

# Irregularities

Minutes of the Meeting of the Executive Committee of the Board of Trustees, University of Kentucky, November 18, 1943.

The Executive Committee of the Board of Trustees of the University of Kentucky met in the President's Office at 10:30 a.m., Thursday, November 18, 1943. The following members were present: Judge Richard C. Stoll, H. S. Cleveland, H. D. Palmore and James Park. President H. L. Donovan and Comptroller Frank D. Peterson were also present.

A. Approval of Minutes.

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1. Upon motion duly made and seconded, the minutes of the Executive Committee of November 5, 1943, were approved as published.

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B. Governor's Executive Order Appropriating \$30,000.

President Donovan brought to the attention of the Executive Committee an Executive Order which had been issued by the Governor and signed on the 12th day of November, 1943, transferring from the Governor's General Emergency Fund to the College of Engineering, University of Kentucky, \$30,000, to be used in purchasing laboratory equipment for Mining and Metallurgical Engineering, in an effort to do experimental work and exhaustive prospecting for ores in sufficient quality and quantity in the State for production purposes to assist in the war effort and future industrial development. The Committee discussed at length the far-reaching effect of the work proposed and the desirability of acquiring money for the purpose of carrying out the research project under the supervision of the College of Engineering, and took the following action:

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2. Upon motion duly made, seconded and unanimously carried, the President is directed to request of Governor Keen Johnson approval of employing an attorney to represent the University of Kentucky in answering a temporary restraining order secured by Hubert Meredith, Attorney General of the Commonwealth of Kentucky, restraining the Governor from transferring from his General Emergency Fund to the College of Engineering, University of Kentucky, \$30,000, as set forth in the Executive Order of the Governor and that the Comptroller be authorized, after said approval has been given, to employ Leslie Morris, Attorney at Law, Frankfort, Ky., to represent the Board of Trustees of the University of Kentucky in an action which has been filed in the Franklin County Circuit Court.

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C. Comptroller's Report.

The Comptroller submitted a regular monthly financial report setting forth table on realized income for the first four months of the present fiscal year and expenditures and encumbrances made against budget appropriations by the various divisions and departments, together with statement of restricted funds and agency accounts, and after same was discussed by the Executive Committee of the Board of Trustees, the following action was taken:

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- 3. Upon motion duly made, seconded and unanimously carried, the report of the Comptroller's Office was accepted and ordered filed with the Secretary of the Executive Committee.

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D. Contract with the Army for Specialized Training Units.

President Donovan submitted contract for specialized training unit and ROTC training unit,--basic and advanced,-- with the War Department of the United States Government. The contract was a re-negotiated contract with the War Department representing the United States Government, and provided payments to be made to the University of Kentucky for training soldiers assigned to the University, who are to receive housing, messing, instruction and medical care. The Committee discussed the contract and its relation to operating expenses of the University and the desirability of the University cooperating with the War Department in the Government's all-out war effort, and took the following action:

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- 4. Upon motion duly made, seconded and unanimously carried, the Chairman of the Executive Committee is authorized to sign contracts with the War Department of the United States Government for an ROTC unit and Specialized Training unit referred to in contracts re-negotiated as of August 3, 1943.

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### E. Purchase of Property

President Donovan submitted a letter from the Comptroller concerning the purchase of property at 618 South Limestone Street and recommended Committee approval.

He also submitted a letter from the Comptroller relative to the purchase of property known as 341 Harrison Avenue and recommended approval; a letter from the Comptroller concerning the purchase of property known as 112 Graham Avenue and recommended approval of the purchase of this property; and a letter from the Comptroller concerning the purchase of property known as 644 South Limestone Street, and recommended approval by the Executive Committee.

November 17, 1943

President H. L. Donovan  
University of Kentucky

My dear President Donovan:

I have negotiated for the purchase of the property located at 618 South Limestone. The property is directly in front of Memorial Hall and adjoins the campus in front of the Agricultural College building. This property consists of a lot fronting on Limestone Street for a distance of seventy feet and a depth of 213 feet on one side and 211 feet on the other side, and is thirty-five feet wide in the rear. Improvements are: one two-story frame weather-boarded house consisting of fourteen rooms, two full baths (four kitchens), a double garage in the rear and one store house about 20' x 30' in size, fireproofed with galvanized tin. This property can be purchased for \$10,500.00 with an allowance of time for the tenant to move.

The owner maintains that the purchase price and the improvements made on the property cause it to have cost him slightly in excess of \$12,000.00. It is further true that the present owner has lived there sixteen years.

This is very desirable property as far as the University is concerned, and I recommend the purchase, if in the judgment of the Executive Committee, the price is not too high.

Respectfully submitted,

(Signed) Frank D. Peterson  
Comptroller.

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November 17, 1943

President H. L. Donovan  
University of Kentucky

My dear President Donovan:

Recently, I attempted to purchase the property known as 341 Harrison Avenue, consisting of a lot approximately forty feet front, and one hundred feet deep; improvements consisting of a brick two-story house of ten rooms, two full baths, and one extra washbasin. The house is heated by gas. It has a new roof, eighteen months old. The owner asked ten thousand dollars, later dropped to ninety-five hundred, and then to nine thousand dollars, stating that nine thousand was the bottom dollar she would take.

Since my visit, however, the owner has contracted with J. H. Reester, real estate agent in Lexington, to sell the house for eighty-five hundred dollars, including shades, screens, linoleum, and all attached fixtures.

This property is within five feet of the apartment house owned by the University, now known as the Lydia Brown House, which is being used as a girls' dormitory. The two houses can be connected and supervised by the same house mother. This will eliminate any additional overhead in the event the University desired to use the property as a girls' annex. In my judgment, this is desirable property for the University to own and I recommend the purchase of same.

Respectfully submitted,

(Signed) Frank D. Peterson  
Comptroller.

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November 17, 1943

President H. L. Donovan  
University of Kentucky

My dear President Donovan:

The property known as 112 Graham Avenue has a front footage of approximately 55' and extends to a depth of about 215'; the improvements consist of a two-story frame weatherboarded house of nine rooms and bath, heated by gas, and a garage in the rear of the lot. This property may be purchased for \$5,250.00 with a reasonable allowance of time for the owner to move; after such period, the owner

will rent, if he doesn't move, at a monthly rental of forty dollars per month, if the University desires to rent it. This is desirable property, in the middle of the campus, and joins property now owned by the University.

I recommend the purchase of same, provided the Board considers the price to be right. I might add that the vendor asked \$6,000.00, but after many conferences, he has reduced the price to \$5,250.00.

Respectfully submitted,  
(Signed) Frank D. Peterson  
Comptroller.

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November 17, 1943

President H. L. Donovan  
University of Kentucky

Dear President Donovan:

I have negotiated for the purchase of the property known as 644 South Limestone belonging to Miss Nellie Lawrence. This property has a front footage of 50 feet and extends to a depth of 153 feet. The improvements consist of a one-story frame house containing two apartments--one, four rooms with full bath, and the second one with three rooms and full bath. This house has a comparatively new hot air heating system, and the roof was put on within the last two years. It is in a fair state of repair and can be purchased for \$5,500, possession to be given when deed of transfer is made.

This property is a part of the block separating the Experiment Station campus from the College campus and is a part of the property which the Board has recently purchased.

I recommend that this piece of property be purchased, and if it is approved by the Executive Committee of the Board of Trustees, immediate possession may be obtained.

Respectfully submitted,  
(Signed) Frank D. Peterson  
Comptroller.

The Committee discussed the feasibility of purchasing each piece of property and the prices involved and took the following action:

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5. Upon motion duly made, seconded and unanimously carried, the Comptroller is authorized to purchase the property known as 618 South Limestone Street from Sim Leet for the sum of \$10,500; the property known as 341 Harrison Avenue from Mrs. Nettie Murphy for the sum of \$8,500; the property known as 112 Graham Avenue from J. H. Keester, agent for owners of said property, for the sum of \$5,250; and the property known as 644 South Limestone Street from Miss Nellie Lawrence for the sum of \$5,500, and to pay for same out of the capital outlay appropriation made by the State to the University of Kentucky.

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F. State Requisitions and Purchases Made by the Comptroller.

The Comptroller presented a list of state requisitions, advice of emergency purchases, special purchase orders, food contracts, and departmental orders made since March 29, 1943, and requested approval by the Executive Committee.

November 17, 1943

President H. L. Donovan  
University of Kentucky

My dear President Donovan:

I submit a list of state requisitions, advices of emergency purchases, special purchase orders, food contracts and departmental purchase orders which have been made since March 29, 1943, and which have not been approved by the Executive Committee of the Board of Trustees. The list below gives the number of the document requesting the purchase or actually making the purchase, which documents are made a part of this record and are held in the Office of the Comptroller for record subject to inspection. These purchases have been made on properly drawn documents at the requests of the various departments and have been charged against available funds. The list follows:

State Requisitions	Nos. 1321 - 1614
Advice of Emergency Purchases	Nos. 1086 - 1513
Special Purchase Orders	Nos. 5167 - 7115
Food Contracts	Nos. 32 - 38
Departmental Orders: Library	Nos. 671 - 750
	4051 - 4058
Comptroller's Office ....	634 - 650
	4026 - 4050
	4076 - 4097

The list of purchases made since July 1 to and including November 17, 1943, are as follows:

State Requisitions	Nos. 1 -	498
Advice of Emergency Purchase	Nos. 1 -	593
Special Purchase Orders	Nos. 1 -	2386
Food Contracts	Nos. 1 -	7
Departmental Orders: Library	Nos. 7751 -	7783
	7785 -	7789
Comptroller's Office .....	8001 -	8109

The record of the above purchases is respectfully submitted with the request that they be approved by the Executive Committee of the Board of Trustees, thereby ratifying the actions of the Comptroller in making purchases as listed.

Respectfully submitted

(Signed) Frank D. Peterson  
Comptroller.

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6. Upon motion duly made, seconded and unanimously carried, purchases made upon State Requisitions, Advice of Emergency Purchases, Special Purchase Orders, Food Contracts, and Departmental Purchase Orders, as set forth in the above letter, were approved.

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G. Collection of Rent from James Washington.

President Donovan submitted letter from the Comptroller concerning rent due from James Washington, which was discussed by the Executive Committee, which, after reading the letter, took the following action:

November 13, 1943

President H. L. Donovan  
University of Kentucky

Dear President Donovan:

James Washington, colored, has lived at 205 Euclid Avenue. We have attempted on various occasions to get him to pay his rent. He has accumulated a balance of \$27.50 due the University for rent. Recently, we succeeded in getting him to move.



I would like to be advised by the Board whether we should attach his salary in the name of the University, or forget the account. I know where he works. He is making a fair salary, and can be made to pay.

Respectfully submitted,

(Signed) Frank D. Peterson  
Comptroller.

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- 7. Upon motion duly made and seconded, the Comptroller is authorized to institute or cause to be instituted legal proceedings in the name of the University of Kentucky against James Washington, in an effort to collect rent now due the University.

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H. Steel, Trustee vs. University of Kentucky--Law Suit.

President Donovan reported to the Committee that he had been advised by J. W. Jones, Assistant Attorney General of the Commonwealth of Kentucky, that the Mandate of the Court of Appeals has been issued in the name of Steel, Trustee, vs. University of Kentucky, involving a tract of land owned by the Robinson Sub-Experiment Station of the University of Kentucky at Quicksand, Ky., and entered in the lower court for final disposition of the case in favor of the University. The Committee received the report and asked that J. W. Jones be thanked for his valuable assistance rendered to the University in the above styled case.

I. Request to Play Basketball Game for Charity.

President Donovan submitted a letter which had been received from B. A. Shively, Director of Athletics, asking for permission to play a basketball game and turn the proceeds over to the Community War Chest and National Infantile Paralysis funds.

November 16, 1943

Dean Leo M. Chamberlain  
University of Kentucky

Dear Dean Chamberlain:

I have talked with Coach Rupp about turning the proceeds of our first basketball game over to charity. We have come to the following conclusion if it meets with your approval:

That the proceeds of our first basketball game, which is with Fort Knox, be given to the Community War Chest and to the National Infantile Paralysis funds. It is our suggestion that fifty per cent of the net gate be given to each of these organizations.

If this meets with your approval, I will announce it to the papers this Sunday.

Respectfully,

(Signed) Bernie A. Shively

The Committee discussed the request and the laudable purposes for which the proceeds of such a game would be used. They also discussed the legal aspects involved and took the following action:

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8. Upon motion duly made and seconded, it appears that the Executive Committee of the Board of Trustees is without legal authority to authorize the giving of receipts collected on athletic contests in which teams participating are representatives of the University, and the request is denied.

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#### J. Revisions of Regulations of the University.

The question of revising regulations of the University of Kentucky as recommended by the Committee of Fifteen was deferred, due to the absence of R. P. Hobson, who came as far as Shelbyville and was unable to attend the Committee meeting, due to transportation difficulties. Action on the proposed revision was deferred to a later meeting of the Executive Committee.

#### K. Question of Opening Alumni Ballots.

The Comptroller reported to the Committee a request of the Secretary of the Alumni Association that alumni ballots now being received in connection with the election of three alumni members to be submitted to the Governor be opened and that the sealed ballots within the outer envelopes be retained in the office of the Secretary of the Board of Trustees. The purpose of opening the outer envelopes of the ballots was to permit the Alumni Secretary to remove therefrom any checks or other information contained therein regarding alumni dues or other matters. There was discussed at some length the possibility of someone misinterpreting the act, and upon motion made and seconded, the Secretary of the Board was authorized to follow the rules of the Board of Trustees in regard to the election of alumni members.

L. Authorization of Publication of Alumni Magazine.

At a previous meeting of the Executive Committee, a committee was appointed to ascertain the cost of publishing a quarterly alumni magazine and to make report to the Executive Committee. Mr. Palmore presented to the members of the Executive Committee a request that the Committee authorize an alumni magazine to be published four times a year at a cost not to exceed \$250 an issue. An issue to consist of 2000 copies. After discussion of the report and proposal, the Committee took the following action:

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9. Upon motion duly made and seconded, the Comptroller is authorized to make available from unappropriated surplus the sum of \$1000 to be used by the Alumni Association for the purpose of paying for publishing and distributing 2000 copies of a bulletin to be published four times a year. The preparation and handling of the bulletin are to be done by the Alumni Office personnel.

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M. Adjournment.

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10. Upon motion duly made and seconded, the Executive Committee adjourned at 12:30 p.m.

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Frank D. Peterson  
Secretary, Executive Committee  
Board of Trustees