

# COLLEGE of SOUTHERN IDAHO

Junior College District

P. O. Box 1238  
TWIN FALLS, IDAHO 83301

TRUSTEES:

JOHN N. GARRABRANDT, CHAIRMAN  
ELDON V. EVANS, VICE CHAIRMAN  
ROBERT S. BLASTOCK JR., CLERK  
JOHN C. HEPWORTH  
JOHN R. COLEMAN

ADMINISTRATION:

DR. JAMES L. TAYLOR, PRESIDENT  
DR. PAUL T. SMITH, DEAN  
ORVAL L. BRADLEY, DIRECTOR  
AREA VOCATIONAL SCHOOL  
H. W. VAN SLYKE, BUSINESS MANAGER

July 13, 1972

AGENDA FOR BOARD MEETING, MONDAY, JULY 17, 1972  
8:00 P.M. - C.S.I. BOARD ROOM

MINUTES	5 Minutes
TREASURER'S REPORT	10 Minutes
BILLS PAYABLE	10 Minutes
OLD BUSINESS	10 Minutes
NEW BUSINESS	10 Minutes
PERSONNEL	5 Minutes
ATTORNEY'S REPORT	15 Minutes
PRESIDENT'S REPORT	15 Minutes

COLLEGE OF SOUTHERN IDAHO  
JUNIOR COLLEGE DISTRICT  
REGULAR MEETING OF THE BOARD OF TRUSTEES  
JULY 17, 1972

CALL TO ORDER: 8:05 PM                      PLACE: CSI Cafeteria

PRESIDING: Vice Chairman, Eldon Evans

PURPOSE: To conduct the regular business of the CSI Junior College District and such other as might lawfully come before the Board of Trustees of said District.

ATTENDANCE: Trustees: Eldon V. Evans, Robert S. Blastock, and John Coleman.  
Absent: Trustees John N. Garrabrandt and John C. Hepworth.  
Administration: Dr. James L. Taylor, Secretary Herb Van Slyke, and Attorney Robert Alexander.  
Visitors: (The Press): Ruth Miller and Annette Jenkins.

MINUTES OF JUNE 16 APPROVED AS ORIGINALLY WRITTEN: The Board considered a proposed change in the wording of Paragraph 1 of subsection (b) on page 3 of the Minutes of June 16 and, after discussing it and the original text as received in the mail, a MOTION was made by Mr. Coleman, seconded by Mr. Blastock, that the Minutes of June 16 as originally written, copy of which had been received thru the mail by each member of the Board, be approved.

The Motion was put to a vote with Trustees Coleman and Blastock voting "yes" and Trustees Evans abstaining. The Motion was thereupon declared carried and the Minutes approved as written.

TREASURER'S REPORT: The report of the Treasurer, covering fund activities for June, 1972, was presented for review and, upon MOTION by Mr. Blastock, seconded by Mr. Coleman, approved and accepted as submitted.

BILLS PAID: An abstract of the bills payable for June and a recap of the June payrolls was the next item of business.

Mr. Coleman moved, seconded by Mr. Blastock, that the bills for June covered by Vouchers #1 thru #218 totalling \$81,167.75, fund transfers covered by Vouchers #219 thru #224, be approved and paid, and that the payrolls recap showing regular payroll of \$146,888.02 and CWSP of \$11,192.73 be acknowledged.

The Motion, being put to a vote, carried without dissenting vote.

RESOLUTION REGARDING BUSINESS MANAGER'S REVOLVING FUND ACCOUNT: Pursuant to suggestion by the auditor that a more explicit action be taken by the Board regarding this account, a MOTION was made by Mr. Blastock, seconded by Mr. Coleman, and carried unanimously, that the following resolution be adopted:

RESOLUTION

(full text attached to these Minutes)

COMMENDATION ON APPEARANCE OF THE CAMPUS: Trustees Blastock called attention to the beauty of the Campus and how well kept it is and suggested that the Board express its compliments to Bob McManaman, Physical Plant Director, for a job being very well done. The rest agreed and the Board instructed that its commendations be conveyed by letter to the Physical Plant Director.

PERSONNEL ACTION: Dr. Taylor recommended employment of these persons:

Robert J. Allred, Assistant Professor of History           \$ 9,000.00  
for the 1972-73 Academic Year

Eddie L. Collins, Instructor of Speech and Drama           \$ 8,300.00  
for the 1972-73 Academic year

Bernard W. Mahler, Assistant Professor in Food Service \$12,800.00  
Technology, 12 mo. contract, starting June 1, 1972

Mr. Coleman moved, with a second from Mr. Blastock, that Dr. Taylor's recommendation be accepted and that the above listed persons be employed.

The Motion carried without dissent.

ARRINGTON CONTRACT RECOMMENDATION BY ATTORNEY ALEXANDER: A three-page review and recommendation by Attorney Alexander, under date of July 17, 1972, covering the current situation of the contract relations between the College and Arrington Construction Company, Incorporated, who was the contractor on the H & PE Building otherwise referred to as Phase II or Project OE 3-8-00106-0, was read to the Board and discussed.

(full text of letter attached to these Minutes)

A MOTION was made by Mr. Blastock, seconded by Mr. Coleman, and carried without dissent, that the Board of Trustees accept the recommendations contained in the letter (Alexander, July 17, 1972) and enter into a supplemental agreement with Arrington for final completion of the work on Phase II and payments to Arrington as recommended.

PRESIDENT AND ATTORNEY TO CONFER WITH STATE BUDGET DIRECTOR: Mr. Alexander explained the developments regarding payment of the 1972-73 state appropriation (lump sum in September versus installments as suggested by the Budget Director) and noted that the Budget Director does have some statutory validity for his contention that other than lump sum payment is to be the way for 1972-73, but also — the law does clearly indicate the intent of the Legislature to make the payment in a lump sum in September.

He and President Taylor will be conferring with the Attorney General's office and the Budget Director in the near future. The Board approved this.

PRESIDENT'S REPORT: Dr. Taylor, among other items reported that:

1. Bids would be opened on Tuesday, July 18 for seal coating all blacktop areas on Campus; and on Friday, July 21 for additional parking area to accommodate the requirements of students attending classes in the new Vo-Tech Building.
2. The "White House" which has served as general offices for faculty will be used to house the offices of the RN Program staff, and those faculty members who have been dispossessed from the White House will office in the new Vo-Tech Building.
3. Two more faculty needed — one for the RN Program and one for Business Cluster Courses.
4. The federal omnibus education bill which is designed to provide Basic Opportunity Grants (BOG) of \$1400 annually for each college student. However, student financial aid, as it now exists, must first be funded 100% before any money is available for BOG.

ADJOURNMENT: Nothing further appearing on the agenda, the meeting was adjourned at 9:05 PM.

Secretary

A.W. Van SlykeAPPROVAL: August 21, 1972

Chairman

John W. Garabrandt

July 17, 1972

Board of Trustees

Resolution to Establish Business Manager's  
Revolving Fund

Whereas, the Board of Trustees of College of Southern Idaho Junior College District on April 26, 1972 approved an increase of the student registration fee by 50¢ per credit hour up to a maximum of \$10.00 for a full time student; and,

Whereas, the Board instructed that said increase in said fee shall be credited to the account of the varsity athletics programs of the college; and,

Whereas, these fees are not public funds, and have previously flowed through the student associations funds account; and,

Whereas, it is the desire of the Administration of the College that the revenue and receipts from and for varsity athletics, and the expenditure of those funds, be completely separated from the student funds account and the public funds of the College; and,

Whereas, the Treasurer of the College informed the Board on May 15, 1972, that to implement the handling of the funds for which the source was established on April 26, another bank account would be needed for said non-public funds; and,

Whereas, it was recommended by the Treasurer on May 15 that said new bank account be set up to receive said funds including both the increase in registration fees and the proceeds from various athletic events; that the new account be named "Business Manager's Revolving Fund," the authorized signatures be that of the Business Manager or the Assistant Business Manager and one signature be required on checks; and,

Whereas, the Board advised that, in its opinion, the authorization was included in its action of April 26; and,

Whereas, the auditor for the College later advised that the Board's action was not explicit enough and that a formal resolution should be adopted to cover the exact intention of the Board and to provide whatever internal control was deemed advisable;

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of College of Southern Idaho Junior College District, that:

(a) A new bank account be set up in the Idaho First National Bank in Twin Falls, Idaho, the name of the account to be "Business Manager's Revolving Fund."

(b) The authorized signatures for said account be those of the Business Manager of the College of Southern Idaho or the Assistant Business Manager, and that the single signature of either be valid on checks drawn on said account.

(c) All revenue from the increase in registration fees and proceeds from varsity athletic events be deposited in said account.

(d) All expenses for the varsity athletics programs be paid from said account.

(e) Authorization for expenditure of funds from said account shall be vested in the College of Southern Idaho Director of Athletics evidenced by properly completed vouchers signed by him.

(f) The authorization for said account and other pertinent details be retroactive to May 15, 1972.

Adopted this 17th day of July, 1972.

Chairman *Edward V. ...*

Attest: *H. W. ...*  
Secretary

COLLEGE OF SOUTHERN IDAHO  
 Junior College District  
 SPECIAL MEETING OF THE BOARD OF TRUSTEES  
 APRIL 26, 1972

CALL TO ORDER: 12:15 PM

PRESIDING: Chairman John Garrabrandt

PLACE: CSI Dining Room, lunch included.

PURPOSE: To establish tuition and fees for the 1972-73 academic year, and other budget related matters.

ATTENDING: Trustees: John N. Garrabrandt, John Coleman, John Hepworth, Robert Blastock and Eldon Evans.  
 Administration: Dr. James L. Taylor, Herb Van Slyke and Robert Alexander.

TUITION AND FEES FOR 1972-73 ACADEMIC YEAR - PER SEMESTER: Dr. Taylor submitted a schedule of proposed tuition and fees for the ensuing academic year, the basis being 1208 FTE at a per FTE cost of \$1225.00. The question was asked if the depreciation factor is included in the FTE cost; the answer is yes — about \$200,000 worth (the actual in the 71 FY was \$198,766.46 to academic and \$25,321.03 for vocational). The allocation for depreciation per academic out-of-district FTE is estimated at \$40.00 for the 72-73 academic year.

MOTION REGARDING TUITION: Upon MOTION by Mr. Hepworth, seconded by Mr. Blastock, and carried without dissent, the Board of Trustees approved the following listed schedule of per semester tuition for academic students for the 1972-73 academic year.

	<u>District</u>	<u>Idaho Out- of-District</u>	<u>Out-of- State</u>
Payable by the student:			
Full time (10 or more cr. hrs.)	\$62.50	\$120.00	\$360.00
Part time (per credit hour)	6.25	12.00	36.00
Payable by student's home county:			
Full time (10 or more cr. hrs.)	-0-	240.00	-0-
Part time (per credit hour)	-0-	24.00	-0-

MOTION REGARDING FEES: A MOTION was made by Mr. Evans, seconded by Mr. Hepworth and carried without dissent, that the Board of Trustees approve the following listed schedule of student fees for the 1972-73 academic year, per semester:

✓ Registration: \$5.00 minimum plus 50¢ per credit hour up to a maximum of \$10.00. (This is a non-refundable item.) All registration fees in excess of \$5.00 per student shall be credited to the account of the varsity athletics programs of the College.

MAY 15, 1972

- (2) PERSONNEL EMPLOYED: Upon recommendation by Dr. Taylor and MOTION by Mr. Evans, seconded by Mr. Blastock, the Board approved employment of the following listed persons:

James W. Blaisdell as PE Instructor and Track Coach for the academic year	\$8,400.00
M. Kent Jeppesen as Art Instructor, Academic Year	\$8,600.00
Paul Ostyn, High School Relations at a salary of ... per month starting August 1, 1972, for 10 months	\$1,000.00
Mrs. Claudeen Buettner, Instructor, RN Program for a 10 month contract	\$10,000.00
Miss Alice A. Myers, Instructor, RN Program for a 10 month contract	\$10,000.00

1973 FISCAL YEAR BUDGET ADOPTED: The Board having had the proposed budget for the 1973 Fiscal Year (June 1, 1972 thru May 31, 1973) in hand for several days, approved it without exception upon a MOTION made by Mr. Evans, seconded by Mr. Blastock.

The Motion, when put to a vote, carried without any negative vote.

PRESIDENT'S REPORT: Dr. Taylor included the following in his report:

1. Summer enrollment is anticipated to reach 800 students.
2. Two of our CSI athletes have qualified for nationals.
3. Baseball team will be playing in the Regional Tournament; if it wins a place will go to Nationals at Mesa, Arizona later this month.
4. Will be appearing before the State Board May 30 to June 1, 1972 to request State support for permanent buildings for Vo-Ed on CSI campus.
5. Letter of commendation from Richard Bennett of Bennett's Glass & Paint.
6. The Board members not here this evening both have valid excuses. Mr. Coleman is attending a recital by his daughter, and Mr. Hepworth is in New York and Washington, D.C. on business.
7. Mentioned a number of people are considering CSI for inclusion for their wills, one a very substantial estate is seriously considering bequeathing the whole of it to the College.

ANOTHER BANK ACCOUNT: Treasurer Van Slyke informed the Board of the need for another bank account to accommodate the handling of revolving non-public funds particularly (but not limited to) those for the varsity athletic program including the allocation from student registration fees and proceeds from various athletic events. He recommended calling it "Business Manager's Revolving Fund" with the signatures of the Business Manager and the Assistant Business Manager as valid on single signature checks.

*see next page*



ANOTHER BANK ACCOUNT CONT'D:

✓ Upon request for authorization for setting up this new account the Board advised in its opinion said authorization was included in its action on April 26th.

ADJOURNMENT: Declared at 9:10 PM.

Secretary

*J. W. Van Slyke*

APPROVAL: June 19, 1972

Chairman

*John W. Garrahan*

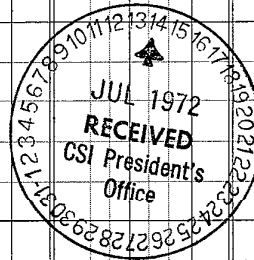
	Initials	Date
Prepared By		
Approved By		

(1) (2) (3) (4) (5)

Doc - The board minutes need to reflect the following information concerning the Business Manager's Revolving Fund.

1. Source of receipts (Be specific)
  2. Purpose of expenditures
  3. Who is specifically authorized to approve such expenditures
  4. Who is authorized to sign checks
- 3 & 4 should be different people.

This fund has some inherent internal control problems so some care will have to be taken with it.



Burroughs  
BUSINESS FORMS  
Form H555 Buff - Form 6555 Green

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LAW OFFICES  
BENOIT, BENOIT & ALEXANDER  
TWIN FALLS BANK & TRUST BLDG.  
POST OFFICE BOX 366  
TWIN FALLS, IDAHO 83301

HARRY BENOIT 1893-1966  
EDWARD L. BENOIT  
J. ROBERT ALEXANDER  
ROBERT M. HARWOOD

AREA CODE 208  
TELEPHONE 733-5463

July 17, 1972

Board of Trustees  
College of Southern Idaho  
Twin Falls, Idaho

Re: P.E. Complex

Gentlemen:

At long last it appears that we are on the verge of settling the P.E. Building controversy with Arrington Construction Company. On Friday, July 14th, Dr. Taylor, Bob McManaman, Ed Peterson and I met with Bob Taylor and Arrington's legal counsel, Terry Crapo. We reviewed the construction progress to date and those items yet to be completed to our satisfaction.

You will recall that in January of 1971 we held as retainage on this project the sum of \$112,499.68. On the 25th day of that month the Board approved paying that retainage down to \$28,340.00. That payment was made based upon our architect's estimate that this sum was in excess of double the cost of completing all work on the project. Attached you will find our transmittal letter for that payment.

Since that payment, the District, pursuant to our contract with Arrington, has made certain expenditures out of the retainage to complete the work. Those are as follows:

1. Home Plumbing and Heating	\$ 310.00
2. Twin Falls Paint & Glass	488.63
3. Idaho Power Co. & Clean Up	342.02
4. Rogers Sheet Metal	58.05
5. Gem Building Specialties	994.75
6. Neilsen Miller Const. Co.	<u>2,860.43</u>
	\$5,053.88

Board of Trustees  
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In addition to the above, two items were contracted for. The first was with Kimberly Nurseries. The original contract specifications required that the landscaping be complete to "a stand of grass". There were two drainage areas off the North side of the building which eroded after a heavy rainfall. This necessitated the sodding of those two areas as the newly planted grass would not hold the drainage. The Nursery bill was \$477.80. We have agreed that this was not an uncompleted item under Arrington's contract, and therefore not properly a deduction from their retainage.

The second item was an agreement with Quality Roofers to reseal the planter at the South entrance to the Gym. Quality Roofers did not complete their work under that agreement. Although we were billed 12/21/71 for \$761.59 by Quality Roofers, that bill has never been paid and no demand for payment has been received.

It is our recommendation that we enter into an agreement with Arrington Construction Company as follows:

1. Arrington has agreed that all of the items 1 thru 6 above were properly expended by the District to complete work under Arrington's contract. This would reduce the retainage by \$5,053.88.
2. Arrington has agreed to complete to the satisfaction of the District the two remaining problems on the project. Those are stabilization of the bleachers and plaza reconstruction to stop the leaks now present. To insure satisfactory completion of those items the District will hold \$5,000.00 of the retainage.
3. Require that Arrington provide us with certificates of payment in full from each of the sub-contractors; and further, that Arrington hold the District harmless from any and all claims which may arise from this contract.
4. Agree to waive any liquidated damages under the contract. We recommend this provision due to the fact that the College did not suffer any actual damage which Arrington is not willing to pay for. Our Supreme Court has consistently refused to enforce

Board of Trustees  
July 17, 1972  
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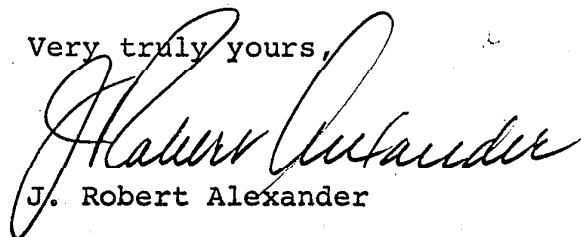
liquidated contract damages where they are not related to actual damages. (Graves v. Cupic, 75 Idaho 451; and Nichols v. Knowles, 87 Idaho 550.) It is our opinion that the Court would not enforce liquidated damages in this case. Although we had some inconvenience due to Arrington's failure to complete, they are paying all of the expenses related to that delay. Without some actual damage we don't believe the Court would sustain a claim for liquidated damages.

5. Pay to Arrington the remaining \$18,286.12 which we now hold. We do not feel that holding that amount any longer is fair or reasonable.
6. There are two minor items in the Neilsen Miller bill to which Arrington objects. These two items total only \$290.12. I believe the objection is probably valid and that we should agree to waive those two items.

In short, I am asking that based upon the foregoing, the Board:

1. Authorize me to draw an agreement containing the above provisions and have the same executed,
2. The Board authorize the Business Office to draw a check payable to Arrington in the sum of \$18,576.24 which would be transferred to Arrington upon execution of the agreement; and
3. The Board direct the Business Office to retain the balance of \$5,000.00 until final completion of the two remaining items discussed above.

Very truly yours,



J. Robert Alexander

JRA/cw

January 25, 1971

CERTIFIED MAIL

General Insurance Company  
of America  
4347 Brooklyn Avenue N. E.  
Seattle, Washington 98105

Attention: Mr. Ted W. Equals  
Surety Claims

Re: Arrington Construction Co.  
Project: Phase II, Health & Education  
Building  
College of Southern Idaho

Gentlemen:

Pursuant to resolution of the board of trustees of the College of Southern Idaho passed at their regular meeting January 18, 1971, I write to advise as follows:

The Junior College District now retains the sum of \$112,499.68 on the above entitled project. Since the October progress billing from your principal, Arrington Construction Co., the District has not received any statement of payment due or construction progress. The attached memo sets forth the remaining punch list items to be completed on the project, as well as the liquidated damages accrued.

I have been directed by our board of trustees, as legal counsel, to notify you, as surety, your principal, and all subcontractors concerned that the District stands ready to return all retainage except the sum of \$28,340.00, as shown on the attached. This sum, the District stands willing to pay upon receipt of a final billing and account from your principal, Arrington Construction Co.

This is done in a good faith effort on the part of the District to see to it that those parties to the contract who have,

General Insurance Company  
of America  
January 25, 1971  
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in good faith, performed under their agreement do not suffer as a result of the failure of Arrington Construction Co. to complete its obligations under the construction contract.

The retainage of \$28,340.00 is obviously made to protect the District from expense in the completion of the project to specifications.

Very truly yours,

J. Robert Alexander

JRA:kp

COPY