

THE UNIVERSITY OF WYOMING
MINUTES OF THE TRUSTEES

March 9, 1974

For the confidential information
of the Board of Trustee

THE UNIVERSITY OF WYOMING
Minutes of
SPECIAL MEETING
THE TRUSTEES
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A special meeting of the Trustees of The University of Wyoming was called to order by President Pence at 11:45 a. m. on 9 March 1974 in the Board Room of Old Main Building.

ROLL CALL

The following members answered roll call:

Brodrick, Hickey, Hines, Hollon, McBride, Pence, Quealy, Sullivan, Thorpe, True, and ex officio members Carlson and Miller. Messrs. Bunning, Wilson, and ex officio members Governor Hathaway and Dr. Schrader were absent.

Mr. Pence, on behalf of the Executive Committee of the Trustees, reported their recommendation that the meeting recess until 1:00 p. m. in order to give Mr. Bunning time to join the meeting.

Upon a motion made by Mr. Hollon, seconded by Mr. Sullivan, and duly carried the meeting was recessed at 11:55 a. m. The meeting reconvened in open session at 1:00 p. m. with the same persons present, except for Mr. Bunning who is hereafter recorded as present.

Mr. Pence reported briefly on a meeting the Executive Committee had held in the morning with Mr. Brodrick.

At the conclusion of his report Mr. Pence called attention to the Bylaws of the Trustees which provide that meetings of the Trustees shall be conducted according to Robert's rules of parliamentary procedure except as modified by the Trustees. He further stated that business at

future meetings of the Trustees would be conducted accordingly; thereby requiring that any business to be acted upon by the Trustees must be in the form of a written motion, with copies of the motion being handed to the presiding officer and to the recording secretary. To facilitate the submission of written reports from committees it will be necessary for each committee to have a secretary present at all meetings to record actions of the committee. In further defining the procedures governing the conduct of meetings, Mr. Pence stated that only Trustees enjoy speaking privileges unless the rules are suspended by a two third vote of the Trustees.

LAW BUILDING

Mr. Pence then proceeded with the business to be considered by the Trustees at this special meeting, which was to review the employment of architects for the proposed new Law Building. He noted that the meeting had been called at the request of four Trustees and that every Trustee had been notified of the meeting twenty-four hours in advance of the meeting as specified in the Bylaws of the Trustees.

Mr. Brodrick moved that the motion passed by the Trustees of The University of Wyoming at their meeting on 23 February 1974, concerning selection of the architects for the proposed new Law Building, be rescinded. Dr. Thorpe seconded the motion and President Pence called for discussion of the motion with the proviso that, under the rules of procedure, debate on the motion might include any matter relevant to the rescinding of the previous action of the Trustees.

Mr. Brodrick circulated a letter he had received from Hitchcock and Hitchcock, dated March 7, 1974. Several Trustees indicated they had received a similar letter. Mr. Brodrick pointed out that Eliot Hitchcock is a structural engineer and that to require the firm of Hitchcock and Hitchcock to hire a particular structural engineering firm for a certain project was too restrictive. Mr. Brodrick commented that, according to information he had, Hitchcock and Hitchcock had never felt the need to hire a structural engineering firm to collaborate with them on any other project, and that, similarly, their architectural firm had never served as structural engineering consultants on projects for other firms. Mr. True asked what was the rationale for requiring that Volk and Harrison be hired to do the structural engineering work on the Law Building and whether this stipulation should have been taken into consideration when architects were interviewed for the project. President Carlson stated that the University administration had believed it to be in the best interest of the University to have a structural engineering firm involved in the architectural work for the Law Building and that the administration was anxious to have such work done by a Wyoming firm. Mr. Miller asked whether or not Volk and Harrison were willing to work with the alternate architectural firm of Corbett--Dehnert. Mr. Pence replied that when it was learned that Volk and Harrison had declined the offer of Hitchcock and Hitchcock to work with them as architects for the Law Building and following careful consultation with Mr. Pence and President Carlson, Vice President Hays in his official capacity

as Acting President had proceeded to contact Corbett--Dehnert as the alternate architect in accordance with the original directive of the Trustees and that Corbett--Dehnert subsequently determined that Volk and Harrison would be willing to collaborate with them on the Law Building, as specified by the Trustees.

Mr. Brodrick then read the motion adopted by the Trustees at their meeting on 23 February 1974. Mr. True requested and was provided a copy of the news release issued by the University as a result of that action. Mr. Bunning pointed out that the architects interviewed on 23 February 1974, the second day of interviews, were asked if they would be willing to employ Volk and Harrison and whether they would anticipate any objections from Volk and Harrison to working with any of them. Among those architects no problems were anticipated. Mr. Bunning closed his comments with the remark that he felt it was the intent of the Physical Plant and Equipment Committee to facilitate meeting the deadline for the completion of plans for the Law Building by hiring a structural engineering firm to assist the architectural firm.

In reply to a question raised by Mrs. Hickey Mr. Hines answered that Volk and Harrison had not been consulted prior to the selection of the architects. Mr. Hines reviewed the action taken by the Trustees on this matter at their meeting on 23 February 1974 as recommended by the Physical Plant and Equipment Committee. He spoke in opposition to the motion under consideration and emphasized

his belief that the Committee and Trustees had acted in accordance with all of the rules and regulations.

Mr. McBride and Mr. Sullivan spoke on behalf of the motion. Mr. True presented a formal request that the meeting of the Trustees be recessed in order to provide an opportunity for the Trustees who are members of the Physical Plant and Equipment Committee to meet and for them to make a formal recommendation on the motion proposed by Mr. Brodrick. Mr. Pence noted that while ex officio members of the Committee should attend the meeting they would not be eligible to vote. Mr. True pointed out that the Physical Plant and Equipment Committee is charged with the responsibility for making recommendations to the Trustees on such matters. At 1:45 p. m. Mr. True moved that the meeting be recessed. The motion was seconded by Mr. McBride, and it carried.

At 2:20 p. m. the Trustees reconvened in open session with the same members present except Mr. Miller. Mr. Pence called on Mr. Hines, Chairman of Physical Plant and Equipment Committee, for the report of the Committee. Mr. Hines stated that it was the recommendation of the Physical Plant and Equipment Committee that the Trustees should confirm their original decision of 23 February 1974 concerning the hiring of architects for the proposed new Law Building. At this time Mr. Miller joined the meeting and he is hereafter recorded as present.

Questions were raised concerning the basis for actions taken by the Executive Committee during the interim since the meeting of the Trustees on 23 February 1974. At the request of Mr. Pence Mrs. Hickey assumed the Chair so that he might respond to the questions. Mr. Pence stated that when he first learned of the decision by Volk and Harrison to decline to work with Hitchcock and Hitchcock he had called Mr. Hines as Chairman of the Physical Plant and Equipment Committee and Mrs. Hickey as a member of the Executive Committee. As a result of Mr. Pence's conversation with Mr. Hines, Mr. Hines agreed to consult by telephone with the other members of the Physical Plant and Equipment Committee and with Mr. Hollon as the other member of the Executive Committee. As a result of those telephone conversations Mr. Hines reported to Mr. Pence that the consensus was that the contract should be awarded to Corbett--Dehnert with the same provision for working with Volk and Harrison. Mr. Pence then talked with President Carlson and they authorized Mr. Hays as Acting President of the University to notify Corbett--Dehnert of the decision of the Trustees to award them the contract as architects for the Law Building. Mr. Pence called attention to his lone dissenting vote on the motion adopted by the Trustees on 23 February 1974 and to the careful consideration given to the matter before the decision was reached to award the contract to Corbett--Dehnert, which was subsequently implemented by the University administration. He urged careful consideration of the motion before the Trustees. Mr. Pence also confirmed that Hitchcock

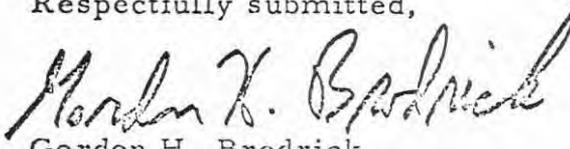
and Hitchcock were apprised of the provision for employing Volk and Harrison as a condition for their being awarded the contract at the time they were notified by the University Architect Morris Jones that they had been selected by the Trustees as architects for the new Law Building. When there were no further questions, Mr. Pence again assumed his duties as presiding officer.

During the discussion which followed both Mr. True and Mr. Quealy expressed reservations about the original action of the Trustees, particularly in the wording of the motion. Mr. Brodrick stated that he felt the wording of the motion adopted by the Trustees on 23 February 1974 should have read: "If Hitchcock and Hitchcock are unwilling (not unable) to meet the condition . . ." He then read his motion and on call for the question the following roll call votes were cast: Brodrick, Yes; Bunning, No; Hickey, No; Hines, No; Hollon, No; McBride, Yes; Pence, No; Quealy, No; Sullivan, Yes; Thorpe, Yes; True, No. Mr. Wilson was absent. Mr. Pence announced that the motion failed by a vote of four to seven and therefore the action taken by the Trustees at their meeting on 23 February 1974 would not be rescinded.

ADJOURNMENT

On a motion by Mr. Brodrick, seconded by Mr. Sullivan, and carried, Mr. Pence declared the meeting to be adjourned at 2:40 p.m.

Respectfully submitted,


Gordon H. Brodrick
Secretary