

Minutes of the Meeting of the Executive Committee of the University of Kentucky, January 22, 1960.

The Executive Committee of the University of Kentucky met in the President's Office on the campus of the University at 9:35 a. m. CST (10:35 CDT), Friday, January 22, 1960, with the following members present: R. P. Hobson, Chairman; Harper Gatton, J. Stephen Watkins and Dr. Ralph J. Angelucci. Absent: Wood Hannah, Sr. President Frank G. Dickey and Secretary Frank D. Peterson met with the Committee.

A. Approval of Minutes.

Upon motion duly made, seconded and carried, the minutes of the Executive Committee of November 20, 1959, were approved as published.

B. Financial Report.

Mr. Peterson submitted financial report of the University of Kentucky for the six-months period ended December 31, 1959. The report contained a balance sheet and related financial statements. The Current General Fund budgetary operations for the period reflected income realized for educational and general purposes in the amount of \$10,366,775.30, or 72.5% of the budget estimate of \$14,299,431.10. The expenditures including encumbrances outstanding amounted to \$6,944,847.00. This represents 48.8% of the total Current General Fund Appropriations of \$14,239,944.87.

Members of the Executive Committee reviewed the various statements and, being advised, upon motion duly made, seconded and carried, the financial report was received and filed.

C. University Purchases Approved.

Mr. Peterson submitted the following letter:

January 19, 1960

President Frank G. Dickey  
University of Kentucky

Dear President Dickey:

From October 1, 1959 through December 31, 1959 the following requisitions and orders were processed for the purchase of merchandise, supplies, material and other items for the use and benefit of the University of Kentucky:

S. D. Orders .....	Inclusive 44-104
State Requisitions .....	Inclusive 482-750
Emergencies, State .....	Inclusive 196-391
Special Orders .....	Inclusive 8039-9165
Job Order Vouchers .....	Inclusive 11588-11982
Stores Vouchers .....	Inclusive 1915-2954
Vouchers .....	Inclusive 5321-10842
Order by letters .....	Inclusive 406-602
Athletic Orders .....	Inclusive 71-101
Emergency Purchase Orders ...	Inclusive B506-B752 PR376-PR555 H366-H644 L504-L886
Stores Material Requisitions .....	Inclusive 3586-7960
Food Storage Orders .....	Inclusive 2367-2827
Requests for Quotations .....	Inclusive 1069-1801

The requisitions, emergency requisitions, special orders, vouchers and other documents are made a part of this letter and are available to the Board of Trustees for inspection. All purchases have been made in accordance with approved policy of the Board of Trustees and I respectfully request confirmation and approval of the purchases as listed conforming to the statutes requiring action by the Executive Committee.

Very truly yours,

(Signed)

Frank D. Peterson  
Vice President  
Business Administration

Members of the Executive Committee being advised, upon motion duly made, seconded and carried, confirmed and approved the purchases and commitments as recorded above.

#### D. Disposal of Surplus Property Approved.

Mr. Peterson reported that the College of Engineering had an old power voltage regulator, single phase, which came to the University from the Kentucky Utilities Company and is now surplus to the needs of the College. The College has asked that this be disposed of as scrap. Mr. Peterson asked that record be placed in the Minutes that he is authorized to sell this at the high price.

On motion duly made, seconded and carried, the recommendation was concurred in and the property was authorized sold.

E. Euclid Walk-through Approved.

Mr. Peterson submitted to the Executive Committee a preliminary study of the University of Kentucky pedestrian walk-through (underpass or walkway). He read the following letter which he had written to the City Manager of Lexington.

December 28, 1959.

Mr. Glenn Lovern  
City Manager  
Municipal Building  
Lexington, Kentucky

Re: Underpass--University of Kentucky

Dear Mr. Lovern:

President Dickey and I, with a committee, have studied the pedestrian walk-through underpass that is proposed at the intersection of Euclid and Harrison Avenues. The committee thought the walk-through underpass preferable to the straight underpass or overpass as had been suggested heretofore. We make the following comments:

- (1) We feel that because of the location of this project, and from the standpoint of appearance, we should ask for the stone finish as shown on the preliminary study as opposed to the possibility of using concrete.
- (2) We would prefer to have the interior walls of the walk-through finished in white glazed tile so that we can keep this place washed and clean as well as to increase the value of the lighting.
- (3) We would ask for a thorough study of the requirements for street lighting, sidewalk lighting, and the lighting of the interior of the walk-through.
- (4) We would suggest that a heavy crash wall be installed along the south side of the highway (overpass) to eliminate as far as possible the chance that a heavy truck would go through the barricade and drop to the sidewalk below. This is especially indicated where Harrison Avenue connects with the Avenue of Champions (Euclid).
- (5) We also think that a suitable entry to the sidewalk along the south side of the Avenue of Champions (Euclid) should be made for occasional access by truck to this area for general light trucking, leaf hauling, light delivery, etc.
- (6) Our committee gave considerable thought to the height of the walk-through area and would like to have this made as high as practical. We think 7 feet 6 inches to 7 feet 9 inches would give it a better appearance and would help the crowds going through.

- (7) You probably know that we are planning an addition to the Student Union Building, and the entrance to the campus driveway just east of the Alumni Gymnasium will service this addition. Such an entrance is not shown on these plans. It is suggested that the design engineers consult with the architects (Brock and Johnson) as to grades, drainage, etc.
- (8) President Dickey and I will recommend that this structure be approved by the Board of Trustees, but we would like to see the finished plans before Board action is taken. You understand that the Board has approved the project under certain other conditions. This project has been changed so radically as to, in our opinion, make it necessary to again take it to the Board for consideration.

We want to work with the City, State and Federal Governments in a cooperative manner to the end that we may get a highway and a structure at this location that will best serve all parties concerned.

I wish for you and all concerned a prosperous New Year. And may 1960 see this project completed.

Very truly yours,

(Signed) Frank D. Peterson  
Vice President  
Business Administration

Mr. Peterson advised that a meeting was held in the Office of the City Manager at 2:00 p. m., Friday, January 15, which meeting was attended by representatives of the City, the consulting engineers, Federal engineers and representatives of the University. He reported that this meeting was held for the purpose of securing tentative approval of the preliminary study as submitted. He reported that it was agreed by the representatives of the parties concerned that the consulting engineers go ahead and prepare plans and specifications to be submitted to the State Department of Highways, the Federal authorities and others concerned.

Members of the Committee reviewed at length the preliminary study and questions raised. Upon motion duly made, seconded and carried, the University was authorized to give tentative approval to the widening of Euclid Avenue, and to accept the walk-through (underpass or walkway), and so advise the parties concerned.



F. Contract for Research with the Louisville Barrow Show Approved.

Mr. Peterson stated that the Agricultural Experiment Station desired to enter into a contract with the Louisville Barrow Show whereby the Louisville Barrow Show organization will perform research activities assigned to it by the Agricultural Experiment Station personnel and furnish service to the Agricultural Experiment Station in connection with slaughtering, carcass evaluation and summation of results of different breeds and breeding.

Upon motion duly made, seconded and carried, the contract was authorized executed on behalf of the University of Kentucky, and all parties so notified.

G. Injuries.

Mr. Peterson submitted a report on an accident to Mr. Cecil Martin, Jr., of Hardyville, Ky. While attending the Livestock Field Day on Coldstream Farm, Mr. Martin sustained an injury to one of his ankles, requiring hospitalization. He paid to Dr. C. M. Gumbert for professional services \$211.00; to Dr. Saul Rubin for professional services, \$45.00; to the Good Samaritan Hospital for hospital care \$282.50; to the Whitehall Funeral Chapel for ambulance service \$7.50; and to the Central Brace Shop for crutches \$5.00.

Mr. Peterson reported that he and Dean Welch had conferred and they believe that the University, for public relations and other purposes, should reimburse Mr. Cecil Martin, Jr., for out-of-pocket cost incident to the accident, as stated above. Mr. Peterson stated that the University did not admit negligence or liability and had received from Mr. Martin a notarized Release and Settlement. He recommended that the claim be paid.

Upon motion duly made, seconded and carried, Mr. Cecil Martin, Jr., was authorized reimbursed in the amount of \$551.00 for actual cost for medical care incident to injuries sustained. It is specifically understood that the University does not admit negligence, neither does it admit liability in accepting and paying this claim for Release and Settlement, and it does not establish a precedent thereby.

Mr. Peterson also submitted the following statement of injuries:

1. Mr. Thomas E. Seward, an employee of the Division of Maintenance and Operations. This accident occurred December 11, 1959, at the Phi Delta Theta House, 338 Clifton Avenue. Mr. Seward was drilling a hole into a concrete block when a small piece of concrete hit him in the right eye, making a small cut under the eyelid. He reported to the University Health Service and was sent to Dr. C. W. Trapp, who treated the cut eyelid. Dr. Trapp submitted a bill for this service in the amount of \$5.00.
2. Mr. John Price, an employee of the Wildcat Bowling Lanes. This accident occurred November 1, 1959, at the Wildcat Bowling Lanes. Mr. Price was picking up pins when a bowler rolled a ball, a pin hit him, breaking his nose and causing lacerations on his nose. He was sent immediately to Good Samaritan Hospital and treated by Dr. T. R. Bryant, Jr.

The following bills have been submitted:

Good Samaritan Hospital

11/1/59 - Emergency	\$3.00	
Misc. charges	5.00	
Drugs	1.35	
11/5/59 - Emergency	<u>3.00</u>	\$12.35

Dr. T. R. Bryant, Jr.

11/1/59 - Good Samaritan Emergency Room	25.00	
11/5/59 - Suture removal	<u>5.00</u>	30.00
		<u>\$42.35</u>

3. Mr. David Givens, an employee of the Wildcat Bowling Lanes. This accident occurred September 20, 1959, at the Wildcat Bowling Lanes. A bowling pin ricocheted, hitting Mr. Givens and cutting his forehead above his left eye. He was removed to Good Samaritan Hospital where six stitches were required to close the wound.

Good Samaritan Hospital has submitted a bill for \$8.75, the details of this charge being as follows:

9/20/59 - Misc. charges	\$ 5.00
Drugs	1.75
9/25/59 - Emergency Room	2.00
	<u>\$ 8.75</u>

4. Mr. Robert Baker, an employee of the Farm Maintenance Department. This accident occurred August 31, 1959, in a tobacco field on the South Farm. Mr. Baker stepped on a tobacco stick, causing it to fly up and hit him in the eye. He reported to the University Health Service and was referred to Dr. C. W. Trapp for further medication of the injury.

Dr. Trapp has submitted a bill for \$5.00 for his services.

5. Mr. Jimmy Long, an employee of the Farm Maintenance Department. This accident occurred October 31, 1959, at the tobacco barn on the South Farm. A tobacco stick fell from the rail, causing a stalk of tobacco to hit Mr. Long just below the right eye, making a cut on his face. He reported to Dr. C. W. Trapp for treatment.

For this service, Dr. Trapp has submitted a bill for \$5.00.

with a recommendation that the bills be paid. Each case was reviewed, and upon motion duly made, seconded and carried, bill for \$5.00 to Dr. C. W. Trapp for services rendered to Mr. Thomas E. Seward; bills for \$12.35 to the Good Samaritan Hospital and \$30.00 to Dr. T. R. Bryant, Jr., for services rendered to Mr. John Price; bill for \$8.75 to the Good Samaritan Hospital for services rendered to Mr. David Givens; bill of \$5.00 for services rendered by Dr. C. W. Trapp to Robert Baker; and bill for \$5.00 for services rendered by Dr. C. W.

Trapp to Mr. Jimmy Long, were authorized approved for payment with the expressed understanding that the University does not accept liability nor admit negligence in each individual case or the cases collectively, and that the University does not set a precedent by approving for payment these bills for services rendered in connection with the above stated accidents.

#### H. Budget Adjustment.

Mr. Peterson submitted recommendation to advance to the Kentucky Research Foundation the sum of \$96,000 from the "Plant Fund section of the University Restricted Trust Funds for the liquidation of land note".

Upon motion duly made, seconded and carried, the recommendation of Mr. Peterson was concurred in and the transfer was authorized, with the understanding that a signed document will be executed by the Kentucky Research Foundation stipulating the conditions of the advancement of funds.

#### I. Property at 422 Rose Lane Purchased.

Mr. Peterson reported property at 422 Rose Lane, owned by Virginia and Rosco Brong, consisting of a one and one-half storey brick residence situated on a lot 50 feet by 190 feet, more or less. This property was offered for sale to the University in December and purchased in the month of December at a price of \$14,000. Mr. Peterson explained that this property may become the site for erection of a small dormitory leased to the House Corporation of Sigma Nu fraternity.

Members being advised, upon motion duly made, seconded and carried, the purchase of the house and lot at 422 Rose Lane was ratified, approved and authorized.

#### J. Lease, Fall-out Shelter Approved.

Mr. Peterson recalled that the Office of Civil and Defense Mobilization had requested The University to accept a fall-out shelter to be constructed in the basement of Maxwell Place. He stated that the Board had tentatively given its approval and that a lease formalizing the agreement was ready for approval and execution.

Members of the Committee recalling the incident and being advised, upon motion duly made, seconded and carried, lease No. CDM-PFS-60-45 OCDM project No. P-F-2-4 was authorized approved and executed by the President of the University and attested to by the Secretary of the Executive Committee.

K. Donee Resolution for Surplus Property.

Mr. Peterson submitted the following Resolution and recommended its approval:

Name of Governing Board Board of Trustees Address: Lexington, Ky.

WHEREAS, this is the governing Board of the University of Kentucky, and  
(Institution or Organization)

WHEREAS, it is a tax-supported or a non-profit and tax-exempt school system, school, college, university, medical institution, hospital, clinic or health center, or a Civil Defense organization designated pursuant to State Law, and

WHEREAS, the property requested under authority of this Resolution, is usable and necessary in the State for education, public health or Civil Defense purposes for which acquired, including research for any such purpose, and for no other purpose, and

WHEREAS, the property is required for use to fulfill an existing need and is not being acquired for any other use or purpose for use outside of the State or for sale, and

WHEREAS, funds are available to pay the costs of care and handling incident to donation, including packaging, preparing for shipping and transporting such property, and

WHEREAS, the terms, conditions, and instructions imposed by the Federal Government and the Division of Property Utilization will be observed and fulfilled, and

WHEREAS, it is understood that the property acquired regardless of acquisition cost shall be on an "as is", "where is" basis, without warranty of any kind,

NOW THEREFORE, IT IS HEREBY RESOLVED:

(1) That Mr. Tom Orr, Head Research Machine Shop, is hereby authorized  
Medical Center, (Title)

as a representative of University of Kentucky to sign any documents re-  
(Institution or Organization)  
quired by the Division of Property Utilization for the selection and receipt of donable surplus property from the Federal Government.

(2) That a certified copy of the Resolution be filed with the Division of Property Utilization and the same shall remain in full force and effect until revoked by written notice.

This Resolution was adopted this the 21 day of January, 1960. The following is the signature of the person authorized herein.

Signed: Frank D. Peterson Title: V. P. Bus. Adm. Date: 1/22/60.

I, Frank D. Peterson, Secretary of the Governing Board of the University  
(Institution or  
of Kentucky of Fayette County, Kentucky, do hereby certify that the  
Organization)

foregoing is a full, true and correct copy of a Resolution adopted by the Executive  
Committee of the Board at a regular meeting, thereof, held at its regular  
place of meeting at the time above-stated, which Resolution is on file in the office  
of said Board.

University of Kentucky  
Adm. Bldg., Lexington, Ky.

\_\_\_\_\_  
Secretary or Clerk

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

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Upon motion duly made, seconded and carried, the Resolution was ap-  
proved and ordered put to record.

L. Graduate Faculty Members Authorized.

President Dickey recommended that four professors be approved for  
membership in the Graduate Faculty. He stated that each has a record of  
scholarly training, research and publication fully meeting the high standards  
for membership in the Graduate Faculty. He listed the professors as follows:

- Loren D. Carlson, Professor and Chairman, Physiology (Medical  
Center)
- Eugene Carter Doll, Associate Professor of Soils, Associate  
Agronomist
- Thomas Barksdale Hutcheson, Jr., Associate Professor of Agronomy,  
Associate Agronomist
- Max J. Wasserman, Professor of International Economics, Patterson  
School.

Upon motion duly made, seconded and carried, Professor Loren D.  
Carlson, Professor Eugene Carter Doll, Professor Thomas Barksdale Hutche-  
son, Jr., and Professor Max J. Wasserman were approved to membership  
on the Graduate Faculty.

M. Consultive Services Authorized.

President Dickey submitted recommendation from Dr. William R.  
Willard that Dr. Robert Straus become a member of the Mental Health Training  
Committee of the National Institute of Mental Health. He stated that this  
committee reviews applications for training grants to the National Institute  
of Mental Health, and that Doctor Straus will be required probably to meet  
twice in Washington and, perhaps, make two or three site visits to other

institutions during the year. Dr. Straus will be paid at the rate of \$50.00 per day by the Federal Government. President Dickey stated that he felt that this was a worthy consultive service to be rendered by Dr. Straus and recommended its approval.

President Dickey presented a recommendation of Dr. Leo M. Chamberlain that Dr. John Hamblen be given permission to give certain lectures for the Mid-western Region of the IBM Corporation. Doctor Dickey stated that there would be a total of three lectures for which Doctor Hamblen would receive a total of \$750.00 and that the Computing Center would receive the sum of \$250.00, representing the cost of duplicating and typing lectures. President Dickey recommended that the request be granted.

President Dickey submitted a recommendation from Dr. Cecil C. Carpenter, Dean of the College of Commerce, that Mr. W. W. Ecton, instructor in Accounting, be given permission to do outside work for Yeager, Ford, Warren and Paris firm of certified accountants. He said that Mr. Ecton's work would be in the capacity of educational consultant and that his total services would not exceed thirty hours in any one year. He stated that this work would not interfere with his regular duties and felt that the work was of an expert nature. He recommended that the request be granted.

President Dickey submitted a recommendation from Dr. Leo M. Chamberlain and Dr. Robert E. Shaver that permission be given to Dr. Silvio Navarro, Assistant Director of the Computing Center and Associate Professor of Electrical Engineering, to do consultive work for the Kentucky Utilities Company in applications of stored program digital computers to problems in power utilities. He said that Doctor Navarro would do about 60 hours of consulting work during the year, which would be of material benefit to the Kentucky Utilities Company, and it would not interfere with his duties at the University. He recommended that the request be granted.

Members of the Executive Committee having heard the statements and recommendations, upon motion duly made, seconded and carried, concurred in the recommendations and approved the action of President Dickey.

#### N. Name of Department of Community Health Changed.

President Dickey submitted a recommendation from Dr. William R. Willard, Medical Center, that the Department of Community Health be changed to "Department of Community Medicine". President Dickey stated that it was thought that the new name implies more integration with medicine generally, and would avoid any misunderstanding of being connected with community departments of health, and that the new name seems to be more consistent with the term "Medical Center" than the former one, "Community Health". President Dickey said he thought this was a good recommendation and would more nearly clarify for the public the work of the Department. He recommended that the request be granted.

Upon motion duly made, seconded and carried, the name of the Department of Community Health, as heretofore established, was authorized changed to the Department of Community Medicine, effective immediately.

C. ICA Contract Personnel Approved.

President Dickey stated that he desired to recommend the appointment of Dr. Herbert F. Massey of the University of Kentucky Agronomy Department as Agronomy Specialist, for a three-months assignment with the Kentucky Contract Team at the University of San Carlos, Guatemala City, effective January 1, 1960,

President Dickey also recommended that Miss Frances Flick be appointed to the position of Library Consultant with the Kentucky Contract Team at the University of San Carlos, Guatemala City, for a period of three months, effective February 1, 1960.

President Dickey recommended the employment of Professor William F. Helwig to the position of Associate Professor of Electrical Engineering with the Kentucky Contract Team at Bandung, Indonesia, for the period from February 1, 1960 to January 31, 1961.

Upon motion duly made, seconded and carried, Dr. Herbert F. Massey was approved as Agronomy Specialist in Guatemala during the period January 1 to March 31, 1960; Miss Frances Flick was authorized employed as Library Consultant with the Kentucky Contract Team at the University of San Carlos, Guatemala City, for February, March and April, 1960; and Professor William F. Helwig was authorized employed as Associate Professor of Electrical Engineering, with the Contract Team at Bandung, for the period February 1, 1960, to January 31, 1961.

P. James W. Martin Report Received.

President Dickey submitted report from Professor James W. Martin, through Dr. C. C. Carpenter, Dean of the College of Commerce, on his work with the State which has been terminated. The report was read, and upon motion duly made, seconded and carried, authorized received and filed.

Q. Veterans Administration Hospital Affiliation Authorized.

President Dickey submitted a recommendation from Dr. William R. Willard, Vice President for the Medical Center, recommending a formal affiliation between the College of Medicine of the University of Kentucky and the Veterans Administration Hospital. He stated that this affiliation did not obligate the University for anything but did permit some of the personnel of the College of Medicine to affiliate and profit through its relationship with the Veterans Administration Hospital. A Memorandum of Understanding was submitted and reviewed, and upon motion duly made, seconded and carried, the request for affiliation with the local Veterans Administration Hospital was approved.

## R. Automobile Liability Insurance Studied.

President Dickey stated that he had requested Dr. W. L. Matthews, Jr., Dean of the College of Law, to review certain questions concerning the University liability in connection with automobiles. He read the following communication:

### AUTOMOBILE LIABILITY INSURANCE FOR UNIVERSITY VEHICLES AND PERSONNEL

This report attempts to answer in a general way the following questions about automobile liability insurance for University vehicles and personnel:

- (1) What is the responsibility of the University in case of an accident?
- (2) What is the responsibility of the driver in case of an accident?
- (3) What legal authority is there for purchase of liability insurance by the University?
- (4) What is the status of the University's associated corporations (such as the Kentucky Research Foundation and the UK Athletics Association) in this connection?
- (5) Is there a special legal responsibility to University students and personnel as passengers?

#### Question 1: Responsibility of the University

##### (a) Vehicles owned by the University:

The University would be liable if the injury or damage resulted from the negligence of the driver and if he were operating the vehicle "within the scope of his employment", which, oversimplified, means putting it to an authorized use. If the use were unauthorized, the University would be responsible only if it were in fact negligent in permitting access to the vehicle or in creating the conditions leading to its unauthorized use.

The University is a state agency and immune to suit in tort except by claim asserted in the Kentucky Board of Claims. Recovery there is limited to \$10,000 for any one claim, and no recovery is allowed for pain and suffering.

##### (b) Vehicles owned by University employees:

The University probably would not be liable where the vehicle is owned by an academic or administrative employee and operated by him, even within the scope of his employment. The University probably would be liable where the vehicle was owned by a maintenance employee and operated by him in the scope of his employment.

The distinction made depends on how the traditional legal principle that a "master" is responsible for the torts of his "servant" would be applied in a given fact situation. Some courts have recognized that certain kinds of employees are not "servants" for the purpose of establishing vicarious liability against the employer. These cases involve mainly operation of their



own vehicles by traveling salesmen and insurance agents (249 Ky. 8, 60 S. W. 2d 115), and the test of agency is the degree of control exercised by the employer over the details of the employee's conduct at the time. Most academic and administrative employees are not under detailed control when driving their own cars on official trips. Maintenance personnel, on the other hand, who might use their own cars or trucks in performance of their duties, might meet the control test of agency.

In any event, if under the particular facts the University should prove to be liable in this general situation, the principle of sovereign immunity mentioned above would apply and the claim would have to be asserted in the Court of Claims.

### Question 2: Responsibility of the Driver

The driver of the vehicle, whether owned by him or by the University, is personally responsible for damage or injury resulting from his negligence, whether within or without the scope of his employment. He can be sued individually, but if the claimant has recovered against the state in the Court of Claims this bars any action against the employee (KRS 44.160).

Put in another way, the University's liability as the driver's employer is not a defense for him in an action against him individually. And the University's immunity against tort does not extend to its negligent employee except as the claimant may elect to sue in the Court of Claims, where recovery will bar suit against the employee. In another context some University officers might be clothed with sovereign immunity when performing a governmental function, but the operation of a vehicle by an employee is a "ministerial act" and he is beyond the institution's immunity.

### Question 3: Authority to Purchase Insurance

#### (a) Vehicles owned by the University:

There is express statutory authority for the use of appropriated state funds for purchases of all kinds of insurance the Board of Trustees deems advisable to cover University-owned vehicles operated by University employees when in the conduct of official business, provided the policy limits do not exceed \$10,000 for any one claim or, when combined with any blanket policy purchased by the Commissioner of Insurance (explained more fully below), do not exceed a combined limit of \$10,000 for any one claim (KRS 44.055). The statute does not say in so many words that a policy covering state-owned vehicles can indemnify the employee against his personal liability, but the phrase, "policies of insurance of all kinds", is very broad and the statute as a whole seems to reflect a legislative intent that the policy coverage should be full and complete. Beyond the policy limits of \$10,000 for any one claim, no state funds could be used to cover vehicles owned by the University, and any risk of liability that the Board of Trustees might have in its corporate capacity (to which sovereign immunity might not apply) would have to be covered by insurance purchased with nonstate funds.

The answers just given are based on my interpretation of KRS 44.055, which was enacted in 1958 and has not been interpreted by the courts. Additional brief explanation of my interpretation may be helpful.

The statute says: "Any state agency . . . may in its discretion, for the protection of the public and its employees, expend state funds to purchase policies of insurance of all kinds deemed advisable covering vehicles and aircraft owned by the state and operated by state employees when in the conduct of official business." Emphasis added. This clearly excludes vehicles privately owned by state employees although they may be in use on official business. The statute also states that no provision in it shall be construed as a waiver of immunity. It further provides for the Commissioner of Insurance, upon recommendation of the Commissioner of Finance, to initiate purchase of a blanket liability policy covering ". . . the officers and employees of the several state agencies and to determine by regulation the policy limits applicable to the persons covered in each agency . . . not to exceed the limit prescribed in KRS 44.070 the section limiting Board of Claims recovery to \$10,000 for any one claim and excluding claims for pain and suffering."

Oddly enough, the proviso just quoted does not appear in the sentence of the statute authorizing the purchase of insurance by the agency as distinguished from the "blanket" policy purchased by the Commissioner of Insurance. This could mean that the former may be written without limit while the latter cannot exceed \$10,000 for any one claim. Despite this quirk in the wording of the statute, I interpret it to mean that an agency-purchased contract of insurance, like the Commissioner of Insurance's blanket policy, must be limited to \$10,000 for any one claim. Otherwise the statute would be authorizing a contract in excess of the agency's possible liability and might amount to a waiver of sovereign immunity.

Finally, the statute is not entirely clear as to whether there can be duplicative policies, one purchased by the agency and the blanket policy purchased by the Commissioner of Insurance. However, in context, I interpret it to mean that separate policies are authorized so long as their combined limits do not exceed \$10,000 for any one claim.

(b) Vehicles owned by University Employees:

I can find no authority for purchase with state funds of insurance covering vehicles owned by University employees. As pointed out in (c) below, there may be a way of including an employee under the Commissioner of Insurance's blanket policy even though he is operating his own vehicle, but no way that I can see for covering the vehicle as such.

Indirect use of state funds for purchase of insurance on the employee's vehicle by reimbursing him for expense incurred in operating it on University business is restricted by statute. KRS 44.060 limits reimbursement for automobile expense to the amount per mile fixed by the Commissioner of Finance not exceeding 8¢ per mile (presently 7¢), and there is nothing in the statute to suggest that the limit does not apply to all expenses, including the cost of liability insurance.

In the absence of express authority to purchase from state funds, I believe that any policy the University might write on employee-owned vehicles as such would have to be purchased with nonstate funds. I suppose the legal rationalization would be that KRS 44.055 relates only to use of state funds, that the Board of Trustees in its corporate capacity may have some risk of liability not covered by the University's sovereign immunity, and that it is

entitled to protect against this risk with insurance.

(c) Insuring the Employee but not his Vehicle:

The wording of KRS 44.055 which authorizes the Commissioner of Insurance to provide a blanket liability policy ". . . to cover the officers and employees of the several state agencies . . ." suggests that this blanket policy could be written to indemnify the employee but not his vehicle. In other words, the requirement that insurance purchased by the state agency with state funds shall be on vehicles owned by the state does not apply to the Commissioner of Insurance's blanket policy. The statute seems to contemplate that the blanket policy would indemnify the state and the employee against liability incurred while operating a vehicle owned by the state or a vehicle owned by the employee. The existence of such a policy, as well as any provisions in it or in the appropriate regulations of the Commissioner of Insurance relating to coverage of University employees, should be investigated since it may offer the best approach to covering employees when they operate their own vehicles.

Question 4: Status of the Associated Corporations:

These corporations would have the same responsibility described for the University in answering Question 1, but they would not have the protection of sovereign immunity and would be sued in court as any other private corporation is sued. Immunity against suit in tort sometimes extended to charitable corporations might be applicable to the Kentucky Research Foundation but not to the Athletics Association. This traditional immunity as a "charity" has been breached substantially in recent decisions from many jurisdictions, including Kentucky, and probably should not be relied upon.

The employees of these corporations would have the same personal and individual liability described for University employees in answering Question 2; but, again, the provisions of the Claims Act (KRS 44.160) barring suit against the employee after recovery from the state would not apply.

The University, of course, would not be responsible for any negligence traceable to these corporations or their employees. There are no legal restrictions on the authority of these corporations to purchase liability insurance indemnifying the corporation or its employee either as to the operation of vehicles owned by the corporation or owned by its employee. Protection against risk is a legitimate expense within usual corporate powers and none of the legal questions concerning University authority is applicable since they arise from the status of the University as a state agency and from statutes concerning use of state funds to purchase insurance.

Question 5: Special Legal Responsibility to Students and Personnel as Passengers.

The basic answer to this question is no, in the sense that a student passenger (or other "University passenger") would establish legal liability against the University or against the driver on the same grounds available to the third person. If the passenger were injured he would have to show that the driver's negligence caused his injury; and if he desired to sue the University, as well as the driver personally, his suit would be in the Court of Claims and recovery would depend on showing that the driver-employee was within the scope of his employment. Another way to put the matter in terms of need for

insurance coverage to meet legal liability is this: liability insurance indemnifies against liability to passengers as well as to third persons and coverage adequate "for" the latter class of persons is adequate "for" the former class. In evaluating the need for liability insurance coverage it is important to keep in mind that legally the policy is for the indemnification benefit of the insured and not to provide automatic recovery for the claimant. This is not to say, of course, that the University should not be properly concerned about the risk to students who are transported in University-owned vehicles or vehicles owned by University employees. The point is made merely to emphasize the fact that the University's legal liability to student passengers is commensurate with its legal liability to third persons.

In any instance where groups of students are transported for University purposes by a contract carrier he should be required to purchase full insurance coverage and this cost should be included in the contract payment if this is necessary to insure the coverage.

W. L. Matthews, Jr.

January 16, 1960.

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The communication was discussed and, upon motion duly made, seconded and carried, authorized received. The President thanked Dean Matthews for his careful study of the problem.

S. Attorney General's Opinion Concerning Group Insurance Program Reviewed.

President Dickey read to the members of the Executive Committee the opinion of the Attorney General holding that insurance premium contributed by the University on behalf of the Employees Group Life Insurance program ought to be treated as salary. The opinion was studied and, upon motion duly made, seconded and carried, referred to the Employees Group Insurance Committee for implementation.

T. Luncheon.

The Committee recessed at 11:50 a. m. CST and partook of a delightful luncheon in the Office of the President. They reconvened and took up deliberations on the agenda at 12:20 p. m. , CST.

U. Appointments and Other Staff Changes.

President Dickey submitted staff appointments, reappointments, salary adjustments, leaves of absence, resignations, promotions and other staff changes requested by deans and heads of departments.

## COLLEGE OF ARTS AND SCIENCES

Appointments

Edward Norman Wilson, Geologist, Kentucky Geological Survey, effective December 1, 1959 ending June 30, 1960.

Gladys M. Satz, Secretary, Speech Clinic, Department of Psychology, beginning January 11, 1960 ending June 30, 1960.

Nancy C. Garriott, Secretary, Department of Modern Foreign Languages, effective January 25, 1960 ending May 31, 1960.

George R. Abernathy, Jr., Visiting Assistant Professor, Department of History, for five months, beginning February 1, 1960 ending June 30, 1960.

Reappointment

Rhoda Virginia Glass, Part-time Instructor, Department of English, effective February 1, 1960.

Resignations

Doris C. DaRosa, Part-time Instructor, Department of English, effective January 31, 1960.

Jean G. Richardson, Secretary, Speech Clinic, Department of Psychology, effective January 11, 1960.

Karol M. Riley, Departmental Secretary, Department of Modern Foreign Languages, effective January 31, 1960.

Marilyn J. Overfield, Activities Supervisor, Department of Physical Education, effective January 31, 1960.

Dorothy Scheuer, Secretary, Hygiene and Public Health, effective January 21, 1960.

Changes in Status

James F. Hopkins, Editor, Henry Clay Publishing Fund, adjustment in salary, which will be paid in five installments, beginning January 1, 1960 ending May 31, 1960.

William Danks Shephard, Assistant Professor, Department of Physics, adjustment in salary for ten months, effective February 1, 1960 ending June 30, 1960.

Milton A. Voigt, Instructor, Department of English, adjustment in salary, effective January 1, 1960.

Barbara B. Worthington, Assistant Secretary, Office of the Dean, delete from payroll indefinitely, beginning January 6, 1960.

Julia L. High, Psychiatric Social Worker, Department of Psychology, adjustment in salary, effective February 1, 1960.

Roy Fletcher Gabbard, Assistant Professor, Department of Physics, adjustment in salary for ten months, effective February 1, 1960.

Barbara B. Worthington, Assistant Secretary, Office of the Dean, return to payroll after indefinite leave, effective January 19, 1960 ending June 30, 1960.

#### Leaves of Absence

Thomas P. Field, Associate Professor, Department of Geography, sabbatical leave, beginning September 1, 1960 ending June 30, 1961.

Alfred M. Reece, Jr., Assistant Professor, Department of Physical Education, sabbatical leave, beginning February 1, 1960 ending June 30, 1960.

### COLLEGE OF AGRICULTURE & HOME ECONOMICS

#### Appointments

David Lee Terry, Assistant in Agronomy, Experiment Station, effective February 1, 1960.

Doris B. Stephenson, Typist-Machine Operator, Experiment Station, effective January 11, 1960.

Iona M. Ruble, Clerk-Typist, Experiment Station, effective January 11, 1960.

Marvin Dean Hall, Extension Specialist, Agricultural Engineering, effective January 1, 1960.

W. Aubrey Etherington, Jr., Field Agent in Cream Grading, effective January 11, 1960.

Barbara Ann Webb, Assistant Extension Clerk, Warren County, Bowling Green, Extension, effective December 15, 1959.

Barbara Scott Atwood, Clerk-Typist, School of Home Economics, effective January 7, 1960.

#### Reappointments

Logan T. Louderback, County Agricultural Extension Agent, Elliott County, Sandy Hook, Extension, effective February 1, 1960.

Billy T. Ridgway, County Agricultural Extension Agent, Carlisle County, Bardwell, effective February 1, 1960.

### Resignations

Virginia C. Pruett, Secretary, Experiment Station, effective January 23, 1960.

Blanche B. Lewis, Home Demonstration Agent, Bath County, Owingsville, Extension, effective February 2, 1960.

Marjorie T. Leithner, Typist-Machine Operator, Experiment Station, effective January 31, 1960.

Jane Hulsey, Assistant Extension Clerk, Warren County, Bowling Green, Extension, effective November 30, 1959.

Dottie E. Holbrook, Clerk-Typist, School of Home Economics, effective December 26, 1959.

Josephine Chestnut, Associate County Home Demonstration Agent, Taylor County, Campbellsville, effective January 30, 1960.

Jackson W. Williams, Associate County Agricultural Extension Agent, Ohio County, Hartford, Extension, effective February 15, 1960.

### Changes in Status

Cecile Bates, Assistant Home Demonstration Agent in Training, Bell County, Pineville, to County Home Demonstration Agent, Perry County, Hazard, with adjustment in salary, effective January 1, 1960.

Jo Ann Pierce, Assistant Home Demonstration Agent in Training, Logan County, Russellville, to Home Demonstration Agent, Monroe County, Tompkinsville, with adjustment in salary, effective February 1, 1960.

Faye R. Atherton, County Agricultural Extension Agent, Carlisle County, Bardwell, to Barren County, Glasgow, with adjustment in salary, effective February 1, 1960.

Joe Oliver Owens, Assistant County Extension Agent in Training, Letcher County, Whitesburg, to Assistant County Agricultural Extension Agent, Ohio County, Hartford, effective February 1, 1960.

Peggy S. McCarty, Stenographer, College, adjustment in salary, effective February 1, 1960.

Evelyn Harrison, Clerk, Extension, to Secretary, Experiment Station, effective January 1, 1960.

James W. Herron, Associate Horticulturist, Horticulture, adjustment in salary, effective January 1, 1960.

### Leaves of Absence

Herbert F. Massey, Agronomist and Associate Professor of Soils, Experiment Station, leave, to lecture at Guatemala University under ICA contract, effective January 1, 1960 through March 31, 1960.

Anna C. Thompson, Area Extension Agent in Farm & Home Development, McCracken County, Paducah, leave, effective February 1, 1960, ending April 30, 1960.

Thelma H. Johnson, Assistant Home Demonstration Agent in Negro Work, Henderson County, Henderson, return from leave, effective January 4, 1960.

John A. Rickett, County Agricultural Extension Agent, Elliott County, Sandy Hook, sabbatical leave for the period beginning February 24, 1960, ending June 4, 1960.

## COLLEGE OF ENGINEERING

### Appointments

Esker Wayne Vaught, Research Assistant, for the period beginning December 14, 1959, ending June 30, 1960.

Grady Edward Clay, Jr., Lecturer (part-time), beginning February 1, 1960, ending June 30, 1960.

James Hubert Manly, Graduate Assistant, effective June 1, 1960 (will have part-time work beginning January 1, 1960, ending May 31, 1960).

Gordon Ray Hopkins, Research Assistant, effective June 1, 1960 (will have part-time work beginning January 1, 1960 ending May 31, 1960).

John R. Parker, Research Associate, Aeronautical Research Laboratory, effective January 1, 1960.

### Changes in Status

James Francis Lafferty, Assistant Professor, to receive part of pay from KRF for additional appointment beginning December 1, 1959.

F. Mangelsen, Superintendent of Engineering Machine Shop, to receive part of pay from KRF for additional appointment beginning December 1, 1959.

Earl T. Dillender, Technician (Machinist), Aeronautical Research Laboratory, made Technician (Laboratory), Aeronautical Research Laboratory, effective January 1, 1960.

John Allen Deacon, Instructor, change from full-time (temporary) to part-time, effective February 1, 1960.



John Owen Hibbs, Instructor, half-time, adjustment in salary, effective February 1, 1960.

T. L. McReynolds, Lecturer in Structural Engineering, continuation of employment, effective February 1, 1960 ending May 31, 1960.

### Deceased

Charles H. Anderson, Professor of Engineering Design, Special Assignment, Mechanical Engineering, died December 29, 1959.

## GRADUATE SCHOOL

### Resignation

Joyce Phillips Eddings, Secretary, effective December 31, 1959.

## COLLEGE OF EDUCATION

The following persons served as supervising teachers, Home Economics Education Department, beginning September 14, 1959, ending January 22, 1960: Jewell Deene Ellis, Mrs. Willie Lee Caywood, Mrs. Margaret McCauley, Mrs. Clara McCracken, Sarah Tabb.

The following persons served as Instructors for temporary employment, beginning September 1, 1959, ending January 20, 1960: Charles Ambrose Edith Cones; Edna Featherston, Henrietta Harris, Charles C. Manker and Virginia Van Deren.

Evening Class Instructors, for the period beginning September 21, 1959, ending January 20, 1960: Michael Adelstein, Instructor; James D. Alford, Evening Class Instructor Mack W. Bailey. Evening Class Instructor; Roger Barbour, Associate Professor of Zoology Marion Martin Bell, Evening Class Instructor O. E. Bissmeyer, Instructor; Ruth W. Blackburn, Evening Class Instructor; Marion Brown, Assistant Professor of Mathematics; Roy D. Burberry, Evening Class Instructor; Wilbert L. Carr, Visiting Professor of Ancient Languages; Lucian H. Carter, Professor of Economics; Roger J. Chacon, Instructor in Philosophy; Joseph T. Chambers, Evening Class Instructor James W. Clark, Laboratory Assistant; A. Paul Crawley, Graduate Assistant; Keller J. Dunn, Evening Class Instructor; William Ecton, Instructor in Commerce; C. C. Erwin, Associate Professor of Economics; Eleanor Evans, University High Teacher; Thomas P. Field, Associate Professor of Geography; Edward Foster, Instructor; James Gibson, Evening Class Instructor; Sheldon Grebstein, Assistant Professor in English; Ruth Haines, Evening Class Assistant; W. Brooks Hamilton, Evening Class Instructor; Wilbur A. Heinz, Associate Professor; Cemira Howard, Evening Class Instructor; James Hurt, Instructor; Sidney J. Kaplan, Assistant Professor; P. P. Karan, Assistant Professor; Martin Krimm, Instructor; N. C. Lindley, Evening Class Instructor; Carol Lotz, Evening Class Assistant, Darryl McCall, Instructor; David C. McMurtry, Assistant Professor; Marlene Martin, Evening Class Instructor; John T. Masten, Professor of Economics; Russell Milliken, Evening Class

Instructor; James Minniard, Evening Class Instructor; Edward L. Newbury, Assistant Professor; Arthur G. Oliver, Evening Class Instructor; R. R. Pickett, Professor of Economics; Clyde P. Roland, Evening Class Instructor; George J. Ruschell, Evening Class Instructor; Douglas Swartz, Evening Class Instructor; J. W. D. Skiles, Professor; J. K. Sternbergs, Instructor in Art; Ben H. Story, Jr., Evening Class Instructor; Paul Tarpey, Evening Class Instructor; Rhea A. Taylor, Associate Professor; Ruth E. Thomas, Professor; William A. Tolman, Associate Professor; Joseph L. Massie, Associate Professor of Economics; R. B. Tucker, Evening Class Instructor; John H. Ubben, Assistant Professor; Milton A. Voight, Instructor; Raymond Wilkie, Evening Class Instructor; G. T. Wright, Instructor; E. Grant Youmans, Evening Class Instructor.

### Appointments

Jane Latimer Stevenson, Assistant, Northwest Center, effective December 1, 1959 ending June 30, 1960.

G. W. Ammerman, Instructor in Principles and Techniques of Residential Appraising, Northern Center, for fifteen weeks, effective September 14, 1959, ending January 15, 1960.

William R. Meredith, Night Class Instructor, for the period from September 21, 1959 ending January 20, 1960.

George Staed, Night Class Instructor, for the period from September 21, 1959 ending January 20, 1960.

### Change in Status

Charles Dunn, Instructor in Real Estate, Northern Center, adjustment in salary and length of period, effective September 14, 1959, ending January 15, 1960.

## MEDICAL CENTER

### Appointments

Judith Dunlap Pratt, Assistant Professor and Coordinator of Physical and Biological Science, College of Nursing, effective July 1, 1960.

Donna Jean Ethington, Stenographer, College of Nursing, effective January 10, 1960.

Patricia Mitchell Compton, Secretary, Medical Center, effective April 1, 1960 (will be on semi-monthly payroll, effective January 4, 1960 ending March 31, 1960).

Robert S. Benton, Associate Professor of Anatomy, Department of Anatomy, effective February 1, 1960.

Robert M. Biltz, Research Technician, Department of Medicine, effective December 21, 1959.

R. Stanley Smith, Research Assistant (Temporary), Behavioral Science, effective December 1, 1959.

Loren D. Carlson, Professor of Physiology and Chairman of Department of Physiology, effective April 1, 1960.

Kurt W. Deuschle, Professor of Community Medicine and Chairman of Department of Community Medicine, effective July 1, 1960.

Earl Douglas Rees, Assistant Professor of Medicine, Department of Medicine, effective June 15, 1960.

Sue Carole Salyer, Stenographer-Switchboard Operator, Hospital, effective December 28, 1959.

Martha Powell Adams, Secretary, Medical Center, effective January 18, 1960.

Mary Ann Tucker, Junior Account Clerk, Medical Center, effective January 1, 1960.

#### Changes in Status

Kingsley M. Stevens, Assistant Professor of Medicine, adjustment in salary, effective January 1, 1960.

Thomas Robert Ford, named Associate Professor, Department of Behavioral Science, effective December 15, 1959.

Thomas C. White, Clerk, Purchasing, transferring to Medical Center as Central Receiving Clerk, effective January 1, 1960.

Sharlene M. Stinnett, Division of Accounting, Junior Account Clerk, transferring to Medical Center as Junior Account Clerk, effective January 1, 1960.

#### Leaves of Absence

Joyce L. Bryner, Research Assistant, Department of Behavioral Science, leave for the period beginning December 1, 1959 and ending December 31, 1959.

Elizabeth Gossett, Receptionist, Health Service, leave for the period beginning January 25, 1960 ending February 29, 1960.

Joyce L. Bryner, Research Assistant, Department of Behavioral Science, extend leave for the period of January 1, 1960 and ending January 31, 1960.

Resignations

Thelma Lutz Smith, Secretary, effective January 16, 1960.

Jess A. Martin, Assistant Medical Librarian-Instructor, Medical Center Library, effective February 29, 1960.

R. Lee Walton, Clinical Instructor in Pediatrics, effective November 30, 1959.

## OFFICE OF THE VICE PRESIDENT

Appointments

Barbara Reynolds White, Key Punch Operator, Machine Statistics, effective January 4, 1960, ending June 30, 1960.

Norma Blake Miller, Secretary, Computing Center, effective January 13, 1960, ending June 30, 1960.

Jean D. Pilegge, Assistant in Acquisitions-Account Clerk, Library, effective January 1, 1960 ending June 30, 1960.

Barbara C. Harover, Part-time Assistant in Acquisitions, Library, effective January 18, 1960.

Resignations

Lorraine Noel, Account Clerk, Library, effective December 31, 1959.

Gloria Jackson Bartley, Secretary, Computing Center, effective January 22, 1960.

Jo A. Howard, Secretary, University Counseling Service, effective November 30, 1959.

Sally B. Murphy, Biological Science Librarian, Library, effective January 22, 1960.

Ernest R. Bryson, Assistant to Serials Cataloger, Library, effective January 9, 1960.

Mary G. T. Edwards, Secretary to Director, Library, effective January 16, 1960.

Changes in Status

Barbara Jean Moore, transferring from Stenographic Bureau, to Secretary, Counseling Service, effective December 9, 1959, ending June 30, 1960.

Joan Weissinger, Stenographer, Vice President, effective February 1, 1960.

Leave of Absence

James Donald Gay, Assistant for Veteran Affairs, University Counseling Service, leave for an indefinite period, beginning January 11, 1960.

Resignation

Phyllis Wilson, Assistant in Acquisitions (half-time), Library, effective January 15, 1960.

## OFFICE OF THE VICE PRESIDENT FOR BUSINESS ADMINISTRATION

Appointments

John Morris Greene, Assistant Director, Accounting and Budgetary Control, Accounting Office, Medical Center, effective January 25, 1960.

Mary Jane Cassity, Machine Operator, Business Administration, effective December 7, 1959.

Nancy D. Butler, Junior Account Clerk, Division of Accounting, effective January 1, 1960.

Vada R. Keyser, Dining Room Hostess, Donovan Hall Cafeteria, effective January 4, 1960.

Beverly Yvonne Porter, Cashier, Division of Accounting, effective January 1, 1960.

Lillian Beth Yonts, Bookkeeper-Secretary, Donovan Hall Cafeteria, effective January 1, 1960.

Donald L. Sproull, Director of Personnel, effective February 1, 1960.

Resignations

Linda Lea Crigler, Bookkeeper-Secretary, Donovan Hall Cafeteria, effective December 20, 1959.

Elizabeth Riley, Dietitian, Donovan Hall Cafeteria, effective November 30, 1959.

Joan F. Liddle, Junior Account Clerk, Division of Accounting, effective December 31, 1959.

Changes in Status

Barbara J. Moore, Machine Operator, Business Administration, transferring to Counseling Service as Secretary, effective December 9, 1959, with adjustment in salary.

Harmony Lee Collins, Cashier, Division of Accounting, to Senior Account Clerk, Division of Accounting, with adjustment in salary, effective January 1, 1960.

Mary Lou Walk, Clerk-Stenographer, Purchasing, effective January 1, 1960.

Jesse Cathey, Assistant Dietitian, Donovan Hall Cafeteria, adjustment in salary, effective December 1, 1959.

Martha Robertson Cheek, Clerk-Stenographer, Business Administration, adjustment in salary, effective January 1, 1960.

Vivian M. Sharp, Assistant Night Dietitian, Donovan Hall Cafeteria, adjustment in salary, effective December 1, 1959.

On motion duly made, seconded and carried, on President Dickey's recommendation, the Board of Trustees concurred in the above appointments, reappointments, salary adjustments, leaves of absence, resignations, promotions and other staff changes, and record was ordered made in the minutes.

#### V. Gifts.

From: Fischer Packing Company, Louisville, Ky. --  
\$10,000.00.

President Dickey reported that he was in receipt of check for \$10,000 from the Fischer Packing Company, with a letter of transmittal containing expressions very complimentary to Dean Welch, staff and students of the College of Agriculture. In this letter the president of the Company, Mr. Carl T. Fischer, stated: "Working together with your people, the members of our company have found it most interesting; and I am proud to say that with this cooperative spirit and effort, Kentucky is making progress in the livestock industry". The President expressed his appreciation of the gift and of the sentiments expressed in the letter and recommended acceptance of the check.

Upon motion duly made, seconded and carried, the Executive Committee concurred in the recommendation of the President and requested him to write a letter of appreciation to the Fischer Packing Company.

From: Atomic Energy Commission, Washington,  
D. C. --\$33,699.00.

President Dickey stated that he had been informed that the Atomic Energy Commission had granted to the University the sum of \$33,699.00 to be expended for purchase of laboratory equipment to be used in the nuclear program of the College of Engineering. He recommended that the grant be accepted, and upon motion duly made, seconded and carried, the sum of \$33,699.00 was ordered accepted, and the President was requested to acknowledge the same.

From: Western Kentucky Mining Institute, Madisonville, Ky. --\$250. 00.

President Dickey presented check for \$250. 00 from Western Kentucky Mining Institute, given in support of their scholarship for the second semester. He recommended acceptance of the gift, and upon motion duly made, seconded and carried, the check was ordered accepted, and the President was requested to write a letter of appreciation to officials of the Institute.

From: Keeneland Foundation, Lexington, Ky. --\$10,500. 00.

President Dickey reported that Keeneland Foundation had given to the Kentucky Research Foundation their check for \$10,500. 00 to discharge the remaining obligations of the Keeneland Foundation in connection with its program of scholarships in Agriculture and Veterinary Medicine. He recommended that the grant be accepted, and upon motion duly made, seconded and carried, the grant was ordered accepted and the President was requested to thank the donors for their generosity through the years.

From: Keeneland Foundation, Lexington, Ky. --\$10,000. 00.

President Dickey reported that Keeneland Foundation had given to the University their check for \$10,000. 00 to complete its obligation for the construction of isolation units at the University Farm. He spoke of the interest and support shown the University by Keeneland Foundation in the past, and stated that these had meant a great deal to the development of the University's programs of research and teaching. He recommended that this grant be accepted, and on motion duly made, seconded and carried, the Committee concurred in the recommendation of the President and requested that he convey to officials of Keeneland Foundation the appreciation of the Executive Committee and the University.

From: The Ford Foundation, New York--\$4,100. 00.

President Dickey presented check for \$4,100. 00 from The Ford Foundation, representing payment of their grant to the University Press for the purpose of stimulating scholarly publication in the humanities and the social sciences. He recommended acceptance of the grant, and upon motion duly made, seconded and carried, the Executive Committee authorized acceptance, and asked that the President acknowledge receipt of the check.

From: Sam Brown Journal Club--\$105.00.

President Dickey stated that the Kentucky Research Foundation was in receipt of \$105.00 from the Sam Brown Journal Club, to be credited to the Jack G. Webb Memorial Fund. He recommended that this gift be accepted, and upon motion duly made, seconded and carried, the check was authorized accepted, and the President was requested to thank the donors.

From: Naugatuck Chemical Division of the United States Rubber Company--\$1,000.00.

President Dickey reported that Naugatuck Chemical Division of the United States Rubber Company had given to the University their check for \$1,000.00 to be used as a grant-in-aid for field tests of maleic hydrazide for use in controlling suckers on burley tobacco, and stated that this grant will continue for a four-year period. He recommended that the grant be accepted, and upon motion duly made, seconded and carried, the members concurred in the recommendation of the President and requested him to thank the donors.

From: Armco Drainage and Metal Products--\$500.00.

President Dickey reported that Armco Drainage and Metal Products had given to the University their check for \$500.00 to cover their scholarship for the 1960-61 school year. He recommended acceptance of the gift and, upon motion duly made, seconded and carried, the gift was authorized accepted, and the President was requested to thank officials of the Armco Drainage & Metal Products, Inc.

From: Mr. A. S. Chamberlain--\$25.00.

President Dickey reported receipt of check for \$25.00 made payable to Mr. A. S. Chamberlain and endorsed by him to the Ashland Oil and Refining Company Scholarship Fund. He recommended that the gift be accepted and, upon motion duly made, seconded and carried, the Executive Committee concurred in the President's recommendation and requested him to write a letter of appreciation to Mr. Chamberlain.

From: The Jenkins-Essex Company, Elizabethtown, Ky. --\$500.00.

President Dickey reported that the Jenkins-Essex Company had given to the University their check for \$500.00 to cover their scholarship for the school year 1960-61 and explained that the Jenkins-Essex Company provides this scholarship in the name of its customers as a Christmas remembrance. He recommended that the gift be accepted, and upon motion duly made, seconded and carried, the Committee authorized acceptance of the check and requested the President to write a letter thanking the Company.



From: Corn Products Company, Chicago, Illinois  
--\$100.00.

President Dickey presented check for \$100.00 from the Corn Products Company and recommended that it be accepted and placed to the University's credit. Upon motion duly made, seconded and carried, the Committee authorized the gift accepted, and requested the President to thank officials of the Company.

From: Anonymous Donor--\$300.00.

President Dickey stated that the Kentucky Research Foundation had received a check for \$300.00 from a friend of the University of Kentucky who wishes to remain anonymous and recommended that this be accepted. Upon motion duly made, seconded and carried, the Executive Committee ordered the check for \$300.00 accepted.

From: The Dos Pueblos Orchid Company, Galeta,  
California--Collection of Orchids  
Valued at \$25,000.00.

President Dickey stated that the Dos Pueblos Orchid Company had given to the University \$25,000 worth of orchids to be used for research purposes. He stated that this gift would be most helpful in the University's activities in floriculture and recommended acceptance of the gift.

Upon motion duly made, seconded and carried, the gift was ordered accepted and the President was requested to write a letter of appreciation on behalf of the Executive Committee.

From: Professor Richard B. Freeman--Painting  
Valued at \$400.00.

President Dickey read a communication from Dean M. M. White, College of Arts and Sciences, stating that Professor Richard B. Freeman had offered to the Department of Art a portrait of Ross Bush by William Walmsley, nicely framed and measuring 34" x 22", including the frame. He stated that this gift could be used for teaching purposes by the members of the Art faculty and recommended that it be accepted. Upon motion duly made, seconded and carried, the portrait was ordered accepted, and the President was requested to express to Professor Freeman the University's pleasure in his gift.

From: Mr. Brownell Combs Fayette County--Calf.

President Dickey stated that Mr. Brownell Combs had offered to the University a calf, which is to be raised and sold with the proceeds used in the form of scholarships in connection with the College of Agriculture's livestock judging team. He stated that this gift would be of great assistance, both materially and in encouragement to the students, and recommended that it be accepted.

Upon motion duly made, seconded and carried, the gift of a calf was ordered accepted, and the President was requested to write a letter of appreciation to Mr. Combs.

From: Mr. Luther Rice, Paris, Kentucky--Calf.

President Dickey stated that Mr. Luther Rice has given to the University a calf from his very fine herd, to be turned over to the Animal Husbandry Department to be fed and shown as its own property. He recommended that the calf be accepted, and upon motion duly made, seconded and carried, the Committee authorized acceptance of the calf and requested the President to thank Mr. Rice for his gift.

From: George J. Ball, Inc., West Chicago, Illinois,  
Lily Bulbs.

President Dickey reported that George J. Ball, Inc., had given to the University a collection of lily bulbs for use in the College of Agriculture's floriculture research program. He said that this donation would be most helpful in floricultural studies and recommended that the gift be accepted.

Upon motion duly made, seconded and carried, the lily bulbs were ordered accepted, and the President was requested to thank the donors.

From: Keeneland Foundation--Electron Microscope  
plus \$437.00 constituting final payment  
in connection with the microscope's use.

President Dickey reported that Keeneland Foundation had donated to the University the electron microscope which for many years has been on loan to the Department of Bacteriology; also check for \$437.00 constituting a final payment in connection with the microscope's use. He expressed his appreciation for the microscope's loan through past years, and recommended that permanent ownership be accepted.

Upon motion duly made, seconded and carried, the President's recommendation was concurred in and he was requested to thank officials of Keeneland Foundation.

W. Free-Fee Scholarship for Foreign Student Approved.

President Dickey submitted a recommendation from the Chairman of the Committee on Foreign Students that Mr. Abdulmuniern Abdalla of Jordan be given a free-fee scholarship for the second semester of the academic year 1959-60.

X. Adjournment.

Upon motion duly made, seconded and carried, the Executive Committee adjourned at 12:55 p. m. , CST.

Frank D. Peterson, Secretary  
Board of Trustees and Executive  
Committee