

**BOARD OF TRUSTEES FOR ALABAMA STATE UNIVERSITY**  
**MINUTES OF REGULAR MEETING**  
**FEBRUARY 7, 1992**

The Board of Trustees for Alabama State University met on February 7, 1992 in Councill Hall (Govan Lounge).

The meeting was called to order by the Chairman, Dr. Joe L. Reed, at 2:24 p.m. Invocation was given by Dr. James A. Smith, Vice Chairman of the Board. The Chairman asked Dr. C. C. Baker, the President of the University and Secretary to the Board, to call the roll. Answering present: Ms. Maxine Coley, Dr. LaRue W. Harding, Mayor Andrew M. Hayden, Attorney Larry H. Keener, Mrs. Patsy B. Parker, Dr. Joe L. Reed, Dr. James A. Smith and Mrs. Frankye H. Underwood. Absent were Dr. Richard Arrington, Jr., Ms. Lillian A. Hope, and Governor Guy Hunt. There are two vacated seats.

**Agenda Item #3--Adoption of Minutes.** The Chairman called for a motion to adopt the minutes of the September 13, 1991 meeting. On motion by Dr. Smith and second by Mayor Hayden, the minutes were adopted by 7 to 1 with the correction by Ms. Coley that Mr. Dunn arrived with Governor Hunt and did not answer the roll call or vote to adopt the agenda. Voting to adopt the minutes were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

**Agenda Item #4--Action on the Agenda.** Chairman Reed called for adoption of the agenda. On motion by Dr. Smith, second by Dr. Harding, the agenda was adopted by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

**Agenda Item #5--President's Report.** Chairman Reed called for the President's Report. President Baker gave a verbal report on the current status of enrollment and retention of students. He expressed concern about faculty salaries, including adjustments for certain faculty members who obtained terminal degrees. He also stated that there is urgent need to do something about housing for male students, and deferred maintenance to avoid losing some buildings. Dr. Baker pointed out that the Federal Court Order charged Alabama State University to increase the number of minority students which will further necessitate more housing.

Dr. Baker indicated that the Development Office is working to increase funding for proposals; and is holding workshops to teach interested persons how to write proposals. Dr. Baker stated that 71 proposal have been written, 40 have been funded, 18 are pending, five are in the review process and four have been denied. Dr. Baker informed the Board that an annual fund campaign, (ASU Challenge Campaign), was kicked off early in January. He further informed the Board that Coach Markham has received four Coach of the Year awards as follows: Southwestern Athletic Conference, 100 Percent Wrong Club of Atlanta, Sheridan Broadcasting and Ryder Black College All-America Team. Dr. Baker also informed the Board that Eddie Robinson has received numerous awards for his athletic and academic abilities. He further informed the Board of the national awards and ratings received by the football team. Dr. Baker requested the Board to adopt a resolution he prepared for Coach Markham from the Board commending him for a winning season. The resolution proclaimed February 7, 1992 as Houston Markham Day. On motion by Mrs. Underwood, second by Mrs. Parker, the following resolution was adopted by unanimous vote.

**(92-319)**

**WHEREAS**, Houston Markham, Jr., head football coach at Alabama State University, has served for five distinguished years, during which he has never suffered a losing season; and

**WHEREAS**, in 1991, Houston Markham, Jr. coached the Alabama State University Hornets to their first undefeated season since 1909; and

**WHEREAS**, Coach Houston Markham, Jr. led the Alabama State University Hornets to win the inaugural Alamo Heritage Bowl, on December 21, 1991, at Miami's Joe Robbie Stadium, in a 36-13 victory over North Carolina A&T University; and

**WHEREAS**, Coach Houston, Jr. coached the Alabama State University Hornets to the number one spot on the Sheridan Poll of historically black institutions and to the number five position in the NCAA Division I-AA poll; and

**WHEREAS**, Coach Houston Markham, Jr. coached the Alabama State University Hornets to their firstever Southwestern Athletic Conference championship, in a 60-14 win over Grambling State University, at the Pontiac Silverdome in Pontiac, Michigan, on November 9, 1991; and

**WHEREAS**, under the leadership of Coach Houston Markham, Jr. and his excellent assistant coaches, the Alabama State University Hornets racked up a single-game scoring record in their 92-0 victory over Prairie View A&M University, on October 26, 1991, at Prairie View, Texas; and

**WHEREAS**, an Alabama State University football record was set with 19 straight wins while the Hornets were under the leadership of Coach Houston Markham, Jr. and his staff; and

**WHEREAS**, the Alabama State University Hornets scored, in the 1991 football season, under Coach Houston Markham, Jr. the most points in a Magic City Classic (59) and Turkey Day Classic (62); and

**WHEREAS**, Coach Houston Markham, Jr. has been cited as Coach of the Year by the Southwestern Athletic Conference, the 100 Percent Wrong Club of Atlanta, Sheridan Broadcasting, and the Ryder Black College All-America Team; and

**WHEREAS**, Coach Houston Markham, Jr. has been a tremendously positive influence on not only the players on his team, but also on the youth of Alabama, serving as a role model for all young people; and

**WHEREAS**, Alabama State University, her supporters and graduates are filled with pride for the outstanding accomplishments of Coach Houston Markham, Jr. and his staff, composed of Keith Davis, Curtis Green, Jerome Harper, Zachary Mathews, John McKenzie, Kippy Page, Darryl Pearson, Roger Pritchard, Curtis Stapleton, Larry Watkins, and Dietrich Wise.

**NOW, THEREFORE**, let it be resolved that Friday, February 7, 1992, is proclaimed:

Coach Houston Markham, Jr. and

ASU Football Coaches

Appreciation Day

by the Alabama State University Board of Trustees, as approved by the Board during their Friday, February 7, 1992 Board meeting.

**LET IT FURTHER BE RESOLVED**: that this resolution be publicly presented to Coach Houston Markham and his coaching staff in an appropriate and special presentation ceremony.

**Agenda Item #6--Adoption of Revised Faculty Evaluation Plan.**

Chairman Reed called for action on Item #6. President Baker requested Dr. Roosevelt Steptoe, Vice President for Academic Affairs, to give explanation regarding the resolution. Following Dr. Steptoe's comments, it was moved by Mayor Hayden, and second by Dr. Smith that the resolution be adopted. An unreadiness was called by Mrs. Parker and Ms. Coley. Following discussion, the following resolution was adopted by 6 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley and abstaining was Mrs. Parker.

**(92-320) Adoption of the Revised Faculty Evaluation Plan**

WHEREAS, in August of 1986, the Board of Trustees of Alabama State University adopted a comprehensive plan for evaluating faculty members titled "A System of Faculty Evaluation for the Improvement of Faculty Performance; and

WHEREAS, this plan has been used for the evaluation of faculty through the 1991-92 Academic Year; and

WHEREAS, information was generated and collected on specific recommendations for improving upon the faculty evaluation plan adopted in 1986; and

WHEREAS, all of the recommendations have been assessed and the plan has been revised for implementation; now, therefore,

**BE IT RESOLVED:** That the Board of Trustees of Alabama State University adopts the revised (September 1991) faculty evaluation plan for implementation, effective at the beginning of the Fall 1992 Semester.

**Agenda Item #7--Committee Reports.** Chairman Reed called for action on Item #7. Chairman Reed reported that the Presidential Search Committee met in Atlanta, Georgia on December 17-20, 1992 and narrowed applicants to six. Background searches are underway. He stated that the names have not been released because candidates do not like for their names

to be released in the event they are not selected.

Chairman Reed reported on and distributed copies of the minutes of meetings of the Executive Committee of the Board.

**Agenda Item #8--Authorization of Employment of Blount, Parrish & Roton in Connection with the Acquisition of a New Dormitory Building.** Chairman Reed called for Item #8. President Baker indicated that the University is in need of student housing based on an analysis of the projected enrollment. He stated that due to a severe shortage of campus housing, 120 male students currently are living in a facility about five miles from the University in a less than desirable neighborhood. Many students refuse to enroll at Alabama State University because of the housing shortage. Dr. Baker further stated that Alabama State has been ordered by a Federal Court to increase the number of white students.

Chairman Reed stated that the firm of Blount, Parrish & Roton was asked to provide some information on financing a dormitory without obligating the University's credit. By request, an architect prepared some preliminary plans for a dormitory at a projected cost of \$8.5 million to house 480 students.

Mr. Bill Blount was called to explain the Certificate of Participation which has been used at other Alabama institutions to finance buildings on their campuses. Mr. Blount informed the Board that the difference between a Certificate of Participation and a bond is that the bond obligates the university for a number of years and a Certificate of Participation obligates the university for one year. He said that in addition, the university could divorce itself from a Certificate of Participation whereas it is not possible to do so with a bond. Following discussion, and on motion by Dr. Smith, second by Mayor Hayden, the Board adopted the following resolution authorizing employment of Blount, Parrish & Roton by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

**(92-321) Authorization Of Employment of Blount,  
Parrish & Roton in Connection With the  
Acquisition of A New Dormitory**

**WHEREAS**, the sufficiency of on-campus housing is a major determining factor for potential students of the University; and

**WHEREAS**, due to increasing enrollment trends, the University has been forced to refuse a significant number of applications for student housing in the current and previous years; and

**WHEREAS**, it is in the best interest of the University for its students to have opportunity to obtain on-campus housing of a high quality at the most reasonable available cost; and

**WHEREAS**, it is appropriate, desirable and in the best interest of the University for the University to construct, acquire and/or lease additional on-campus housing facilities; and

**WHEREAS**, in order to meet the need for additional on-campus housing as the University grows in enrollment, the University will construct, acquire and/or lease a new on-campus dormitory building; and

**WHEREAS**, the investment banking firm of Blount, Parrish & Roton, Inc., an Alabama Corporation (herein called "BP & R") is familiar with the administration, operation, growth, goals and finances of the University, by virtue of its role as investment banker in previous University financings, and is therefore qualified to serve the University.

**BE IT THEREFORE RESOLVED THAT:** The Board of Trustees hereby appoints BP&R to serve as the University's investment banker with respect to any financing of the costs associated with the construction, acquisition and/or leasing of a new dormitory building.

**BE IT FURTHER RESOLVED THAT:** The Board of

Trustees authorizes appropriate University officials to take the necessary steps to carry out the intent of this Resolution.

**Agenda Item #9--Authorization to Employ Architect for Certain Capital Improvement Projects.** Chairman Reed called for Item #9. President Baker made comments about the resolution. Ms. Coley made inquiry regarding the location of the tennis courts and band practice field. Following discussion, and on motion by Dr. Smith, second by Mayor Hayden, the Board adopted the following resolution by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

**(92-322) Authorization To Employ Architect For Certain Capital Improvement Projects**

**BE IT RESOLVED THAT:** The Board of Trustees for Alabama State University authorizes the employment of the firm of Parsons Wible Brummal Alkire as architects for the following:

1. Campus Parking
2. Tennis Courts
3. Band Practice Field
4. Other General Street and Campus Improvements

**Agenda Item #10--Authorization to Purchase Certain Real Properties.** Chairman Reed called for Item #10. President Baker called on Attorney Terry Davis to explain the resolutions. Following Attorney Davis' explanation and on motion by Mayor Hayden, second by Dr. Smith, the Board considered the following resolutions with an amendment by Attorney Keener to "acquire by purchase or condemnation as necessary." The Board agreed unanimously that the resolutions are to be corrected as editorial changes. The Board adopted the following amended resolutions by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith, and Mrs. Underwood. Voting nay was Ms. Coley.

(92-323)

**Authorization To Purchase Certain  
Real Property**

**WHEREAS**, the Board of Trustees for Alabama State University is a body corporate whose powers are derived by state statute; and

**WHEREAS**, the Board of Trustees for Alabama State University is statutorily endowed with all the rights, privileges and franchises necessary to the promotion of the ends of its creation; and

**WHEREAS**, the Board of Trustees for Alabama State University has determined that Alabama State University needs the hereinafter described land near the campus of the institution for its educational purposes; and

**WHEREAS**, the owner(s) refuses to sell the land for use of the institution, or will not agree with the Board of Trustees or the President on a price therefor; and

**WHEREAS**, the Board of Trustees for Alabama State University deems it best for the purposes of the University to acquire said property.

**THEREFORE BE IT RESOLVED:** That the Board of Trustees for Alabama State University authorizes the President of Alabama State University to acquire by purchase or condemnation as necessary the following described property:

The East 100 ft. of Lot 11, Block 3, according to Resubdivision of the Robertson Plat, which is recorded in Plat Book 3, page 104, in the Office of the Judge of Probate of Montgomery County, Alabama, said Lot 11 being the same as Lot 24, Block 1, according to the original Robertson Plat which is recorded in Plat Book 3, page 63, in said Probate Office. Said lot hereby is conveyed being further described as: Commencing at the Northwest intersection of Hall Street & Tuttle Avenue (also known as Thurman Street) running thence North along the West side of Hall Street 50 ft.; thence



West 100 ft.; thence South 50 ft. to Tuttle Avenue (also known as Thurman Street), thence East along the North side of said Tuttle Avenue or Thurman Street 100 ft. to the point of beginning.

(92-324)

### **Authorization To Purchase Certain Real Property**

**WHEREAS**, the Board of Trustees for Alabama State University is a body corporate whose powers are derived by state statute; and

**WHEREAS**, the Board of Trustees for Alabama State University is statutorily endowed with all the rights, privileges and franchises necessary to the promotion of the ends of its creation; and

**WHEREAS**, the Board of Trustees for Alabama State University has determined that Alabama State University needs the hereinafter described land near the campus of the institution for its educational purposes; and

**WHEREAS**, the owner(s) refuses to sell the land for use of the institution, or will not agree with the Board of Trustees or the President on a price therefor; and

**WHEREAS**, the Board of Trustees for Alabama State University deems it best for the purpose of the University to acquire said property.

**THEREFORE BE IT RESOLVED:** That the Board of Trustees for Alabama State University authorizes the President of Alabama State University to acquire by purchase or condemnation as necessary the following described property:

Commencing at the Northeast intersection of Tuscaloosa and Sheppard Streets. Thence East 60 ft. to Point of Beginning, thence North 87 ft., thence East 25 ft., thence North 35 ft., East 42.5 ft., thence South 125 ft., thence

West 65 ft. to the Point of Beginning.

**Agenda Item #11--Authorization to Transfer Ownership of Old Bus.** Chairman Reed called for Item #11. President Baker explained the resolution. On motion by Mayor Hayden, second by Dr. Harding, the Board adopted the following resolution by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

**(92-325) Authorization To Transfer Ownership of Bus**

WHEREAS, Alabama State University, owner of a 1967 GMC thirty-six (36) passenger bus, vehicle identification number 1064, which has served the University for twenty-four years; and

WHEREAS, said bus is not currently economically efficient to operate and repair parts are extremely difficult to locate; and

WHEREAS, the bus has experienced increasingly numerous breakdowns and operation of the bus is not dependable; and

WHEREAS, the bus can be used for educational purposes in training bus drivers; and

WHEREAS, Bishop State Community College, formally a branch of Alabama State University, has a program for training bus drivers; and

WHEREAS, Bishop State Community College has expressed an interest in acquiring the bus for educational purposes.

**BE IT THEREFORE RESOLVED:** That the Board of Trustees hereby authorizes the President to take appropriate steps to transfer ownership of the bus to Bishop State Community College.

The Board of Trustees went into **Executive Session--Agenda Item #12--**to discuss the good name and character of individuals.

**Agenda Item #13--Personnel Actions.** Chairman Reed called for

Item #13. President Baker called to the attention of the Board that the personnel actions that had taken place were shown in their folders. Following discussion and on motion by Dr. Harding, second by Mayor Hayden, the following personnel actions were accepted by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

### Personnel Actions

#### Academic New Hires

<u>Name</u>	<u>Position</u>	<u>Department</u>
Robert H. Carstens	Asst. Professor	COBA/Accounting

#### Nonacademic New Hires

<u>Name</u>	<u>Position</u>	<u>Department</u>
Vickey Bell	Police Officer	SA/Campus Security
William Brock	Dir. Title III & Dev.	Title III/Development
Francyne Coles	Custodian	Maintenance
Faye S. Comer	Coord. of Registration	Records & Registration
Evelyn Dabney	Custodian	Maintenance
Debra A. Demmings	Dist. Recruiter	Enrollment Management
Spencer E. Gunn	Police Officer	SA/Campus Security
Sonya A. James	Dist. Recruiter	Enrollment Management
Charlotte J. Kinsey	Secretary	
Deramus Matsey	Custodian	Maintenance
David J. Parish	Dist. Recruiter	Enrollment Management
William Rainer	Custodian	Maintenance
Debra R. Robertson	Dist. Recruiter	Enrollment Management
Billy Joe Russell	Custodian	Maintenance
Willie Thomas	Dir./Ala. Joint Project	Ala. League for Adv. of Ed.
Michael Wilson	Custodian	Maintenance

#### Academic Separations

<u>Name</u>	<u>Position</u>	<u>Department</u>
Joe R. Robinson	Professor	Athletics/HPER

#### Nonacademic Separations

<u>Name</u>	<u>Position</u>	<u>Department</u>
Niomie Bren	Recruiter	Enrollment Management

Anthony Brown	Groundskeeper	Maintenance
Nancy Beeman	LPN	SA/Student Health Center
Jimmie Caldwell	Police Officer	SA/Campus Security
Anthony McElheney	Police Officer	SA/Campus Security
Brunette Sharper	Residence Hall Supv.	SA/Residential Life
Sanyanetta Rudolph	Custodian	Maintenance

### Retired Employees

<u>Name</u>	<u>Position</u>
Archie B. Moore	Professor of Education
Ella M. Smith	Custodian

President Baker recommended to the Board the employment of Houston Markham, Jr. as Head Football Coach based on the following terms and conditions:

"The employment of Houston Markham with Alabama State University is offered subject to policies and regulations of the University and its Board of Trustees, available funds, and the following terms and conditions:

I

#### Type and Term of Employment

Alabama State University, by execution of this agreement, employs Houston M. Markham, Jr. on a special athletic appointment as Head Football Coach for Alabama State University for a period of three (3) years, beginning January 1, 1992 through December 31, 1994. Employee shall not be required to teach any courses or to otherwise perform regular classroom teaching duties during the term of this agreement, or any extension thereof.

This special athletic appointment, as Head Football Coach may be terminated by the Board pursuant to and in accordance with appropriate provisions of the non-academic staff handbook. Employee may also be suspended for a period of time, without pay, or employee's employment may be terminated if employee is found to be involved in deliberate and serious violations of NCAA regulations.

## II

## Compensation

The Board agrees to pay employee a base annual salary of Sixty Thousand Dollars (\$60,000.00), payable in equal monthly installments.

As additional monetary incentive, the Board agrees to pay to employee during each contract year, the amount of One Thousand Dollars (\$1,000.00) for each winning game after the ASU Varsity Football Team has achieved five (5) winning games during that contract year, including post-season games and excluding tie games.

Any donations from alumni, external supporters or other outside sources for the Athletics Department and Coaches' Supplemental Compensation will be made directly to Alabama State University and Alabama State University shall disperse said funds in accordance with the requirements of the NCAA.

Any athletically related income and benefits not received by employee through the university shall be reported annually in writing by employee through the Athletics Director to the Chief Executive Officer of Alabama State University, not later than December 1 of each contract year.

## III

## Reimbursable Expenses

Alabama State University shall pay to Coach Markham all travel expenses reasonable incurred in his official capacity as Head Football Coach at Alabama State University and shall be responsible for the maintenance of the automobile furnished to Coach Markham annually by external supporters."

**Agenda Item #14--Authorization of New Personnel Positions to Staff the Joe L. Reed Acadome.** Chairman Reed called for Item #14. President Baker introduced the resolution and asked for its adoption. Following discussion and on motion by Dr. Smith, second by Mayor Hayden, the Board adopted the following resolution by 7 to 1. Voting aye were Dr. Harding,

Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

**(92-326) Authorization of New Personnel Positions  
To Staff The Joe L. Reed Acadome**

**BE IT RESOLVED THAT:** The following new positions be approved for staffing the Joe L. Reed Acadome:

1. Acadome Director
2. Acadome Operations Manager and Technical Director
3. Acadome Senior Engineer/Operator
4. Marketing Assistant

**Agenda Item #15--Report on Joe L. Reed Acadome.** Chairman Reed called for the Item and President Baker reported that the completion date for the facility is May 2. The dedication is tentatively scheduled for September 13, 1992.

**Agenda Item #16--Report on Judge Murphy's Court Order in Knight, et al. v. State of Alabama, et al.** Chairman Reed gave the report and informed the Board that lawyers have advised that Alabama State University did not get as much out of the remedy as was thought to be fair; the amount is even less than the amount the Alabama Commission on Higher Education (ACHE) previously suggested. Following discussion and on motion by Dr. Harding, second by Attorney Keener, the Board voted by 7 to 1 to authorize University attorneys to appeal or to join the Knight, et al. plaintiffs in an appeal of the District Court's decision in the Case of Knight, et al. v. Alabama, et al. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

Chairman Reed informed the Board that Judge Murphy in the Case of Knight, et al. had ordered that there be established a Montgomery Committee on Cooperation composed of three Board members from Alabama State University and three Board members from Auburn University at Montgomery elected by and from the respective board members. On motion by Dr. Smith,

second by Mayor Hayden, the Board elected Dr. Reed serve on the Committee by 6 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

On motion by Dr. Reed, second by Mayor Hayden, the Board elected Dr. Smith to serve on the Committee by 6 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, and Mrs. Underwood. Voting nay was Ms. Coley.

On motion by Dr. Harding, second by Mayor Hayden, the Board elected Mrs. Underwood to serve on the Committee by 6 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed and Dr. Smith. Voting nay was Ms. Coley.

**Agenda Item #17--Other.** Chairman Reed called for Item #17-A--Authorization to Amend Article III, Section II of the Bylaws of the Board of Trustees. Following discussion and on motion by Dr. Smith, second by Mrs. Underwood, the Board adopted the following amendment to the Bylaws by a 7-0 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Abstaining was Ms. Coley.

**(92-327) Authorization To Amend Article III,  
Section II Of The Bylaws To Read  
As Follows:**

Regular meetings of the Board shall be held, in lieu of those set by Alabama Code Section 16-50-26, in the month of February during Founder's Day week, in the month of May during Commencement week, and at some time during the month of September. Unless otherwise provided by a majority vote of the Board, each adjournment of a regular meeting shall be to a date set by the Chair for the next regular meeting.

**RATIONALE:** To clarify and harmonize the Bylaws with Board minutes.

Chairman Reed called for **Item #17-B--Authorization to Execute Easement to Water Works & Sanitary Sewer Board**. President Baker made comments about the resolution and called on Attorney Solomon Seay to give further explanation. Following discussion and on motion by Mayor Hayden, and second by Dr. Harding, the Board adopted the following resolution by unanimous vote.

**(92-328) Authorization to Execute Eastment To Water Works & Sanitary Sewer Board**

**WHEREAS,** The Water Works and Sanitary Sewer Board of the City of Montgomery has existing water and sewer lines that lie within the portion of East University Drive that will be vacated as a part of the parking facility expansion to the Health and Physical Education Complex; and

**WHEREAS,** The Water Works and Sanitary Sewer Board of the City of Montgomery will require an easement for those existing lines when that portion of East University Drive is vacated in accordance with the parking facility expansion plans.

**NOW THEREFORE:** The Board of Trustees for Alabama State University, by this Resolution, authorizes the President of Alabama State University to execute the appropriate easement to the Water Works and Sanitary Sewer Board of the City of Montgomery for the existing water and sewer lines that lie within the portion of East University Drive that will be vacated according to the Plan for Parking Facility



Expansion to the Health and Physical  
Education Complex

Chairman Reed called for **Item #17-C--Authorization to Execute Hold Harmless Agreement - Water Works & Sanitary Sewer Board.** President Baker requested Mr. Seay to explain the resolution. Following discussion and on motion by Dr. Harding, second by Mrs. Underwood, the Board adopted the following resolution by unanimous vote.

**(92-329) Authorization to Execute Hold Harmless Agreement - Water Works & Sanitary Sewer Board**

**WHEREAS,** The Water Works and Sanitary Sewer Board of the City of Montgomery has existing water and sewer easements on certain properties at Alabama State University; and

**WHEREAS,** Alabama State University has erected certain structures along portions of said easement; and

**WHEREAS,** The Water Works and Sanitary Sewer Board of the City of Montgomery requires that Alabama State University agree to indemnify and hold harmless The Water Works and Sanitary Sewer Board from any and all liability arising out of the construction, installation, placement, use and maintenance of structures on said right of way.

**NOW THEREFORE:** The Board of Trustees for Alabama State University hereby authorizes the President of Alabama State University to execute and deliver to The Water Works and Sanitary Sewer Board of the City of Montgomery a Hold Harmless Agreement whereby Alabama State University agrees to indemnify and hold harmless The Water

Works and Sanitary Sewer Board of the City of Montgomery from any and all liability arising out of the construction, installation, placement, use or maintenance of permanent structures on existing water and sewer easements of The Water Works and Sanitary Sewer Board on the property of Alabama State University.

Chairman Reed called for **Item #17-D--Authorization to Increase Tuition**. President Baker called on Mr. Howard Craig to explain the rationale for the resolution. On the request by Chairman Reed for approval of the resolution, the Board approved the following resolution by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

**(92-328) 330 Authorization To Increase Tuition**

WHEREAS, Alabama State University has endured the effects of proration of its General Fund budget for the past two years; and

WHEREAS, the amount of state appropriated funds lost to proration for the 1990-91 and 1991-1992 fiscal years exceeds \$2.4 million.

BE IT THEREFORE RESOLVED: That the Board of Trustees hereby increases student tuition to \$750.00 per semester, effective with the 1992 Fall Semester.

Chairman Reed called for **Item #17-E--Authorization to Institute Condemnation Proceedings--Lots 8 and 9, Block B Plat of Finley Heights**. President Baker advised the Board that efforts to acquire this property through negotiation had not been successful. Following discussion and on motion by Dr. Smith, second by Dr. Harding, the Board adopted the following resolution by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

(92-330)

331

**Authorization to Institute Condemnation Proceedings--Lots 8 and 9, Block B Plat of Finley Heights**

**WHEREAS**, the Board of Trustees for Alabama State University is a body corporate whose powers are derived by state statute; and

**WHEREAS**, the Board of Trustees for Alabama State University is statutorily endowed with all rights, privileges and franchises necessary to the promotion of the ends of its creation; and

**WHEREAS**, the Board of Trustees for Alabama State University has determined that Alabama State University needs the hereinafter described land near the campus of the institution for its educational purposes; and

**WHEREAS**, the owner(s) refuses to sell the land for use of the institution, or will not agree with the Board of Trustees or the President on a price therefor; and

**WHEREAS**, the Board of Trustees for Alabama State University deems it best for the purposes of the University to acquire said property.

**THEREFORE BE IT RESOLVED:** That the Board of Trustees for Alabama State University authorizes the President of Alabama State University to acquire by purchase or condemnation as necessary the following described property:

The west one third of lots 8 and 9, in Block "B", according to the Plat of Finley Heights as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 1, at page 94.

Chairman Reed called for **Item #17-F--Authorization to Institute Condemnation Proceedings--Lots 20 and 21 at Finley Avenue and Hamilton Streets**. President Baker advised the Board that efforts to acquire this property through negotiation had not been successful. Following discussion and on motion by Dr. Smith, second by Mayor Hayden, the Board adopted the following resolution by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith, and Mrs. Underwood. Voting nay was Ms. Coley.

**(92-331)**      **Authorization to Institute Condemnation Proceedings--Lots 20 and 21 at Finley Avenue and Hamilton Streets**

**WHEREAS**, the Board of Trustees for Alabama State University is a body corporate whose powers are derived by state statute; and

**WHEREAS**, the Board of Trustees for Alabama State University is statutorily endowed with all the rights, privileges and franchises necessary to the promotion of the end of its creation; and

**WHEREAS**, the Board of Trustees for Alabama State University has determined that Alabama State University needs the hereinafter described land near the campus of the institution for its educational purposes; and

**WHEREAS**, the owner(s) refuses to sell the land for use of the institution, or will not agree with the Board of Trustees or the President on a price therefor; and

**WHEREAS**, the Board of Trustees for Alabama State University deems it best for the purposes of the University to acquire said property.

**THEREFORE BE IT RESOLVED:** That the Board of Trustees for Alabama State University authorizes the President of Alabama State

University to acquire by purchase or condemnation the following described property:

Beginning at a point on the North side of Finley Avenue and Hamilton Street, thence running North at a right angle to Finley Avenue 100 feet, thence East parallel to Finley Avenue 50 feet, thence South 100 feet, thence West along the North side of Finley Avenue 50 feet to the point of beginning, being a lot fronting 50 feet on the North side of Finley Avenue and running back of equal width 100 feet, being a part of Lot 20 and 21, sq. A, of Plat Book 1, at Page 94.

Expressions of thanks were made to Mr. Seay and his staff for the diligent and competent work that has been done in connection with the lawsuit (**Knight v. State**) over the years.

Dr. Anita Buckley-Commander, representative of Governor Hunt, Mrs. Janet Sutton, GAA National President, and Dr. Nora Lawson, ASU Faculty Senate Chairman, were recognized.

It was moved by Dr. Smith that the meeting be recessed until call of the chair with a second by Dr. Harding. The motion was adopted by 7 to 1. Voting aye were Dr. Harding, Mayor Hayden, Attorney Keener, Mrs. Parker, Dr. Reed, Dr. Smith and Mrs. Underwood. Voting nay was Ms. Coley.

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C. C. Baker, Interim President of the University  
and Secretary to the Board

**APPROVED**

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Joe L. Reed, Chairman, Board of Trustees  
for Alabama State University