading Committee.

It is the Attorney General's opinion that we should not hold to the thirty day time limit for payment of check at the bank but that we should request their representative here in America to endorse the original check and present same for payment at their pleasure. Of course that applies to all foreign companies that do business in America.

I am enclosing your correspondence with this letter.

Yours very truly,

E. E. SHANNON, TREASURER

(Signed) M. D. Ball

B.B.

BY CHIEF ACCOUNTANT

The Netherland Shipping and Trading Committee was given a copy of the above statement made by the State Treasurer, and the following correspondence ensued:

NETHERLAND SHIPPING AND TRADING COMMITTEE 25 BROADWAY NEW YORK

January 3, 1941

#27-CG

Mr. D. H. Peak, Business Agent, University of Kentucky, Lexington, Kentucky

Dear Sir:

at your disposal to sign a receipt for such checks which would show that the amount has been received by us for

account of Swets & Zeitlinger and that the amounts received are to be held by us in their favor until such time as the amounts can be turned over to the actual beneficiary, now in territory occupied by the enemy.

Yours very truly,

NETHERLAND SHIPPING AND TRADING COMMITTEE Sub-Committee for Finance

January Six 1941

Netherland Shipping and Trading Committee 25 Broadway New York

Gentlemen:

I have your letter of January 3. The checks you hold that were signed by the State Treasurer are without my jurisdiction. It will be necessary for you to take up the matter of change in these checks with the Treasurer of the State of Kentucky.

The checks that you hold that were signed by the President and Business Agent of the University may be returned to me and I will refer your request for change of the checks to the Executive Committee of the Board of Trustees at a meeting which will be held in a short time. Please return these checks at once.

Yours very truly,

(Signed) D. H. Peak Business Agent

DHP : ma

NETHERLAND SHIPPING AND TRADING COMMITTEE 25 BROADWAY NEW YORK

January 9, 1941

REGISTERED MAIL

Mr. D. H. Peak, Business Agent, University of Kentucky Lexington, Kentucky

Dear Sir:

We have just received your kind letter of January 6 and in accordance with the second paragraph, we beg to return to you under registered cover, the following three checks:

#U	4880,	dated	June	29,	1940	\$26 .19	
	1595,				1940	0.74	
	2075,	<u>t</u> t	Dec.	13,	1940	229.50	3256 .4 3

These checks are all drawn on the First National Bank & Trust Co., Lexington, Kentucky, to the order of Swets & Zeitlinger.

We have written you in the past that title to all claims due to natural or legal persons domiciled in the Netherlands is now vested in the Netherlands Government. We understand that you will submit the matter of these checks to your Board of Trustees at their next meeting. For this purpose we thought we might as well send you the circular issued on July 2nd by the Federal Reserve Bank containing the Netherlands Royal Decree of May 24th, and the power of attorney issued therein to the Minister of the Netherlands at Washington, This circular also sets forth the exchange of notes between the Secretary of State of the United States and the Secretary of the Treasury, from which it will appear that official cognizance has been taken by the Administration of this Decree. The Netherlands Shipping and Trading Committee is acting for and on behalf of the Government of the Netherlands represented by Dr. A. Loudon, Netherlands Minister in Washington, and on the strength thereof we therefore request you to issue to us one or more checks in the aggregate of \$256.43, instead of the enclosed vouchers.

Kindly requesting you to acknowledge receipt of these enclosures and hoping to receive the newly issued checks at your earliest convenience, we remain

Yours very truly,

NETHERLAND SHIPPING AND TRADING COMMITTEE Sub-Committee for Finance.

On motion and second it was ordered that the Business Agent reissue the following checks in the name of The Netherland Shipping and Trading Committee:

Name of payee on the following checks to be changed from Swets & Zeitlinger to Netherland Shipping and Trading Committee, 25 Broadway, New York:

Check 4880 for \$26.19, date June 29, 1940, Voucher 8381 Check 1595 for \$0.74, date November 13, 1940, Voucher 2371 Check 2075, for \$229.50, date December 13, 1940, Voucher 3212;

a receipt to be signed by said company and attached to the reissued checks. The receipt is to be worded as follows:

Received from the University of Kentucky \$26.19, amount of invoice of N.V. Swets & Zeitlinger, dated January 29, 1940, to be held by the undersigned in favor of N.V. Swets & Zeitlinger until such time as the amount can be turned over to the actual beneficiary now in territory occupied by the enemy.

This January

1941.

7. Haggin Trust Account -- Bank Statement.

The President presented statement of the Bank of New York of the Trust Account of the Haggin Estate, from July 13, 1940, to January 14, 1941. The statement was received, and ordered acknowledged and filed.

8. Educational Buyers Association.

The Business Agent reported that the University is a member of the Educational Buyers Association, and pays dues to that Association in amount of \$30.00 per year. As such member, the University is entitled to make purchases of equipment and supplies through the "Educational and Institutional Cooperative Service, Inc." On goods purchased through that organization a "patronage dividend" is declared semi-annually. For the six months ending December 31, 1940, the University of Kentucky received from such dividend the sum of \$64.25.

The report was ordered noted in the minutes.

9. Settlement with College Catering Company.

The President presented the report of the Committee of the Board of Trustees relative to settlement for cafeteria equipment with the College Catering Company;

Report of Committee:

On December 19, 1940, Lee Kirkpatrick and R. P. Hobson, a committee authorized by the Board of Trustees to settle the indebtedness of the University of Kentucky to the College Catering Company under the lease dated March 1, 1938, met with President Cooper and E.B. Farris to consider this settlement. The Board had approved an item of \$25,343.15 for equipment and furnishings up to September 30, 1938, and the College Catering Company had presented to the Board its statements for additional equipment and furnishings since that time amounting to \$6,577.24. This statement was carefully analyzed and checked by Mr. Farris and there is attached hereto a letter from him, showing that the proper amount of such additional equipment and furnishings is \$5,107.50. There is also attached an itemized statement, showing every item of equipment and furnishings properly allowable since September 30, 1938, which statement has been approved for settlement and payment by the committee.

In accordance with the order of the Board of Trustees, the committee now authorizes the President to make the settlement with the College Datering Company on the basis of the payment of \$23,380.21, which represents the proper amount of capital account for equipment and furnishings at \$30,450.65 less depreciation of \$7,120.44, making a net amount due the College Catering Company of \$23,330.21.

a. Source of Funds

It is recommended that funds required under the contract of lease with the College Catering Company be secured from the following resources of the University of Kentucky:

From sundry balances developed in con- nection with the General Fund, various
accounts
Advances from the University of Kentucky Student Union Account 5,000.00
Advances from the University of Kentucky Kernel account

It is recommended in connection with the advances from the Student Union account and the <u>Kentucky Kernel</u> account that, as a policy, they be regarded as advances from funds which were previously allocated for specific purposes by the University of Kentucky.

The unallocated balances remaining at the close of the fiscal year will be devoted to the restoration of the funds in the accounts above stated, with the exception of the General Fund resources.

It is further recommended that in the operation of the University Commons there will be set up an item for refunding advances if needed. This amount shall be based upon the business volume, and monthly there shall be an allocation of the amount thus provided to the retirement of such part of the funds as may remain unrestored.

b. Committee in Charge

The committee acting for the Board of Trustees approved the appointment of Dean Sarah G. Blanding, Dr. Statie Erikson and Mr. James W. Martin as a committee on the University Commons. This committee has authority to direct, to advise, to provide for the necessary setup in the conduct of the University Commons and to recommend a manager for such and such other duties as properly belong to said committee.

c. Appointment of Manager

The committee of the Board of Trustees approved the transfer of Miss Alberta Limbach to the managership of the University Commons to be effective January 1, 1941.

d. Accounting

The Business Agent shall set up an account, designated "Student Union Commons." All monies received by the Commons including the Grill shall be deposited to that account by the manager of the Commons. Deposits shall be made daily, subject to change by orders of the Commons Committee approved by the President of the University. The Business Agent shall honor requisitions on that account approved by the Commons Committee or the Manager of the Commons.

On motion, seconded and carried, the recommendations and reports were ordered copied in the minutes, and each of them was approved and concurred in by the Executive Committee.

10. Report on Union Commons Operation.

President Cooper stated that the Union Commons began operation on the sixth day of January, 1940. He said that favorable comment has been made by students and faculty as to the plan of management, the method of running the Cafeteria and the character of the service and the food. He said further that the price of food has been reduced; that patronage has increased over the last report made by the College Catering Company, and that a financial statement rendered to him by the manager shows income in excess of expense.

11. Out-of-State Travel Expense.

Reference is made to Section 7, Minutes of the Board of Trustees, of the December 1940 meeting relative to the question raised by State Officials regarding out-of-state travel expense. The President reported that he had received from Mr. Peterson, Director of Accounts and Control, a statement of items of travel expense of members of the University staff, contested in a suit filed by the State against officials of the Finance Department of the State. Mr. Peterson requested that a statement be made by each person justifying the necessity of each trip and establishing the fact that it was made on official business. The President stated that he is taking steps to get the information to Mr. Peterson as soon as possible.

Attendance by members of the University of Kentucky staff at meetings of conventions or associations and attendance at functions held at other educational institutions whether within or without the State was discussed. It was the consensus of opinion that attendance at such meetings when recommended by the President of the University of Kentucky may be looked upon by the Board of Trustees or its Executive Committee as a necessary part of the business and operation of the University of Kentucky.

12. Judgment, Sour Mash Magazine Company vs Bill Costel et al.

Reference is made to Sec. 9, minutes of the Board of Trustees, December 10, 1940, for statement of claim of James Shropshire. Mr. James Park not being present at this meeting of the Executive Committee, it was ordered that the claim be referred to him for report at the next meeting of the Executive Committee.

13. Buell Armory Additions.

President Cooper presented following statement by Dean Graham:

Under date of December 9, 1940, I addressed you concerning some improvements and additions to the present Armory and gave you three blueprints showing those.

In accord with your subsequent request, we have investigated this matter and find that final approval is vested in the Commander of this Corps area and that the institution is expected to pay 25% of the costs. I may add that under these conditions (the University paying one-fourth of the cost) this project will be approved by the War Department and executed under W.P.A. regulations and with W.P.A. labor.

(Signed) James H. Graham Dean

The President stated that no funds will be available for such construction this fiscal year, and that it now appears that the income for next fiscal year will not be more than sufficient to meet actual needs of the University. Chairman Stoll stated that the building is badly needed for training students in military tactics under present needs for such training, and that the funds might be obtained by making a loan. President Cooper questioned increasing the indebtedness of the University. The question was continued for further study of the President.

14. Wenner-Gren Laboratory. Report of Progress.

Report of progress on the Wenner-Gren Aeronautical Research Laboratory was presented by President Cooper, as follows:

January 16, 1941

President Thomas P. Cooper University of Kentucky

My dear President Cooper:

I am writing this letter, as agent of the Viking Foundation for the construction and equipping of the Wenner-Gren Aeronautical Research Laboratory, requesting your desires in respect to the following situation:

Last June, during the early discussions of this gift to the University and the site for it, the University understook to furnish the necessary heating facilities to the building proper. We estimated the cost of the steam and condensate return lines to the site opposite the Central Heating Plant at \$600 and a similar purpose cost to the site back of the Fire Station on Limestone Street at \$7,000. Later the present site on Rose Street was approved.

During the progress of construction and in order to anticipate rainy and cold weather, to furnish heat to the building during the installation of the equipment and to make a well coordinated heating system, I instructed the heating contractor to install the necessary underground pipe lines, etc., using the same material and construction specifications standard throughout the campus underground heating system and thus saved a delay of approximately two months in the use of the Laboratory.

The actual cost of labor and materials, eliminating any contractor's or other profit, is \$1,537.97, which sum has been paid to the contractor from the Viking fund, along with the payments for the heating and plumbing work within the building proper. I may add here that the aforementioned sum is only 10% of the total payments for this character of work within the Laboratory.

I can report also that I have received and have allocated or expended the sun of \$150,000 as agent for the Viking Foundation and that the Mawen Motor Corporation has expended an additional \$15,000 to date upon the Wenner-Gren Laboratory. I believe that I can say with full assurance that the Wenner-Gren Laboratory will be in operation by February 1 and will be engaged on at least two research problems by the Air Corps, U.S.A., during the month of February. Also that senior mechanical engineering students will receive instructions therein on the "aviation power unit" during the coming semester.

(Signed) James H. Graham, Dean

15. N. Y.A. Building Project -- Robinson Station.

A National Youth Administration project at Robinson Station was approved as recommended by President Cooper at the December 1940 meeting of the Board of Trustees, Article 22, minutes of said meeting. President Cooper stated that the project had been changed in the following manner:

- 1. To provide for the contribution on the part of the University for timber for lumber and shingles.
- 2. Reserve the use of the building by the NYA as long as it or its successor desires for NYA purposes.
- 3. Have the University certify as follows:

"This is to certify that the University of Kentucky is financially unable to make any further contribution from the funds allotted the University by the State of Kentucky than shown in the project application submitted herewith for the construction of the resident project by the NYA at Clements Ford, Breathitt County."

He specifically requested instructions by the Executive Committee as to Item No. 2.

On motion, seconded and carried, the President was authorized to execute the contract provided Item No. 2 is changed to read: "Reserve the use of the building by NYA as long as it or its successor desires for NYA purposes."

16. Pardee-Howe Claim - Robinson Station.

Upon his request, permission was given Hubert T. Willis of the law firm of Crawford, Middleton, Milner and Seelbach, Louisville, Ky., attorneys representing those purporting to have claims in the Pardee-Howe controversy over approximately 80 acres in Robinson Station forest, to appear before the Executive Committee and present his clients side of the controversy. Assistant Attorney General J. W. Jones appeared as legal counsel for the University. A statement of law and facts was presented by each attorney and the matter was discussed at length.

No action was taken, General Jones and Robert P. Hobson being authorized to confer with Attorney Willis as to legal steps to settle the controversy.

17. Appointments and Other Staff Changes.

President Cooper presented staff appointments and other changes requested by deans and heads of departments, and, on his recommendation, by motion and second, the following were approved and record ordered made in the minutes:

Appointments

Miss Eugenia Johnson, statistician, Department of Farm Economics Experiment Station, at the rate of \$95 a month, effective as soon as she can report for duty. Salary payable from grant of General Education Board.

Private Jesse L. Wofford, DEML (ROTC), Infantry, assigned to duty with the ROTC here, beginning January 4, 1941, at \$100 annually, the amount allowed other enlisted men. He will be appointed a Sergeant upon Sergeant Short's retirement about February 1, 1941.

Temporary appointment of Henrietta Moore as departmental secretary in the Department of Political Science, effective January 9, 1941; salary \$59 for the remainder of January, 1941, and \$80.00 a month for the succeeding five months.

Reappointments

Lawrence Oliver, student assistant for second semester 1940-1941, at \$40 a month for five months, in the Department of Zoology.

W. L. Smith, student assistant for second semester, 1940-41, at \$20 a month for five months, in the Department of Zoology.

Leaves of Absence

Professor W. A. Tolman, College of Commerce, granted sabbatical leave on half pay for the academic year 1941-42, from September 1, 1941, to August 31, 1942. He will do work at University of Chicago toward the doctor's degree.

Associate Professor J.D. Williams of the University School, to study the teacher education program in Florida for the American Council on Education, from January 6, 1941, to February 21, 1941. The Commission is to pay Professor Williams' salary while he is away.

Associate Professor Frances Seeds, Department of Home Economics, for the period January 1, 1941, through June 30, 1941, for treatment at the Julius Marks Sanitorium.

On recommendation of President Cooper, Wayland Rhoads, holding the position of Field Agent in Animal Husbandry, who has been called to military duty beginning December 30, 1940, he being a member of the Officers' Reserve Corps, was granted a leave of absence in accordance with the action of the Board of Trustees at its meeting of September 17, 1940. The Resolution passed at that meeting appears in the Minutes of the meeting on page 28, section 24, which is referred to as a part of this Resolution.

Change

President Cooper referred to the action of the Board of Trustees at the December 1940 meeting in passing a resolution to increase his salary for second half of the fiscal year to the amount set up in the budget for 1940-41. He said he appreciated very much the spirit of the Board members in regard to increase in his salary, but that he believes the financial status of the University of Kentucky such as to make it undesirable on his part to accept the increase in salary. He requested that the action of the Board of Trustees be rescinded. The members of the Executive Committee expressed appreciation of his feelings in the matter and consented to his request. Thereupon, on motion seconded and carried, the resolution passed by the Board of Trustees at its December meeting, 1940, which reads as follows:

"The Acting President of the University shall receive the salary set up in the budget for the President beginning January 1, 1941, and continuing as long as he is Acting President."

was rescinded and annulled.

Transfer

County Agent Wilmot Carter of Whitley County to the position of County Agent of Woodford County, effective January 1, 1941, at the following salary: Extension Funds \$1500.00, County \$900.00, total \$2400.00.

Resignations

Assistant County Agent W. Howard Hardin of Mason County, effective December 15, 1940.

County agent Reuben Morgan of Leslie County, effective February 15, 1941.

Miss Carolyn Sigler, departmental secretary, Department of Political Science, effective December 31, 1940.

Mrs. Edna Earl Cobb, clerk in the 4-H Club Office, Extension Division, terminated at the close of business December 31, 1940.

Dr. Henry H. Hill, Lecturer in Education, effective December 31, 1940.

18. Alumni Day.

General Lee McClain, the newly elected secretary of the Alumni Association, was cordially received during the meeting, extending greeting to the members of the Committee and the President.

Later Mr. Hobson suggested that the University should have an "Alumni Day", that is, a day to be observed wherever University graduates may be located. President Cooper was asked to present this suggestion to the Alumni Association for consideration.

19. Trustees Day.

President Cooper said that he believed a day should be set aside as Trustees Day, the object being that the members of the Board may be better informed as to the work being done at the University

and be shown its progress in buildings and equipment. The idea was concurred in by the members of the Committee, and for the year 1940-41, Tuesday, April 1, 1941, was named. The members of the Board are asked to assemble at the President's office promptly at 9:30 a.m. on that date. This being the date of the regular April meeting of the Board of Trustees, the business will be dispatched and the rest of the day will be spent in visiting departments and buildings.

20. Luncheon.

A delightful lunch was served at the noon hour by the Union Commons.

After all business was transacted, the meeting was adjourned.

D. H. Peak Secretary, Board of Trustees