

11-4-1915

Board of Trustees Meeting Minutes 1915-11-04

Bowling Green State University

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Moved by Shatzel and seconded by Ganz that President Williams and Treasurer McDonel personally consult the proper officials at Columbus to ascertain whether or not these funds might be available for the necessary expenses on the Normal College property. Voting Aye: Collins, McDonel, Ganz, Shatzel. Nays, none.

Motion declared carried.

The Superintendent of buildings and grounds filed the following account, to-wit:-

R.W.Treber in account with the Trustees of B.G. Normal School.			
1915		1915	
Sept. 21	A.Simmons rent to Oct.8	10.00	Oct. 30 By amt. to Bal
Oct. 18	A.Simmons " " Nov.8	10.00	
		<u>\$20.00</u>	<u>\$20.00</u>
1915		1915	
Oct. 30	To amt. to Bal.	\$20.00	Oct. 30 By Check to McDonel
			\$20.00

Treasurer McDonel reported the receipt by him of above amount.

The Secretary read the opinion of the Attorney General of Ohio with respect to liens on public buildings which is as follows, to-wit:-

STATE OF OHIO
Office of the Attorney General.
COLUMBUS.

Oct. 14, 1915.

Hon. J.E.Shatzel,
Sec'y. Board of Trustees, Bowling
Green State Normal College,
Bowling Green, Ohio.
Dear Sir:

Under date of Oct. 9, 1915, you inquire as follows:

"By direction of our Board of Trustees
I am writing you to get authentic information upon a point not clear to us.

The general contractor is about through with his work on the Administration building and dormitory and the question is: Should we require him to file a statement of all he owes for labor and material used on these buildings before we allow his final estimates? Are we under any obligation to protect creditors? "

I know of no provisions of law that require a statement from contractors and subcontractors other than the act found in 103 O.L. 369 entitled:

" AN ACT

To create a lien in favor of contractors, subcontractors, laborers and material men," and the amendments thereto in 106 O.L. 522.

In an opinion rendered by my predecessor, Honorable Timothy S. Hogan, August, 25th, 1913, to Honorable Byron L. Bargar, Secretary of the Ohio State Armory Board, Volume 1, Attorney General's Report for 1913, page 515, it was held, referring to the act found in 103 O.L. 369, as follows:

"An examination of this legislation as to mechanics' liens enacted at the last session of the legislature discloses that no provisions were made therein with reference to liens on public buildings or improvements of any kind, or against public funds that may become due and payable on account of their erection or construction. Sections 8324 and 8325, General Code, still stand as the sole authority for liens or claims against public funds on account of material or labor furnished in the erection or construction of public buildings or improvements. As before noted, these sections have no application to buildings or improvements erected or constructed by the state, *****"

I concur in Mr. Hogan's opinion and therefore answer your inquiry in the negative. In so answering I am fully cognizant of the provision contained in the uniform blank for state contracts, as follows:

"If at any time there should be any evidence of any lien or claim for which, if established, the owner of said premises might become liable and which is chargeable to the contractor, the owner shall have the right to retain out of any payment then due or thereafter to become due, an amount sufficient to completely indemnify him against such claim or lien. Should there prove to be any such claim after all payments are made, the contractor shall refund to the owner all monies that the latter may be compelled to pay in discharging any lien on said premises made obligatory in consequence of the contractor's default."

There can be no lien obtained by contractors or subcontractors on state buildings. Consequently, there is no duty devolving upon a department

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or institution erecting a state building to retain any moneys from the contractor in anticipation of a lien on the premises in question.

Respectfully,
Edward C. Turner
Attorney General.

Moved by McDonel and seconded by Ganz that said opinion be entered on the minutes of this Board. Voting Aye: Collins, McDonel, Ganz, Shatzel. Nays, none.

Motion declared carried.

The Secretary read a letter from Howard & Merriam, Architects, to The Steinle Construction Company, in regard to the recess doors in the connecting corridor between the Administration building and the Science and Agriculture building, which was as follows, to-wit:-

Oct. 2, 1915.

The Steinle Construction Co.
Fremont, Ohio.
Gentlemen:

In going over the situation of the recess door in the connecting corridor would state that we would prefer not making any changes either in the door arrangement or the material in connection with same. Unless the Board instructs you otherwise kindly proceed with the installation of this door, as per detail on sheet #5 of the drawings.

Very truly yours,
Howard & Merriam, Architects.
By _____

Copy to:
J.E. Shatzel,
Bowling Green, Ohio.

Moved by McDonel and seconded by Ganz that the Board allow the original plans to stand, as recommended by the Architects. Voting Aye: Collins, McDonel, Ganz, Shatzel. Nays, none.

Motion declared carried.

The Secretary presented and read a proposition from Fitzpatrick & Hoepfner for the construction of a manhole in the tunnel near the Dormitory, the same being as follows, to-wit:-

C O P Y

Sept. 7, 1915.

Bowling Green State Normal College.

Howard & Merriam,
City.

Gentlemen:

We propose to furnish and install one 24" manhole, with ring and cover of proper size and depth required at the Dormitory Building, for the sum of FIFTY-THREE DOLLARS (\$53.00).

This does not include any drain.

Yours truly,
Fitzpatrick & Hoepfner.

Moved by McDonel and seconded by Shatzel that this matter be referred to Howard & Merriam, Architects on the work, for such proceedings as are necessary and proper under the circumstances. Voting Aye: Collins, McDonel, Ganz, Shatzel. Nays, none.

Motion declared carried.

Estimate No. 10 in favor of the Steinle Construction Company for work done on the contract for the Science and Agriculture Building, amounting to \$2916.50, duly certified by Howard & Merriam, Architects, was presented for allowance.

Moved by McDonel and seconded by Shatzel that the above estimate No. 10^{for \$2916.50} in favor of the Steinle Construction Company be allowed on the recommendation of the Architects, and paid from the fund for "Building for Science and Agriculture". Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

The claim of Howard & Merriam, Architects, for 2% of estimate No. 10 in favor of the Steinle Construction Company, amounting to \$58.33, was presented for allowance.

Moved by McDonel and seconded by Shatzel that the above claim of Howard & Merriam, Architects, for \$58.33, be allowed and paid from the fund for "Building for Science and Agriculture". Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

Estimate No. 9 in favor of The Huffman-Conklin Company for work on contract for plumbing Building for Science and Agriculture, amounting to \$1900.00, duly certified by Howard & Merriam, Architects, was presented for allowance.

Moved by McDonel and seconded by Shatzel that the above estimate No. 9 for \$1900.00, in favor of The Huffman-Conklin Company be allowed on the recommendation of the Architects and paid from the fund for "Building for Science and Agriculture". Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

The claim of Howard & Merriam, Architects, for 2% of estimate No. 9 issued to The Huffman-Conklin Company, amounting to \$38.00 was presented for allowance.

Moved by McDonel and seconded by Shatzel that the above claim of Howard & Merriam, Architects, for \$38.00 be allowed and paid from the fund for "Building for Science and Agriculture". Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

President Williams presented the following pay roll for the month ending Oct. 31st, 1915, to-wit:-

R.W.Treber	Supt. Buildings & Grounds	1 mo.	\$ 75.00
Marion Griffith	Clerk Stenographer	1 "	62.50
Donald Warner	Janitor	1 "	50.00
Floid South	Farm Laborer	1 "	50.00
C.E.Lewis	" "	3 das. @ \$1 per day	3.00
C.E.Fortney	Fireman	25 " @ 1.66 2/3 "	41.67
C.O.Fortney	Engineer	21 " @ 2.50 a day	52.50
Amier Hopkins	Asst. Engineer	10 " @ 2.00 a "	20.00

Moved by McDonel and seconded by Shatzel that the above pay roll be allowed and paid from the funds respectively provided therefor, designation of fund to be made by President Williams. Voting Aye : Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

President Williams presented the following claims for allowance, to-wit:-

1914 Appropriations

Ohio State Reformatory, Mansfield, Ohio.		
Equipment.	Furniture	\$ 96.00
M.J.Ramler & Sons, Toledo, Ohio.		
Equipment.	Balance on Vent louvres	67.00
The Toledo Mantel & Tile Co., Toledo, Ohio.		
Equipment.	Balance on mantels	70.00
W.J.Fitz-Henry, Plain City, Ohio. (Agent for G.&C.Merriam Co.)		
Equipment.	Dictionaries	38.25
The Howard R.T.Radcliffe Co., Toledo, Ohio.		
Completion Adm. Bldg.	\$743.58	Second estimate - Decorat-
Uses & Purposes	256.42	ing Adm. building
	1000.00	1000.00
Fred Cook, Bowling Green, Ohio.		
F-6 Transportation	Cartage	6.75

Short Budget Appropriations

Ohio State Reformatory, Mansfield, Ohio.		
C-4	Annual catalogs and envelopes	300.00
Eberbach & Son Co. Ann Arbor, Mich.		
C-8	Chemicals, etc.	38.66
L.E.Knott Apparatur Co., 16 Harcourt st., Boston, Mass.		
C-8	Biology Supplies	93.03
Ohio State Reformatory, Mansfield, Ohio.		
E-1	Office furniture	45.00
Remington Typewriter Co., Toledo, Ohio.		
E-1	Typewriters	100.00
L.E.Knott Apparatus Co., Boston, Mass.		
E-8	Charts, mounts, etc.	372.74
Daudt Glass & Crockery Co., Toledo, Ohio.		
E-8	Glassware, etc.	59.44
Ohio State Reformatory, Mansfield, Ohio.		
E-8	Furniture	165.00

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1915-16 Appropriations

S.W. Bailey, Bowling Green, Ohio.		
A-3	Veterinary services	6.50
P.M. Davidson, Bowling Green, Ohio.		
C-3	Coal	377.32
E. Jones, Bowling Green, Ohio.		
C-3	Coal	302.98
Remington Typewriter Co., Toledo, Ohio.		
C-4	Typewriter paper	10.00
W.M. Welsh Mfg. Co., 1516 Orleans st. Chicago, Ill.		
C-8	Pocket Class records	6.30
The Hankey Lumber Co., Bowling Green, Ohio.		
C-8	Lumber	57.95
S.S. Wyse, Archbold, Ohio		
E-4	Chickens	25.21
Nelson R. Swan, Bowling Green, Ohio.		
E-8	Balance on contract for furnishing labor and material used in completing 3 tennis courts	115.17
W.B. Jarvis Co., Grand Rapids, Mich.		
E-8	Basket Ball, Foot Ball, etc.	27.50
American Seating Co., Chicago, Ill.		
E-8	Equipment for Mathematics Dept.	73.06
Scott, Foresman & Co., Chicago, Ill.		
E-8	Elson-Runkel Primers	6.80
Fred Cook, Bowling Green, Ohio.		
F-6	Transportation Freight and cartage	44.10
J.E. Shatzel, Bowling Green, Ohio.		
F-6	Board of Trustees Expense Account	12.50
E.G. Walker, Bowling Green, Ohio.		
F-6	Extension Teachers Expense account	69.08
E.G. Walker, Bowling Green, Ohio.		
F-6	Extension Teachers Expense account	31.27
Robt. A. Cummins, Bowling Green, Ohio.		
F-6	Extension Teachers Expense account	43.08
Robt. A. Cummins, Bowling Green, Ohio.		
F-6	Extension Teachers Expense account	18.00
Robt. A. Cummins,		
F-6	Extension Teachers Expense account	18.05
President H.B. Williams, Bowling Green, Ohio.		
F-6	Expense account	107.04
Toledo Janitor Supply Co., Toledo, Ohio.		
C-11	General plant supplies	17.63

1914 Appropriations

Heywood Bros. & Wakefield Co., Buffalo, N.Y.		
Equipment.	Balance on contract for school desks	16.00
Fred Medart Mfg. Co., St. Louis, Mo.		
Equipment	Gymnasium apparatus.	1175.00
The Cleveland Seating Co., 550-58 Rose Bldg. Cleveland, Ohio.		
Equipment	School desks as per contract	394.00

Short Budget Appropriation

The Birkmayr-Rodimich-Showel Co., Toledo, Ohio.		
E-8	Kitchen Utensils	64.62

Moved by McDonel and seconded by Shatzel that the above claims be allowed and paid from the funds respectively provided therefor, the designation to be made by President Williams. Voting Aye : Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

President Williams presented the following pay roll for the month ending November 15th, 1915, for allowance, to-wit:-

H.B. Williams	President	1 month.	\$ 316.66
G.W. Beattie	Instructor	1 "	222.22
E.L. Mosely	"	1 "	222.22
J.R. Overman	"	1 "	211.11
L.L. Winslow	"	1 "	211.11
Rea McCain	"	1 "	188.88
J.E. Talbot	"	1 "	211.11
E.G. Hesser	"	1 "	200.00
Mary Chapin	"	1 "	166.66
Harriet S. Hayward	"	1 "	200.00
E.G. Walker	Extension Teacher	1 "	222.22
Robt. A. Cummins	"	1 "	222.22
J.W. Zeller	Instructor	1 "	222.22
Wm. P. Holt	"	1 "	222.22
F.G. Beyerman	"	1 "	200.00
C.J. Biery	"	1 "	222.22
Marie Simpson	Librarian	1 "	115.79
Effie Alexander	Critic Teacher	1 "	111.11
Grace Poorbaugh	"	1 "	111.11
Lucy Meacham	"	1 "	111.11

Estelle M. Rich	Critic Teacher	1 month	\$ 111.11
Ruby Minor	" "	1 "	100.00
Erma Ferguson	" "	1 "	100.00

Moved by McDonel and seconded by Shatzel that the above pay roll be allowed and paid from the funds respectively provided therefor, President Williams to make fund designation. Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

Estimate No. 20-Final in favor of The Steinle Construction Company for work on Dormitory contract, amounting to \$4133.95, duly certified by Howard & Merriam, Architects, was presented for allowance.

Moved by McDonel and seconded by Shatzel that the above Estimate in favor of The Steinle Construction Company being No. 20-Final for \$4133.95, be allowed on the recommendation of the Architects and paid from the fund designated as "Maintenance F-10", but warrant to be held until the work of the Steinle Construction Company has been completed on said Dormitory to the satisfaction of This Board of Trustees. Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

The claim of Howard & Merriam, Architects, for the balance of commission account on the Dormitory due under estimate No. 20-Final issued to the Steinle Construction Company, amounting to \$84.12, was presented for allowance.

Moved by McDonel and seconded by Shatzel that the claim of Howard & Merriam, Architects, amounting to \$84.12, be allowed and paid from the fund designated as "Maintenance F-10". Warrant to be delivered when the Steinle Construction Company has completed its work on the Dormitory to the satisfaction of this Board of Trustees. Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

Mr. Steinle was present and asked the wishes of the Board as to the kind of hardware desired for the Science & Agriculture Building. After discussion it was moved by Shatzel and seconded by McDonel that the hardware for the Science & Agriculture Building be of the same finish as that used in the Administration Building and that the quality be as good as the \$1,000 provided therefor will purchase. Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

The Secretary read a communication from The McKeever Electric Co. setting forth a proposition for the installation of electric motors, switch boards and wiring in the power plant and for the installation of a conduit in the Administration Building. This matter it was agreed unanimously that this was a proper matter to bring to the attention of the State Emergency Board and President Williams and Secretary Shatzel were instructed to make arrangements for such presentation.

Moved by Shatzel and seconded by McDonel that this Board now adjourn to meet at the Administration Building on Saturday, November 20th., 1915, at one o'clock, P.M. Voting Aye: Collins, McDonel, Shatzel. Nays, none.

Motion declared carried.

Meeting adjourned.

----- J. E. Collins, President.
 J. Shatzel, Secretary.