



6-9-1937 2:00 AM

1937-06-11

Board of Regents, Murray State Normal School

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Board of Regents, Murray State Normal School, "1937-06-11" (1937). *Board of Regents Meeting Minutes*. 153.  
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The Board of Regents of Murray State Teachers College reconvened at 2:00 P. M., Friday, June 11, 1937, in the office of the President, as per the action of the Board in recessing on the afternoon of Wednesday, June 9, 1937. Senator T. O. Turner, Dr. C. E. Crume, Judge Charles Ferguson and Mr. Joe Rogers were present. In the absence of Chairman Harry W. Peters, Vice Chairman T. O. Turner presided.

Mr. H. J. Burt, Office Engineer, Federal Emergency Administration of Public Works, was also present to discuss the situation with reference to the Physical Education Building and the Home Economics Building.

#### Bookstore Report and Contract

Dr. Richmond presented the report of Mr. Lee Clark for the operation of the Bookstore, showing that he had turned over to the college the sum of \$1,408.02 which is the best report that he has ever filed since he has been operating the Bookstore. Dr. Richmond recommended that this report be accepted and properly noted in the minutes and, further, recommended the employment of Mr. Lee Clark for another year on the same terms as his present contract.

Motion was made by Judge Ferguson that the President's recommendation be adopted and that contract be made with Mr. Lee Clark for the operation of the Bookstore for another year on the same terms as his present contract. This motion was seconded by Mr. Rogers, and the roll was called on its adoption with the following result: Dr. Crume, aye; Judge Ferguson, aye; Mr. Rogers, aye; Senator Turner, aye.

#### Change Order; Occupancy of Health Bldg.; Contractor's Funds Withheld

Dr. Richmond handed Mr. Burt for his information the letter of May 28, 1937 from Mr. Geo. H. Sager, Jr., State Director of the Federal Emergency Administration of Public Works, with reference to the requests of May 4, 1937 and May 27, 1937 for Change Orders. Then Mr. G. Tandy Smith, Jr., Architect, was called before the Board and the condition of the Physical Education Building and the Home Economics Building and the necessary corrections in same were discussed at considerable length.

After report was made concerning the various corrections necessary, the items in question were reduced to the following: (1) Screws instead of nails on window and door framings; (2) Coat of paint in wrestling room and boxing room; (3) Floors. Dr. Richmond said that, in view of Mr. Burt's report, it was his opinion that we would be safe in accepting the buildings if we could persuade Mr. Cole to agree for us to withhold \$4,000.00 of his payments for six months, awaiting the condition of the wood floors in the Physical Education Building at the end of that time; and, he stated further that he believed Mr. Cole would do that.

Mr. H. J. Burt, Office Engineer, Federal Emergency Administration of Public Works, stated that, in order to occupy the Physical Education Building, we should make official request of Mr. Geo. H. Sager, Jr.'s office, which request should be accompanied by the Contractor's letter agreeing to our occupying the building, and, then we should notify the insurance companies of our occupancy in order that the Contractor may be relieved of his liability for insurance.

Mr. A. E. (Jack) Cole, Contractor, was called before the Board, and the items in question with reference to the necessary corrections in the buildings were discussed separately. Mr. Cole agreed to paint the wrestling room and the boxing room, and to put screws in the window sashes instead of nails but asked that he not be required to put them around the little window and door lights as that would not be practical. Mr. Cole also said that he would be glad to do everything possible to stop the little leaks in the basement of the Home Economics Building if he could find them, and, in this connection, he stated that the specifications did not require that this basement be waterproofed. Next, Senator Turner asked Mr. Cole to inspect the roof over the offices in the Physical Education Building and see if there was need for an additional coat of treatment over some of the places that seemed to him to be pretty badly crazed. Mr. Cole agreed to examine this roof and apply additional coat of treatment, if needed. Mr. Cole then stated that, if the Board of Regents would not hold him responsible for any further swelling of the floors of the Physical Education Building, he would guarantee them to every extent except swelling.

Mr. G. Tandy Smith, Jr., Architect, said that it was his opinion that the floors in the Physical Education Building will be all right, that the Board is right in wanting to hold back some money but that 100% is too much, and that he thought 50% is sufficient. Mr. Smith called attention to the fact that this money is to be withheld for a period of six months, and that this is conditioned upon the approval by the Government of the partial acceptance of the Physical Education Building. In this connection, Mr. G. Tandy Smith, Jr., submitted a statement, which he had signed as Architect, to the effect that Mr. A. E. (Jack) Cole, Contractor, had satisfactorily completed his contract in accordance with the Contract Documents and Change Orders.

Mr. A. E. (Jack) Cole, Contractor, finally agreed to allow the Board of Regents to recommend a reservation of \$4,000.00 on his contract, awaiting the condition of the wood floors in the Physical Education Building, for a period of six months.

Change Order and Occupancy of Physical Education Building  
Requested; \$4,000.00 Withheld from Contractor for Floors

Motion was made by Judge Ferguson that a Change Order be requested, authorizing the painting of the cement plaster on the two rooms on the second floor of the west side, known as the boxing room and the wrestling room, that the Change Order requesting that nails be substituted for screws in the window sashes, doors, etc. be withdrawn, and that the Board of Regents of Murray State Teachers College withhold from the Contractor, for a period of six months, \$4,000.00 (Four Thousand Dollars) awaiting the condition of the wood floors at the end of that period, and that, with the acceptance of these Change Orders on the part of the Government and the acceptance by the Contractor of the matter of withholding \$4,000.00, awaiting the condition of the floors, that the Board request the Federal Government to authorize partial acceptance and occupancy of Docket No. Ky-1062-R, and request the Contractor, Mr. A. E. (Jack) Cole, to support this request with a letter concurring in our statement.

It is resolved that the State Director, Mr. Geo. H. Sager, Jr., be requested to expedite this matter, since it is imperative that the college have the use of the Physical Education Building at the beginning of the summer school on Monday, June 14.

The foregoing motion was seconded by Dr. Crume, and the roll was called on its adoption with the following result: Dr. Crume, aye; Judge Ferguson, aye; Mr. Rogers, aye; Senator Turner, aye.

Occupancy of Physical Education Building and \$4,000.00 Reservation on Contract Approved by A. E. (Jack) Cole, Contractor

The Contractor, Mr. A. E. (Jack) Cole, submitted to the Board a signed agreement, giving his permission for the occupancy of the Physical Education Building, also, for the Board of Regents to withhold \$4,000.00 of the money due him, as follows:

June 11, 1937

Board of Regents  
Murray State Teachers College  
Murray, Kentucky

Attention Mr. James H. Richmond, President

Re: Physical Education and Home Economics Bldgs.  
Docket No. Ky-1062-R, Murray, Kentucky

Gentlemen:

After a conference with you and your Board of this date in regard to the partial acceptance and the occupancy of the above named buildings, I agree that you may withhold from the amount of money due me the sum of \$4,000.00 (Four Thousand Dollars) for a period of six months, pending the outcome of any damage that may occur or appear in the wood floors in the Physical Education Building as a result that they were laid during a wet or damp atmospheric condition. And, after your acceptance of this request, you have my permission to occupy the building.

Yours very truly,

(Signed) A. E. (Jack) Cole

A. E. (Jack) Cole,  
Contractor

AEC:TB

The above is agreed to by the Board of Regents of Murray State Teachers College.

June 11, 1937

James H. Richmond,  
President

JHR:TB

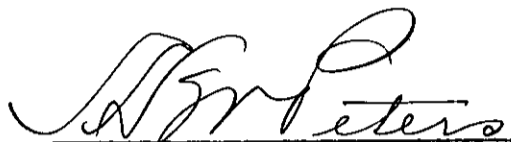
Insurance on Physical Education Building

Motion was made by Judge Ferguson that the Business Manager of Murray State Teachers College be authorized to direct Frazee & Melugin to place the required insurance

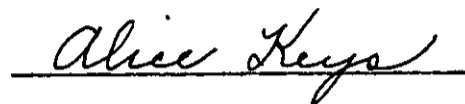
upon the Physical Education Building immediately upon notification that the Federal Government has agreed to partial acceptance of same. This motion was seconded by Mr. Rogers, and the roll was called on its adoption with the following result: Dr. Crume, aye; Judge Ferguson, aye; Mr. Rogers, aye; Senator Turner, aye.

Adjournment

Motion was made by Judge Ferguson, seconded by Dr. Crume, and unanimously carried that the Board adjourn.

  
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Chairman

  
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Secretary