

# UCCSN Board of Regents' Meeting Minutes June 8-9, 1951

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## MEETING FOR OPENING OF BIDS

June 8, 1951

Chairman S. E. Ross presided at the meeting held in the President's office at 4:30 P.M., June 8, 1951, to open the bids for disposal of the University trailer court units, as per notice advertised in the local papers.

The bids were opened by the Chairman in the presence of President Malcolm A. Love, Comptroller P. W. Hayden, Secretary to the Board Alice Terry and Regent Roy A. Hardy.

Only one bid had been received - that from E. S. Heward offering \$52.63 each for 35 trailer units, making a total of \$1,842.05. The bid was accompanied by a certified check in the amount of \$500.

The bid was referred to the Comptroller for review, and for presentation to the Board of Regents at their meeting on June 9, 1951.

## EXECUTIVE COMMITTEE MEETING

June 8, 1951

The Executive Committee of the Board of Regents met in the President's office at 4:20 P.M., June 8, to hear a report on matters pertaining to the Nevada Art Gallery. Present were: Regents Hardy, Lombardi, Ross, President Love and Mr. C. H. Gorman.

Mr. Gorman reviewed the history of the Nevada Art Gallery, which was incorporated in 1931. In 1942, the Art Gallery Board offered certain land to the University, which property had been received from various donors for the purpose of an Art Gallery and Gardens in 1931.

Mr. Gorman read from Statutes of Nevada, 1943, Chapter 8, as follows:

Assembly Bill 33

Chapter 8 - An Act authorizing and directing the Board of

Regents of the University of Nevada to accept for and on behalf of the State of Nevada a good and sufficient deed to certain lots or parcels of land from the Nevada Art Gallery, Inc., prescribing the duties of the Board of Regents of the University of Nevada in relation thereto, and other matters properly relating thereto.

(Approved February 16, 1943)

WHEREAS, the Nevada Art Gallery, Inc. is possessed of certain lots or parcels of land situated in the City of Reno which are being held as a site for a proposed Art Gallery building to be erected by private or public funds; and

WHEREAS, the said Nevada Art Gallery, Inc. desired to deed this property to the State of Nevada for the use of the University of Nevada in connection with its Art Department; and

WHEREAS, said proposed Art Gallery would be a valuable addition to the Art Department of the University of Nevada and of great value to the University of Nevada and to the citizens of the State;

NOW, THEREFORE, the People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Section 1. The Board of Regents of the University of Nevada is hereby authorized and directed to accept for and on behalf of the State of Nevada a good and sufficient deed for certain lots or parcels of land, free from all encumbrances, from the Nevada Art Gallery, Inc., said lots or parcels of land to be held in trust by said Board of Regents as a site for a proposed Art Gallery building; provided, that nothing in this Act shall be construed as authorizing the expenditure of any State funds for the improvement of said lots or parcels of land or for the erection of any building or buildings thereon.

Section 2. This Act shall be effective upon its passage and approval.

The powers and duties of the Board of Regents were then amended, in conformity with the above Act, as follows, from Nevada Compiled Laws:

Relating to State University

7728. Powers and Duties of the Regents.

13. To accept and take in the name of the University of Nevada by grant, gift, devise or bequest any property for the use of the University, or of any College thereof, or of any Professorship, Chair or scholarship therein, or for the Library, workshops, farms, students' loan fund, or any other purpose appropriate to the University; and such property shall be taken, received, held, managed, invested and the proceeds thereof used, bestowed, and applied by said Regents for the purposes, provisions and conditions prescribed by the respective grant, gift, devise or bequest; provided, however, nothing in this shall be deemed to prohibit the State of Nevada from accepting and taking by grant, gift, devise or bequest any property for the use and benefit of the University of Nevada.

14. To sell or lease any property granted, donated, devised or bequeathed to the University, except property granted to it by the United States of America; and provided, the sale or lease of such property be not prohibited by or inconsistent with the provision or conditions prescribed by the grant, gift, devise or bequest thereof; and provided further, that any such sale or lease be approved by the Governor. The lease shall be held, managed, invested, used, bestowed and applied by said Regents for the purposes, provisions and conditions prescribed by the original grant, gift, devise or bequest of the property so sold or leased.

(Repeal) #2. All Acts and parts of Acts in conflict herewith are hereby repealed. As amended, Stats. 1945, 448.

Mr. Gorman stated that the Articles of Incorporation of the Nevada Art Gallery were recently revised by the Art Gallery Board, approved by the Attorney General and the Governor, and the Board of Regents of the University. The question then arose as to whether or not the Board of Regents should approve claims of the Nevada Art Gallery in advance of payment of those claims. This situation might place the Regents in a position of authority not provided for by the law.

The opinion of Mr. Gorman was that the joint management is specified only in the case of the building, if and when it is built. He read, in support of his opinion, from the Court Order and Decree of Settlement, as follows:

7.A To: The Nevada Art Gallery, Inc., a Nevada Corporation, in trust, however, for the uses and purposes set forth in the Last Will and Testament of the above decedent,

that is to say:

(b) The said Nevada Art Gallery, Inc., shall apply the whole of the annual net income toward the organization of a Gallery and Art Museum, under the joint management and direction of the Nevada Art Gallery, Inc., and the Board of Regents of the University of Nevada. (This is a public-spirited programme in which my old friend, Dr. J. E. Church, has long been interested, and I direct that it be carried forward, as nearly as possible as conceived by him, myself and associates.) Dr. Church, the Latimer Art Club and others have, for this purpose, deeded to the University of Nevada, certain property on University Terrace, Reno, Nevada, in furtherance of this programme.

(c) I direct that my Executor, hereinafter named, bear in mind that my whole object is to further cultural affairs, and that the Nevada Art Gallery, Inc. (later in connection with the University of Nevada, and the Gallery and Art Museum) is to further this object by using my present residence, 643 Ralston, Street, Reno, Nevada, and all its contents suitable for use in the advancement of art and culture by continuing to use it, selling it, moving it, renting it or disposing of it in any manner they may see fit.

(d) I direct that my one and only purpose herein is for the benefit of the public at large, and that in this disposing of my property, its use and benefit is in no sense to be restricted to any class of persons, institutions, or otherwise.

Thorough investigation of the deed had been made by Mr. Gorman, both in the case of deeding property to the Nevada Art Gallery and in deeding that same property by the Nevada Art Gallery to the University of Nevada. He found that when the land was deeded to the Art Gallery, the deeds contained the restriction that the land was to revert to the original owner if it were not used for an art gallery and museum within a reasonable length of time. Since 20 years have now passed, a court decision might be necessary to determine what would constitute a reasonable length of time in case any of the original owners requested return of the land. When this same land was deeded to the Board of Regents, however, no such restrictions were included.

Referring again to item 7.A.(b) of the Court Order and Decree of Settlement above, Mr. Gorman called attention to the fact that

only the income can be used, and that this income does not provide sufficient funds for a building.

Mr. Gorman called attention to certain improvements which were made to the grounds of the Nevada Art Gallery without approval of University authorities. These improvements included construction of a fence by the City of Reno as protection from the ditch (which did not need approval), planting of blackberry shrubs on the banks of the ditch and piping from the City main into the Art Gallery grounds.

Mr. Gorman informed the Regents that, at the last meeting of the Nevada Art Gallery Board, he was authorized to bring this matter before the Board of Regents. He offered whatever assistance he could give in settling this matter.

Mr. Ross thanked Mr. Gorman for his careful report and for his time and efforts.