



MURRAY STATE
UNIVERSITY

Murray State's Digital Commons

Board of Regents Meeting Minutes

Digitized Collections

3-5-1936 2:00 PM

1936-03-05

Board of Regents, Murray State Normal School

Follow this and additional works at: <http://digitalcommons.murraystate.edu/borminutes>

Recommended Citation

Board of Regents, Murray State Normal School, "1936-03-05" (1936). *Board of Regents Meeting Minutes*. 134.
<http://digitalcommons.murraystate.edu/borminutes/134>

This Article is brought to you for free and open access by the Digitized Collections at Murray State's Digital Commons. It has been accepted for inclusion in Board of Regents Meeting Minutes by an authorized administrator of Murray State's Digital Commons. For more information, please contact msu.digitalcommons@murraystate.edu.

MINUTES OF SPECIAL MEETING
OF BOARD OF REGENTS OF MURRAY STATE
TEACHERS COLLEGE, HELD ON MARCH 5th, 1936

The Board of Regents of the Murray State Teachers College convened in Special session at the Seelbach Hotel in the City of Louisville, Kentucky, at the hour of 2:00 o'clock P. M., on March 5th, 1936.

The meeting was called to order by Hon. Harry W. Peters, the Chairman of the Board.

In the absence of the Secretary, T. H. Stokes, on motion and seconded, all voting Yea, B. L. Trevathan was elected Secretary Pro-tem.

The Secretary called the roll and the following members were present: Harry W. Peters, Bunk Gardner, B. L. Trevathan, C. E. Crume.

The Secretary read the request of Dr. James H. Richmond, President of Murray State Teachers College, for the call of a special meeting; the call of said special meeting; the certificate of the Chairman of said Board that notice of the call of said meeting had been forwarded to each member of said board, and a waiver of notice and consent to the meeting, signed by all the members of the Board of Regents, all of which were ordered spread upon the minutes of the meeting and which are in words and figures as follows, to-wit:

Murray, Kentucky
February 28, 1936.

Mr. H. W. Peters,
Chairman Board of Regents,
Murray State Teachers College,
Frankfort, Ky.

My dear Mr. Peters:

Pursuant to Section 4527-43, 1934 Carroll's Kentucky Statutes, you are hereby requested to call a special meeting of the Board of Regents of Murray State Teachers College to meet at the Seelbach Hotel in the City of Louisville, Kentucky on the 5th day of March, 1936, at 2 o'clock P. M., for the purpose of considering the sale to purchasers other than the United States of America, of an issual of bonds of Board of Regents of Murray State Teachers College Building Revenue Bonds in an aggregate principal amount of \$145,000.00.

Second, for the purpose of considering and adopting a resolution in the event said sale is determined to be made to purchaser other than United States of America, or awarding said bonds to the purchasers thereof.

Third, to transact any and all other business as may be necessary in connection with the above matters, or that may be necessary in connection with the fiscal affairs of the institution.

Yours very truly,

James H. Richmond
President Murray State Teachers College.

Special Meeting To Consider Sale of Bonds; Call of; Certificate of Notice; Waiver of Notice

NOTICE OF SPECIAL MEETING
- - - - -

To: H. W. Peters, Frankfort, Ky.
 T. H. Stokes, Murray, Ky.
 B. L. Trevathan, Benton, Ky.
 Bunk Gardner, c/o Office U. S. District Attorney,
 Louisville, Ky.
 C. E. Crume, Clinton, Ky.

Members of Board of Regents of Murray
 State Teachers College.

Notice is hereby given that a special meeting of the Board of Regents of Murray State Teachers College will be held at the Seelbach Hotel in the City of Louisville, Kentucky, at 2 o'clock P. M. on the 5th day of March, 1936, for the following purposes:

1. Considering the sale to purchasers other than the United States of America, of an issue of bonds of Board of Regents Murray State Teachers College Revenue Bonds in an aggregate principal amount of \$145,000.00.

2. To consider the adopting of a resolution in the event said sale is determined to be made to purchasers other than United States of America awarding said bonds to the purchasers thereof.

3. To transact any and all other business as may be necessary in connection with the above matters, or that may be necessary in connection with the fiscal affairs of the institution.

Dated this February 29, 1936.

H. W. Peters,
 Chairman Board of Regents
 Murray State Teachers College.

CERTIFICATE OF CHAIRMAN OF BOARD OF REGENTS

I, Harry W. Peters, Chairman of Board of Regents of the Murray State Teachers College, do hereby certify that I have called a special meeting of the Board of Regents of the Murray State Teachers College on the 5th day of March, 1936, and that there was forwarded to each member of said Board of Regents a written notice of such meeting, an exact copy of which notice is attached hereto.

This the 29th day of February, 1936.

H. W. Peters,
 Chairman, Board of Regents
 of Murray State Teachers College.

WAIVER OF NOTICE AND CONSENT TO MEETING

We, the undersigned, being all of the members of the Board of Regents of the Murray State Teachers College, do hereby waive notice of the time, place, date and purpose of a Special Meeting of said Board of Regents to be held at the Seelbach Hotel, in the City of Louisville, Kentucky, on March 5th, 1936 at 2 o'clock P. M., and do consent to the holding of such meeting and to the transaction of any and all business that may come before such meeting.

Witness our hands, this, 3rd day of March 1936.

Signed: H. W. Peters
 Bunk Gardner
 B. L. Trevathan
 C. E. Crume
 T. H. Stokes

Permission Requested To Sell Bonds to Others than United States of America; Loan and Grant Changed to Grant Only

On motion of Bunk Gardner, seconded by C. E. Crume, the Chairman and Secretary of the Board were authorized and directed to request in writing the Federal Administration of Public Works for permission to sell to purchasers, other than the United States of America, the issue in the aggregate principal amount of \$145,000.00 of the Board of Regents Murray State Teachers College Building Revenue Bonds fully described in the offer of the United States to said Board of Regents, dated December 4th, 1935, and further requesting that the above mentioned offer by the United States of America to said Board of Regents be changed from Loan & Grant to Grant only.

Then came said Chairman and Secretary and reported that they had made such request in writing and that same had been granted by Mr. George H. Sager, Jr., Acting State Director Federal Emergency Administration of Public Works, and that written confirmation thereof was being transmitted to said Board of Regents, which written confirmation was directed upon receipt thereof to be filed with the records of said Board, and a copy of which request is in words and figures, as follows, to-wit:

"Louisville, Ky, March 5, 1936

Mr. George H. Sager, Jr.
Acting State Director, (P. W. A.)
Federal Emergency Administration of Public Works,
Louisville, Ky.

Dear Sir:

The Board of Regents of the Murray State Teachers College, subject to the approval and consent of the Federal Emergency Administration of Public Works, has arranged to sell to purchaser other than the United States of America the issue in the aggregate principal amount of -

\$145,000 of Board of Regents of the
Murray State Teachers College Building
Revenue Bonds

fully described in offer of the United States of America to the Board of Regents of the Murray State Teachers College dated December 4, 1935, which offer was accepted by said Board of Regents by resolution duly passed and approved on December 21, 1935.

Said Board of Regents now respectfully request the approval and consent of the Federal Emergency Administration of Public Works to make said sale to purchaser other than the United States of America, and further request that the above mentioned offer and allotment by the United States of America to the Board of Regents of the Murray State Teachers College be changed from "loan and grant" to "grant" only.

Respectfully submitted

THE BOARD OF REGENTS of the
MURRAY STATE TEACHERS COLLEGE

By H. W. Peters, Chairman
Board of Regents of the Murray State
Teachers College.

Attest:
B. L. Trevathan, Secretary Protem."

Resolution Amending Action of December 21, 1935 by Awarding Bonds to Stein Bros. & Boyce and Associates Instead of United States of America

The following Resolution was introduced by Judge Bunk Gardner, read in full by the Secretary and considered by the Board of Regents, namely:

A RESOLUTION AMENDING A RESOLUTION PASSED AND APPROVED BY BOARD OF REGENTS OF MURRAY STATE TEACHERS COLLEGE ON 21st DAY OF DECEMBER, 1935, BY AWARDING THE ISSUE OF BONDS THEREIN DESCRIBED TO STEIN BROS. & BOYCE AND ASSOCIATES INSTEAD OF UNITED STATES OF AMERICA AS THEREIN ORIGINALLY PROVIDED FOR.

Whereas, the United States of America has heretofore made an offer to the Board of Regents of Murray State Teachers College to aid by way of loan and grant in financing the construction of a Home Economics Building and a Physical Education Building, by purchasing from said Board of Regents an issue of \$145,000.00 of Board of Regents Murray State Teachers College Building Revenue Bonds, upon the terms and conditions described in said offer; and

Whereas, said offer was accepted by said Board of Regents by a resolution duly passed and approved on 21st day of December, 1935; and

Whereas, by another resolution duly passed and approved on same date by said Board of Regents there was authorized the issual of \$145,000.00 of Board of Regents of Murray State Teachers College Building Revenue Bonds therein fully described, and by Section 12 of said resolution same was awarded to the United States of America in accordance with the terms of the above mentioned offer, and the Treasurer of said Board was directed to deliver said bonds to said United States of America; and

Whereas, said Board of Regents has received an offer to sell said bond issue to purchasers other than the United States of America, said offer being in words and figures as follows, to-wit:

"Louisville, Ky.
March 5, 1936.

To the Honorable Board of Regents of
the Murray State Teachers College,
Murray, Kentucky.

Gentlemen:

Referring to the \$145,000 4% Building Revenue Bonds of 1935 to be issued as provided by the resolutions adopted by you on December 21, 1935 for the purpose of financing the cost of a Home Economics Building and Physical Education Building, we hereby offer and agree to purchase and pay for said bonds in current funds, upon delivery thereof to us through any bank in the City of Louisville the sum equal to the par value of said bonds, including accrued interest plus a premium of Seven Hundred Twenty Five Dollars (\$725.00).

This offer and our undertaking to purchase said bonds is subject to the bonds being accompanied at the time of delivery by a certified transcript of your proceedings evidencing acceptance and approval of this agreement and fully completed final closing papers in the form as such closing papers have been furnished you by the Federal Emergency Administration of Public Works. Your acceptance of this proposal shall be understood as constituting your agreement to sell and deliver the bonds in accordance with this proposal, but subject to the proper release of your existing agreement for the sale and delivery of said bonds to the Federal Emergency Administration of Public Works. A certified copy of such release shall be furnished us.

It is understood that these bonds have been prepared and that delivery will be made within the next thirty days.

This proposal is made for immediate acceptance and such acceptance and your agreement to sell the bonds in accordance herewith will be evidenced by endorsement hereon of such approval and acceptance by your Chairman and Secretary. You should authorize the Louisville office of the Federal Emergency Administration of Public Works to release to us any available records or transcripts concerning the authorization and issuance of said bonds.

As evidence of our good faith, we attach hereto certified check for \$2,900.00 payable to the Board of Regents, of Murray State Teachers College, to be held uncashed, pending delivery of the above mentioned bonds to us.

Respectfully submitted

Almsted Bros. Louisville, Ky.
Bankers Bond Co. Louisville, Ky.
Fidelity & Columbia Trust Co. Louisville, Ky.
J. J. B. Hilliard & Son, Louisville, Ky.
Security Trust Co., Lexington, Ky.
Stein Bros. & Boyce, Louisville, Ky.

By Milton S. Trost
Resident Partner.

Accepted and agreed to pursuant to a resolution adopted by the Board of Regents of Murray State Teachers College this
_____ 1936.

Chairman.

Secretary."

And whereas, the United States of America by and through the Federal Emergency Administration of Public Works has consented that said Board of Regents may sell said bond issue to purchasers other than United States of America,

NOW THEREFORE, the Board of Regents of Murray State Teachers College resolve as follows:

Section 1. That by and with the consent of the United States of America, by and through the Federal Emergency Administration of Public Works, the offer above set forth to purchase said bond issue upon the terms and conditions therein set forth be and the same is hereby accepted.

Section 2. That Section 12 of the resolution passed and approved on the 21st day of December, 1935, awarding said bonds to the United States of America, be and the same is hereby amended and re-enacted so that when so amended and re-enacted same shall read as follows:

"Section 12. The bonds hereby authorized shall be and the same are hereby awarded to Stein Bros. & Boyce and Associates at the sum equal to the par value of said bonds, included accrued interest, plus a premium of \$725.00, in accordance with the terms of that certain offer above set forth made to the Board of Regents of Murray State Teachers College by Stein Brothers & Boyce and Associates, and the Treasurer of said Board be and he is hereby authorized and directed to deliver said bonds to the purchaser thereof in accordance with the terms of such offer upon receipt of payment therefor as therein provided."

Section 3. That the Federal Emergency Administration of Public Works is requested to release to the purchasers of said bonds any available records or transcripts concerning the authorization and issuance of said bonds.

Section 4. All resolutions or parts thereof in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall take effect from and after its passage and approval by the Chairman of the Board.

Passed by the Board of Regents of Murray State Teachers College, and approved this 5th day of March 1936.

(SEAL)
Attest:

Chairman Board of Regents
Murray State Teachers College.

Secretary.

Suspension of Rules Which Might Prevent Passage of Amended Resolution Awarding Bonds to Stein Bros. & Boyce and Associates

It was moved by Judge Bunk Gardner and seconded by B. L. Trevathan that all rules of the Board of Regents which might prevent, unless suspended, the final passage and adoption of said resolution at this meeting be and the same are hereby suspended for the purpose of permitting the final passage and adoption of said resolution at this meeting.

The question being put upon the adoption of said motion and the suspension of such rules, the roll was called with the following result: Ayes: H. W. Peters, Bunk Gardner, B. L. Trevathan, C. E. Crume; Nays: none. The Chairman declared said motion carried and such rules suspended.

Final Passage of Resolution Amending Action of December 21, 1935 and Awarding Building Revenue Bonds to Stein Bros. & Boyce and Associates

Judge Bunk Gardner then moved that said resolution be now placed upon its final passage. B. L. Trevathan seconded the motion. The question being put upon the placing of said resolution upon its final passage, the roll was called with the following result: Ayes: H. W. Peters, Bunk Gardner, B. L. Trevathan, C. E. Crume; Nays: none. The Chairman declared the motion carried.

Judge Bunk Gardner thereupon moved that said resolution be finally passed and adopted as introduced and read. B. L. Trevathan seconded the motion. The question being put upon the final passage and adoption of said resolution, the roll was called with the following result: Ayes: H. W. Peters, Bunk Gardner, B. L. Trevathan, C. E. Crume; Nays: none. The Chairman thereupon declared said motion carried, and the resolution finally passed and adopted.

The Chairman thereupon signed said resolution in approval thereof.

Chairman and Secretary Pro-Tem Authorized and Directed To Execute Acceptance of Offer of Stein Bros. & Boyce and Associates and To Deliver Executed Copy Thereof to Said Parties

Judge Bunk Gardner then moved that the Chairman and Secretary Pro-Tem of this Board be authorized and directed to execute on behalf of this Board an acceptance of the written offer of Stein Bros. & Boyce and Associates and to deliver to said parties an executed copy thereof. C. E. Crume seconded said motion.

The question being put upon the adoption of said motion, the roll was called with the following result: Ayes: Harry W. Peters, Bunk Gardner, B. L. Trevathan, C. E. Crume; Nays: none. The Chairman declared the motion carried.

Changes in Plans and Specifications

Dr. Richmond presented to the Board for approval the list of changes in plans and specifications in the new buildings which were authorized November 29, 1935 by the Committee on Building Adjustments and Changes.

Motion was made by Mr. Trevathan, and seconded by Dr. Crume, that the Board of Regents approve the changes in plans and specifications which were authorized by the Committee on November 29, 1935, and that the list of authorized changes be spread on the minutes of the Board. The roll was called on the adoption of this motion with the following result: Judge Gardner, aye; Mr. Trevathan, aye; Dr. Crume, aye; Mr. Peters, aye. This motion was carried unanimously, and the list of approved changes follows:

MEMORANDUM OF CHANGES IN PLANS AND
SPECIFICATIONS DIRECTED BY THE COMMITTEE,
APPOINTED BY THE BOARD OF REGENTS, TO BE
MADE BY G. TANDY SMITH, JR., ARCHITECT

November 29, 1935

Alternates No. 1 Deduct	\$3,301.00	- Concrete Tunnel
No. 2 Deduct	\$5,098.00	- Movable Seats
No. 3 Deduct	\$1,207.00	- Concrete Walks, 3,500 sq. ft.
No. 4 Deduct	\$2,121.00	- Tile Floor, locker rooms
Total	\$11,727.00	

Changes Approved:

Deduct Pipe Trench	\$1,900.90
Deduct Terraza Floor	\$1,207.25
Substitute Short-leaf Pine	
for Long-leaf Pine, framing	440.00
Changing Heating Plans ...	\$8,102.02
Deduct on Exterior Face	
Brick	\$ 819.00
Deduct on Interior Face Brick	450.00
Deduct on Salt-Glazed Brick	2,030.00
	<u>\$14,949.17</u>
Grant Total of Reductions	\$26,676.17

Contract with A. E. (Jack) Cole Approved by P. W. A.

Dr. Richmond presented to the Board the letter of December 6, 1935 from Mr. Geo. H. Sager, Jr., Acting State Director (Kentucky) Federal Emergency Administration of Public Works, advising that the construction contract with A. E. (Jack) Cole had been approved.

Motion was made by Judge Gardner and seconded by Mr. Trevathan, that the letter of December 6, 1935 from Geo. H. Sager, Jr.

be recorded in the minutes of this meeting and filed. This motion was carried unanimously, and the letter follows:

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

State Director

705 Republic Building,
Louisville, Kentucky.

December 6, 1935.

In reply please refer to
Constr. Section --HLB:DT

Dr. J. W. Carr, President,
Murray State Teachers College,
Murray, Kentucky.

Re: Docket No. KY-1062,
State Teachers College
Murray, Kentucky.

Dear Dr. Carr:

In accordance with Resolution of the Board of Regents, the award of the following construction contract is hereby approved:

A. E. (Jack) Cole, Paducah, Kentucky, General Contract - Base Bid	- \$256,988.00
Less Alternates 1,2,3 and 4, totaling \$11,727.00	
Less Deductions, as agreed between the Owner, Archi- tect and Contractor	14,949.17
Total net lump	<u>26,676.17</u> \$230,311.83

You should proceed to furnish the office of the Acting State Director with:

- (a) Seven completely executed sets of Contract Documents and Construction Plans;
- (b) Certificates of Insurance, in triplicate, covering Workmen's Compensation, Public Liability and Property Damage policies;
- (c) One copy of P.W. Form 96, Detailed Estimate, prepared by the Contractor and approved by your Engineer or Architect.

Upon receipt of this letter, you should notify the Contractor to request copies of W.P.A. Form #401 from Mr. Robert Ackerman, Local Assignment Officer, Works Progress Administration, whose office is in Mayfield, Ky. This form is provided for the convenience of the Contractor in requisitioning workmen on the above-referenced project. After it has been properly executed, in triplicate, this form should be forwarded to Mr. J. B. Boddie, District Director, District #1, at Madisonville, Ky.

Upon receipt of this letter you should also return all certified checks and Bid Bonds to unsuccessful bidders. You may return the certified check or Bid Bond to the successful bidder after his Performance Bond has been properly executed and approved by this office.

Your early compliance with the foregoing instructions will expedite the start of construction on this project.

cc-G. Tandy Smith, Jr.

Yours very truly,

Mr. H. A. Gray

Mr. H. A. Wortham

Mr. Tracy S. Newton, Sr.

Mr. A. D. Bailey, Jr.

Mr. Myer Freyman, NRS

(Signed) Geo. H. Sager, Jr.

GEO. H. SAGER, JR.,

Acting State Director (Kentucky)

For the Administrator

Contract Documents and Plans Authenticated and Returned by Mr. Sager

Next, Dr. Richmond presented to the Board a letter of February 17, 1936 from Mr. Geo. H. Sager, Jr., advising that he was enclosing three authenticated sets of Contract Documents and Plans, one set of which was to be delivered to the Architect and one, to the Contractor and the other retained by the borrower for official reference purposes only and not to be used as working documents.

Motion was made by Mr. Trevathan, and seconded by Dr. Crume, that the letter of February 17, 1936 from Geo. H. Sager, Jr. be received and filed. This motion was carried unanimously.

Depositories Granted Waiver from Required Membership in Federal Reserve System

Dr. Richmond submitted to the Board letter of February 29, 1936 from Geo. H. Sager, Jr. to which was attached approved waiver for the requirement of Paragraph 11, Part one, Rules and Regulations, that the banks used as depositories for P. W. A. funds be members of the Federal Reserve System.

Motion was made by Judge Gardner that the letter of February 29, 1936 from Geo. H. Sager, Jr. be ordered filed and that the waiver therein referred to be attached to the executed agreement with the United States of America. This motion was seconded by Mr. Trevathan and carried unanimously.

G. Tandy Smith, Jr., Architect, Allowed \$6,909.35

Next, Dr. Richmond presented to the Board the account of \$6,909.35 which had been submitted by G. Tandy Smith, Jr., Architect, which represented 3% on amount of contract awarded and 60% of his total basic fee of 5%. Attached to this account was correspondence from Mr. Smith and Mr. Geo. H. Sager, Jr. in reference to the proper procedure in submitting and paying said account, including a certified copy of agreement between the Board of Regents and Mr. G. Tandy Smith, Jr., which was approved by Mr. Sager on October 24, 1935.

Motion was made by Judge Gardner that G. Tandy Smith, Jr., Architect, be allowed \$6,909.35 for fees. This motion was seconded by Mr. Trevathan, and the roll was called on its adoption with the following result: Judge Gardner, aye; Mr. Trevathan, aye; Dr. Crume, aye; Mr. Peters, aye.

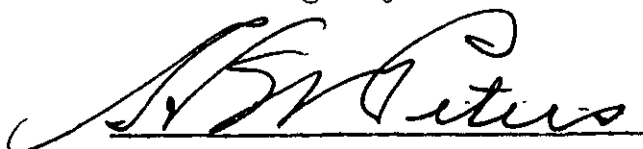
State Appropriation for Remainder Fiscal Year Requested in Four Equal Monthly Allotments

Dr. Richmond called the attention of the Board to a letter which he had received from Mr. R. E. Broach, Business Manager, giving the financial status of the college at this time and urging that request be made on the Board of Finance and Budgetary Control for the payment of the unpaid balance of the State Appropriation to this college in four equal monthly allotments.

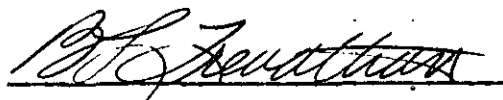
Motion was made by Judge Gardner that the letter of March 4, 1936 from R. E. Broach be approved and that President James H. Richmond be and he is hereby authorized to appear before the Board of Finance and Budgetary Control and urge that the request made in said letter from Mr. Broach be complied with. This motion was seconded by Dr. Crume and unanimously carried.

Adjournment

There being no further business to come before the Board, it was moved by C. E. Crume and seconded by Judge Bunk Gardner that the meeting adjourn. Motion carried.



Chairman



Secretary

Pro-tem