

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 28, 2011, to each and every member of said Board, said date being at least five days prior to this June 21, 2012 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins, Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, and Mr. C.D. Smith. The meeting was called to order by Mr. Ed Blakeslee, President, and opened with prayer by Trustee C.D. Smith.

INTRODUCTION OF GUESTS

- President Blakeslee thanked Mr. and Mrs. Alan Perry for hosting the dinner the night prior.
- President Blakeslee welcomed the Student Government Association officers: Ms. Alanna Ferguson, President at Delta State University; Mr. Brian Wilks, President at Jackson State University.
- Dr. James Keeton, Vice Chancellor of the University of Mississippi Medical Center, recognized Dr. Helen Turner, Associate Vice Chancellor for Academic Affairs, Professor, School of Medicine.
- Dr. Aubrey Lucas, Interim President of the University of Southern Mississippi, welcomed back Mr. Tom Estes, Interim Vice President of Finance and Administration.
- Commissioner Bounds introduced Ms. Stephanie Ganacheau who is the new Special Assistant Attorney General on staff.

APPROVAL OF THE MINUTES

On motion by Trustee Robinson, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the Minutes of the special called Board meeting held on May 7, 2012 and the regular meeting held on May 17, 2012.

CONSENT AGENDA

On motion by Trustee Owens, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

ACADEMIC AFFAIRS

1. **System** - Approved the award of degrees at the following levels in August 2012 provided each candidate has met all requirements for the degree, as follows:

| Institution | Degree to be Conferred | Number | Subtotal | Total | |
|-------------------------------------|---|--------|----------|-------|--|
| Mississippi State University | | | | | |
| | <i>College of Agriculture and Life Sciences</i> | | | | |
| | Bachelor of Landscape Architecture | 2 | | | |
| | Bachelor of Science | 25 | | | |
| | Master of Science | 16 | | | |

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

| Institution | Degree to be Conferred | Number | Subtotal | Total | |
|--------------------|--|---------------|-----------------|--------------|--|
| | Doctor of Philosophy | 2 | | | |
| | | | 45 | | |
| | <i>College of Architecture, Art, and Design</i> | | | | |
| | Bachelor of Fine Arts | 3 | | | |
| | Bachelor of Science | 10 | | | |
| | | | 13 | | |
| | <i>College of Arts and Sciences</i> | | | | |
| | Bachelor of Arts | 41 | | | |
| | Bachelor of Science | 54 | | | |
| | Master of Arts | 9 | | | |
| | Master of Public Policy and Administration | 4 | | | |
| | Master of Science | 66 | | | |
| | Doctor of Philosophy | 3 | | | |
| | | | 177 | | |
| | <i>College of Business</i> | | | | |
| | Bachelor of Business Administration | 56 | | | |
| | Master of Business Administration | 45 | | | |
| | Master of Science Information Systems | 1 | | | |
| | Doctor of Philosophy | 2 | | | |
| | | | 104 | | |
| | <i>College of Education</i> | | | | |
| | Bachelor of Science | 51 | | | |
| | Master of Arts in Teaching | 1 | | | |
| | Master of Arts in Teaching Secondary | 1 | | | |
| | Master of Science | 34 | | | |
| | Master of Science Instructional Technology | 2 | | | |
| | Educational Specialist | 10 | | | |
| | Doctor of Philosophy | 6 | | | |
| | | | 105 | | |
| | <i>College of Engineering</i> | | | | |
| | Bachelor of Science | 16 | | | |
| | Master of Science | 18 | | | |
| | Doctor of Philosophy | 4 | | | |
| | | | 38 | | |
| | <i>College of Forest Resources</i> | | | | |
| | Master of Science | 5 | | | |
| | Doctor of Philosophy | 1 | | | |
| | | | 6 | | |
| | <i>College of Veterinary Medicine</i> | | | | |
| | Master of Science | 4 | | | |
| | Doctor of Philosophy | 1 | | | |
| | | | 5 | | |
| | <i>School of Accountancy</i> | | | | |
| | Bachelor of Accountancy | 14 | | | |

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

| Institution | Degree to be Conferred | Number | Subtotal | Total | |
|----------------------------------|--|---------------|-----------------|--------------|--|
| | Master of Professional Accountancy | 6 | | | |
| | Master of Taxation | 1 | | | |
| | | | 21 | | |
| | | | | 514 | |
| University of Mississippi | | | | | |
| | <i>Undergraduate</i> | | | | |
| | <i>College of Liberal Arts</i> | | | | |
| | Bachelor of Arts | 206 | | | |
| | Bachelor of Science | 9 | | | |
| | Bachelor of Fine Arts | 2 | | | |
| | Bachelor of Music | 1 | | | |
| | | | 218 | | |
| | <i>School of Engineering</i> | | | | |
| | Bachelor of Science in Chemical Engineering | 1 | | | |
| | Bachelor of Science in Civil Engineering | 5 | | | |
| | Bachelor of Science in Computer Science | 1 | | | |
| | Bachelor of Science in Electrical Engineering | 3 | | | |
| | Bachelor of Science in Mechanical Engineering | 2 | | | |
| | Bachelor of Science in Geological Engineering | 2 | | | |
| | Bachelor of Engineering | 2 | | | |
| | Bachelor of Science | 1 | | | |
| | | | 17 | | |
| | <i>School of Education</i> | | | | |
| | Bachelor of Arts in Education | 18 | | | |
| | | | 18 | | |
| | <i>School of Pharmacy</i> | | | | |
| | Bachelor of Science in Pharmaceutical Sciences | 72 | | | |
| | | | 72 | | |
| | <i>School of Business</i> | | | | |
| | Bachelor of Business Administration | 163 | | | |
| | | | 163 | | |
| | <i>School of Accountancy</i> | | | | |
| | Bachelor of Accountancy | 54 | | | |
| | | | 54 | | |
| | <i>School of Applied Sciences</i> | | | | |
| | Bachelor of Science in Criminal Justice | 52 | | | |
| | Bachelor of Science in Exercise Science | 39 | | | |
| | Bachelor of Science | 61 | | | |
| | Bachelor of Social Work | 93 | | | |
| | Bachelor of Arts in Parks and Recreation Management | 14 | | | |
| | Bachelor of Paralegal Studies | 10 | | | |
| | | | 269 | | |

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

| Institution | Degree to be Conferred | Number | Subtotal | Total | |
|---|--|---------------|-----------------|--------------|-------------|
| | <i>School of Journalism and New Media</i> | | | | |
| | Bachelor of Arts in Journalism | 33 | | | |
| | | | 33 | | |
| | <i>General Studies</i> | | | | |
| | Bachelor of General Studies | 32 | | | |
| | | | 32 | | |
| | <i>Graduate School</i> | | | | |
| | Master of Accountancy | 29 | | | |
| | Master of Arts | 44 | | | |
| | Mast of Business Administration | 3 | | | |
| | Master of Criminal Justice | 5 | | | |
| | Master of Education | 37 | | | |
| | Master of Music | 2 | | | |
| | Master of Science | 11 | | | |
| | Master of Taxation | 4 | | | |
| | Specialist in Education | 4 | | | |
| | Doctor of Philosophy | 24 | | | |
| | | | 163 | | |
| | <i>Law School</i> | | | | |
| | Juris Doctor | 3 | | | |
| | | | 3 | | |
| | | | | 1042 | |
| University of Mississippi Medical Center | | | | | |
| | <i>Undergraduate</i> | | | | |
| | Bachelor of Science in Nursing | 26 | | | |
| | Bachelor of Science in health Informatics and Information Management | 5 | | | |
| | Bachelor of Science in Health Sciences | 16 | | | |
| | | | 47 | | |
| | <i>Graduate/Professional</i> | | | | |
| | Master of Science in Nursing | 2 | | | |
| | Master of Science | 3 | | | |
| | Master of Health Sciences | 8 | | | |
| | Doctor of Nursing Practice | 4 | | | |
| | Doctor of Physical Therapy | 13 | | | |
| | Doctor of Philosophy | 13 | | | |
| | | | 43 | | |
| | | | | 90 | |
| Total | | | | | 1646 |

FINANCE

2. **UM** - Approved the request to escalate the On-Campus Budget for FY 2012. The escalation is required due to additional tuition revenue of \$1.4 million and non-resident fees of \$2.1 million. The escalation will fund scholarships to accommodate increased enrollment.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

| Category | Original FY 2012 Operating Budget | Revision/ Escalation (Number 2) | Revised FY 2012 Operating Budget |
|----------------------------|---|---------------------------------------|--|
| Salaries & Fringe Benefits | \$ 160,692,460 | | \$ 160,692,460 |
| Travel & Subsistence | 1,700,578 | | 1,700,578 |
| Contractual Services | 49,029,577 | \$3,500,000 | 52,529,577 |
| Commodities | 5,761,640 | | 5,761,640 |
| Capital Outlay: | | | |
| Other than Equipment | 4,095,477 | | 4,095,477 |
| Equipment | 2,892,449 | | 2,892,449 |
| Subsidies, Loans & Grants: | 7,300,103 | | 7,300,103 |
| Total: | \$231,472,284 | \$3,500,000 | \$234,972,284 |

3. **USM** - Approved the request to enter into an aviation charter service agreement with Air Planning, LLC to arrange charter flights for the 2012 football season for the USM football team. The length of the contract coincides with the dates of the first and last flight. The first flight is scheduled for August 31, 2012, and the last flight is on November 10, 2012. The total cost of the contract is \$381,742 with payments due in three stipulated amounts. Costs associated with Federal Excise Tax, Segment fees, Passenger Facility Charges, and standard beverage services are included in the cost of the contract. Additional fees and costs may be assessed under the agreement which include unanticipated fees associated with passenger screening, tax charge increases, and optional skycap service. The agreement also allows for a fuel price surcharge if the cost of actual fuel prices incurred for a charter flight is greater than the base fuel charge allowed for this agreement which is \$3.50 per gallon. Funds are available from Auxiliary Funds. This agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
4. **USM** - Approved the request to enter into an agreement with Business Communications, Inc. for the purchase of replacement production server hardware for use with the university’s ERP/SOAR system including the installation and maintenance/support services. The contract length is four years - July 1, 2012 to June 30, 2016. The total cost for the production server hardware, related equipment, and Premier System Support is \$267,444 – \$181,380 for Hardware/Equipment Purchase and \$86,064 for Manufacturer Support Services (\$5,379 per server or \$21,516 per year for four servers). In the event there is a national price decrease for the purchased hardware during the initial ninety (90) days of the contract, Business Communications will extend the lower pricing to USM. The agreement will be funded by Education and General Funds. This agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
5. **UMMC** - Approved the request to enter into an agreement with Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response (AMR) for non-emergent medical transportation services to patients who no longer require acute care hospitalization and/or treatment and for which no other payer source for transportation is available. The length of the contract is three years – July 1, 2012 to June 30, 2015. The annual cost will not exceed \$350,000 for an overall maximum contract price of \$1,050,000 for the three-year term. The maximum annual cost of \$350,000 is variable based on the following factors: (1) AMR’s fees schedule for different types of transportation, (2) a potential rate adjustment at any time during the term of this contract in an amount not to exceed the amount necessary to account for any cumulative percentage increase in the average of the Consumer Price Index for “Medical Care” and “Medical Care Services” Major Groups upon thirty (30) days written notice, and (3) a potential rate adjustment at any time during the term of this contract based on cost factors such as unexpected or unusual increases in the cost of fuel, supplies or labor, or, new

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

- regulatory or patient care standards. The agreement will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
6. **UMMC** - Approved the request enter into an agreement with INO Therapeutics, LLC d/b/a Ikaria to provide unlimited use of INOMAX (nitric oxide) pharmaceutical medical-grade gas and related services. The initial term of the contract is for three years – July 1, 2012 to June 30, 2015. After the initial term, the agreement may be renewed for additional periods of one year each upon the written consent of the parties and approval of the IHL Board. The total cost for the contract term is \$6,369,984. UMMC will pay \$176,944 monthly for thirty-six months for the unlimited use of the INOtherapy Services. The agreement will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
 7. **UMMC** - Approved the request to enter into a supplemental agreement with Jackson Municipal Airport Authority (JMAA) to lease 12,845 square feet in additional space located within a building the university currently leases from JMAA. The additional space will be used for administrative office space, storage space for components of the State Medical Response System (SMRS), and training and emergency management administration. The Mississippi Department of Health (funding conduit source) will co-locate support staff and increase the logistical capabilities to support SMRS. The original lease agreement is effective February 1, 2012 to June 30, 2015. The term of the supplemental agreement is effective beginning July 1, 2012 and continues through June 30, 2015. The cost per square foot for the additional space is \$7, which is the same fee assessed in the original lease agreement. The cost for the original lease period of February 1, 2012 to June 30, 2015 was \$461,350 for the 19,285 square feet. The cost to increase the square footage by 12,845 square feet for the period July 1, 2012 to June 30, 2015 is \$269,745.12 bringing the overall contract cost to \$731,095.12. The cost includes funds to cover the cost of required identification badges at \$10 per badge and includes \$10,000 for improvements to the facilities. UMMC will be reimbursed by the Mississippi Department of Health and Human Services via grant funds received from the Centers for Disease Control's Public Health Emergency Preparedness cooperative agreement and the U.S. Department of Health and Human Services' Hospital Preparedness Program. This agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
 8. **UMMC** - Approved the request to amend the current software maintenance agreement with Lawson Software Americas, Inc. to upgrade maintenance and support for the Lawson ERP software suite that the university currently uses for the core business functions such as Human Resources, Payroll, Finance, Grants Management, and Supply Chain. The term of the upgrade amendment is for the remaining two years of the 2011 maintenance plan agreement - July 1, 2012 to June 30, 2014. The total cost of the amendment for the remaining two years of the contract period is \$125,000. This amendment will increase the total contract cost to \$1,773,021.63. A breakdown of costs for the original plan and upgrade is included in the bound *June 21, 2012 Board Working File*. The amendment will be funded by hospital patient revenues budgeted within the UMMC's Department of Information Services' Operating Account. This agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
 9. **UMMC** - Approved the request for the following related actions in conjunction with the agreement with Recombinant Data Corp: (1) to initiate a second Statement of Work (SOW) for software and services related to the launch of the Enterprise Data Warehouse, (2) to amend the Master Services Agreement with Recombinant Data Corp., and (3) to enter into a software license and

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

maintenance/support agreement required to conduct the second SOW. For the second SOW, the term is estimated to last approximately seven months, July 1, 2012 to January 30, 2013; however, it will not extend beyond June 30, 2013. The amendment to the Master Services Agreement, under which all SOWs are incorporated, commenced on March 21, 2011. The initial term of this agreement is for a two-year term ending March 20, 2013. The agreement will automatically renew for up to three one-year terms or through March 20, 2016 unless written notice of non-renewal is provided by either party within the sixty days of the renewal date. The software licence and maintenance/support agreement is for a five-year period – July 1, 2012 to June 30, 2017. The initial term is for one year – July 1, 2012 to June 30, 2013. The agreement will automatically renew for up to four years or through June 30, 2017 unless written notice of non-renewal is provided by either party within sixty days of the renewal date. The maximum total cost for the entire agreement is \$1,060,512 which includes: (1) \$100,000 attached to the first SOW that did not require Board approval, (2) \$850,000 attached to the second SOW, which includes a fee of \$50,000 for the Data Trust License, a fee of \$50,000 for the Selectrus License, and a maximum cost of \$750,000 for Phase II - Enterprise Data Warehouse Launch, and (3) \$110,512 for the five-year license agreement that includes maintenance and support for the Recombinant Software. UMMC will be invoiced annually at a rate of 20% (or \$20,000) of the software license fees for the first year. The following four (4) years are subject to an annual rate adjustment which will not exceed the Consumer Price Index (CPI) for all Urban Consumers as published in the Wall Street Journal on the anniversary of the effective date of the agreement. UMMC has estimated the possible increase to be approximately 5% annually. A breakdown of the annual costs is included in the bound *June 21, 2012 Board Working File*. The agreements will be funded with both general funds (40%) and hospital patient revenue (60%). The agreements which have been reviewed and approved by the Attorney General's Office are on file in the Board Office.

10. **UMMC** - Approved the request to enter into an agreement with Rotolo Consultants, Inc. (RCI) for grounds maintenance and landscape management services weekly, Monday through Friday, to specified areas of the UMMC campus. The initial term of the contract is for two years and contains an option for renewal of the agreement for three additional one-year terms for a maximum total contract term of five years – July 1, 2012 to June 30, 2017. The total cost for the five year contract is \$2,214,144.96. The agreement will be funded by Education and General Funds. The University of Mississippi will reimburse UMMC \$38,843.04 annually for costs associated with grounds maintenance services for the areas around the School of Pharmacy. This agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
11. **UMMC** - Approved the request to amend the maintenance and support agreement with Siemens Medical Solutions USA, Inc. This is the second amendment and will extend the term of the expanded maintenance and support services schedule. As a result of continuing the expanded service schedule, it is expected that the current maintenance and support agreement between the parties will terminate approximately twenty-four months early, on or about March 31, 2013, in anticipation of the full implementation of the EPIC system. The term of the amendment is for nine months – July 1, 2012 to March 31, 2013. As a result of this amendment, there is no change to the total approved contract amount of \$5,993,760.34 as approved by the Board in March 2010. By extending the time period in which Siemens is to provide increased levels of service and application support to UMMC, it is expected that the current agreement will be terminated approximately twenty four months early resulting in an estimated savings to UMMC of at least \$443,793.52. The

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

amendment will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

12. **IHL - Student Financial Aid** - Approved the request to escalate the budget due to the deficit appropriation received during the 2012 Legislative session - Senate Bill 2332, as follows:

| Category | Original FY 2012 Budget | Revision/ Escalation | Revised FY 2012 Budget |
|---------------------------------------|----------------------------|-------------------------|------------------------------|
| Salaries & Fringe Benefits | \$495,149 | \$9,335 | \$504,484 |
| Travel & Subsistence | 10,000 | | 10,000 |
| Contractual Services | 452,429 | (9,000) | 443,429 |
| Commodities | 16,000 | | 16,000 |
| Capital Outlay: | 10,000 | | 10,000 |
| Total Operating | 488,429 | (9,000) | 479,429 |
| | | | |
| Loans/Scholarships/Grants | 30,845,559 | 604,665 | 31,450,224 |
| Total | \$31,829,137 | \$605,000 | \$32,434,137 |

REAL ESTATE

13. **UM** - Approved the appointment of Cooke Douglass Farr Lemons as the design professional for **IHL 207-357, Interior Heating Modification - Thad Cochran National Center for Natural Products Research**. The project converts the building from steam to hot water and will run simultaneously with the early stages of another project which adds an additional 90,000 square feet. The two projects are contractually separate. While the modifications will not occur inside the Thad Cochran building itself, they will affect the south part of its site and systems will connect to it. Because of the complexity of this project and its direct connection to the Thad Cochran building, it is important to maintain consistency in design and project administration. Therefore, Cooke, Douglass, Farr, and Lemons was chosen as the design professional. The proposed project budget is \$2.5 million dollars. Funds are available from Internal R&R (\$2.5 million).
14. **MSU** - Approved the request to name an animal research building within the Wise Complex as the “J. Gregg Boring Biomedical Research Building.” The building is an 8,645 square foot building constructed in 1988 at the Wise Complex to accommodate animal research being conducted in the Biomedical Research Center headed by Dr. Gregg Boring of the College of Veterinary Medicine. Dr. Boring served the College of Veterinary Medicine from 1978 until his retirement in 2010.
15. **UM** - Approved the request to re-name the former Walmart building as “The Jackson Avenue Center at The University of Mississippi.” The building sits across Jackson Avenue from the main campus. The university is currently renovating the building into academic and research space. It is important that the building becomes identifiable with The University of Mississippi.
16. **UMMC** - Approved the request to sole source the Pneumatic Tube System for the **IHL 209-532, Cardiovascular Renovations**. The existing System in the adjacent and surrounding Hospital patient care areas is a Swisslog CTS Matrix system. As part of this project two new stations and two new transfer units are required. This project will include renovation of existing space and new building expansion (3 floors) to provide a new (69,361 square feet) modern Cardiovascular Clinic/Services area. An additional 16,000 square feet will be added as a basement floor level shell to be used for future Radiological services and will increase the total square footage to 85,361 square feet. The project budget is \$20,182,526.00 (\$94,800 for Pneumatic Tube System). Funds are available from UMMC EBC bond funds.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

17. **UMMC** - Approved the request to sole source the Card Access/Security System for **IHL 209-532, Cardiovascular Renovations**. The existing Card Access/Security System for UMMC Campus and the adjacent Hospital patient care areas is a Johnson Controls system. This project will include renovation of existing space and new building expansion (3 floors) to provide a new (69,361 square feet) modern Cardiovascular Clinic/Services area. An additional 16,000 square feet will be added as a basement floor level shell to be used for future Radiological services and will increase the total square footage to 85,361 square feet. The project budget is \$20,182,526.00 (\$187,000 for Card Access/Security System). Funds are available from UMMC EBC bond funds.
18. **USM** - Approved the request to purchase a residential property adjacent to the Hattiesburg campus that is roughly 1,903 square feet and that is located on approximately 0.61 acres of land in Forrest County, MS from Norman A. Bagby, Jr., Frances B. Stanley Alston, William G. Bagby, Sr., and Mary Katherine Justice in the amount of \$120,000. The average of two independent property appraisals is \$122,500. A tentative closing date has been set on or before August 1, 2012 or upon an earlier or later date as agreed upon by both parties. A Phase I Environmental Site Assessment has been conducted on the property. No recognized environmental conditions are evident at the subject property. The EDR report listed no regulatory findings for the subject property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities.

LEGAL

19. **UMMC** - Approved the request to hire Richard Myers, Mandy Decker, Terry L. Wright, Stephen Weyer, Jennifer Kovalcik and Nicolo Davidson of Stites & Harbison, PLLC as outside counsel for intellectual property matters. The attorneys will, from time to time upon request of the university, perform services necessary for obtaining patents for design, processes, products and other patentable materials developed in connection with the UMMC. The term of this contract is July 1, 2012 through June 30, 2013. Either party may terminate on thirty days notice. The hourly rate to be charged by the attorneys would be from \$165 to \$310 per hour. The maximum amount payable under the contract would be \$95,000. The Attorney General has approved this request.
20. **USM** - Approved the request to hire Adams & Reese, LLP, as outside counsel to perform services as necessary and render legal advice in the practice areas of labor and employment law, public contracts, education and education related law; assist the university in the audit of various university policies; represent the university upon request with respect to various claims filed with the U.S. Equal Employment Opportunity Commission; and provide various training to university administrators, faculty and staff in the areas related to the practice areas referenced. The hourly rate to be charged will be \$235 per hour blended rate for time expended by attorneys and \$110 per hour for the time expended by paralegals. Disbursements will include any long distance telephone charges, delivery charges, photocopy and drawing costs, computer search charges, filing fees, travel expenses, and the like incurred in the connection of this engagement. The approval will be for a period of time beginning on March 13, 2012 and expiring on June 30, 2013. Either party may terminate on thirty days notice. The maximum amount budgeted for payment would be \$50,000. The Attorney General has approved this request.
21. **USM** - Approved the request to hire George E. Estes, III, and Estes & Estes, P.A., to represent USM in a real estate transaction by performing a title examination and handling a real estate closing and related transactions pertaining to the purchase by USM of a piece of property adjoining its Gulf Park Campus situated in Long Beach, Mississippi. Services to be rendered include the closing,

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

performing a title examination, preparing closing documents, recording the deed of conveyance, and paying all associates recording fees. The total fees and expenses to be paid Estes & Estes, P.A. is \$778. This will be a one time service and not an ongoing contractual agreement. The Attorney General has approved this request.

22. **USM** - Approved the request to hire the law firm of Butler, Snow, O'Mara, Stevens and Cannada, LLC as outside counsel to perform legal services in the practice areas of taxation, intellectual property and commercial matters, including trademark and patent matters. In addition, representation will include providing specific advice related to and, if needed, undertaking the representation of the university in possible litigation with respect to a trademark legal issue between the university and the University of Iowa. This is a proposed renewal of an existing legal services contract. The hourly rate to be charged will be \$225 for intellectual property/patent work and taxation matters, \$215 for commercial matters, and \$85 for legal assistants. Disbursements to the firm for related expenses will include those for long distance telephone charges, delivery charges, photocopying and drawing costs, computer search charges, government filing fees, travel expenses, and the like, incurred in connection with this engagement. The contract period will be from July 1, 2012 through June 30, 2013. The total amount payable pursuant to the contract for legal services shall not exceed \$50,000. The Attorney General has approved this request.

23. **PERSONNEL REPORT**

EMPLOYMENT

Jackson State University

Deborah Faye Dent, Interim Vice President of Information Management, salary \$157,000 per annum, pro rata; E&G Funds; effective August 1, 2012

Mississippi University for Women

(This item is also reported in the Tenure section)

Daniel Joseph Heimmermann, Provost and Vice President for Academic Affairs and Professor of History; hired with tenure; salary of \$165,000 per annum, pro rata; E&G Funds; effective August 1, 2012

University of Southern Mississippi

(Rehired Retiree on Employment Contract for FY 2012)

Thomas G. Estes; *Interim* Vice President for Finance and Administration; salary of \$195,000 per annum pro rata; E&G Funds; effective June 18, 2012

CHANGE OF STATUS

Jackson State University

Johnnie Mills-Jones, *from* Associate Dean & Professor of School of Life Long Learning; *salary* of \$106,977 per annum, pro rata; E&G Funds; *to* Interim Assistant Provost for Extended Learning; no change in salary; effective July 1, 2012

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

Mississippi University for Women

- Jim Borsig, *from* President, *to* President and Professor of Political Science in the Department of History, Political Science, and Geography in the College of Arts and Sciences; no change in salary; *effective* June 2012
- Jennifer Miles, *from* Vice President for Student Affairs, *to* Vice President for Student Affairs and Professor of Educational Leadership in the Department of Education in the College of Education and Human Sciences; no change in salary; *effective* June 2012
- Scott Tollison, *from* Chair of the Department of Business Administration and Associate Professor of Management Information Systems; salary of \$65,891 (ten-month contract); E&G Funds; *to* Dean of the College of Business and Professional Studies and Associate Professor in Management Information Systems; salary of \$114,700 per annum, pro rata (twelve-month contract); E&G Funds; *effective* July 1, 2012

Mississippi Valley State University

- Curressia Brown, *from* Dean of the Graduate College; *salary* of \$90,000 per annum, pro rata; E&G funds, *effective* June 30, 2012; *to* a nine (9) month faculty position as Assistant Professor in the Department of Business Administration, *salary* of \$40,596 per annum, pro rata; E&G funds; *effective* August 15, 2012
- Tazinski Lee, *from* Dean of the College of Arts & Sciences; *salary* of \$95,626 per annum, pro rata; E&G funds, *effective* June 30, 2012; *to* a nine (9) month faculty position as Associate Professor of Public Administration in the Department of Social Science, *salary* of \$59,776.13 per annum, pro rata; E&G funds; *effective* August 15, 2012
- Mary Minter, *from* Dean of the College of Professional Studies and Education; *salary* of \$95,000 per annum, pro rata; E&G Funds, *effective* June 30, 2012; *to* a temporary Assistant to the Provost for NCATE, no change in salary; *effective* July 1, 2012 through October 31, 2012

University of Southern Mississippi

Katherine Elizabeth Nugent, *from* Associate Dean, College of Health; Director, School of Nursing; and Professor of Nursing; *salary* of \$140,394 per annum, pro rata; E&G Funds; *to* Dean, College of Nursing, and Professor of Nursing; *salary* of \$170,000 per annum, pro rata; E&G Funds; *effective* July 1, 2012

SABBATICAL

Jackson State University

Jean M. Farish, Chair and Professor of School, Community and Rehabilitation Counseling, College of Education; *salary* of \$75,541 per annum, E&G Funds; for sabbatical leave; May 1, 2012 through October 31, 2012

Mississippi University for Women

Patricia Dennis, Associate Professor of Geography/Social Sciences Education; *from* *salary* of \$44,800 per nine-month contract period; E&G Funds; *to* *salary* of \$22,400 per annum, pro rata for sabbatical period; E&G Funds; *effective* August 10, 2012 to August 9, 2013; professional development

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

TENURE

All items listed below grant tenure while promotions are specifically noted - effective 2012-2013. All are nine-month contracts except where noted. All twelve-month contracts are effective July 1, 2012 and the nine-month contracts effective date is noted for the institution.

Alcorn State University

(Nine month contracts effective August 14, 2012)

- Robert Carr, Associate Professor, Department of Education and Psychology, School of Education and Psychology (*twelve-month contract*)
- LasShundia Carson, promotion to Associate Professor, Department of Education and Psychology, School of Education and Psychology
- Clyde Posey, Professor, Business Administration, School of Business
- Yufeng Zheng, promotion to Associate Professor, Department of Advanced Technologies, School of Agriculture, Research, Extension, and Applied Sciences

Mississippi State University

(Hired with Tenure)

- Jacqueline L. Garner, Associate Professor, Finance and Economics, salary of \$157,500 per annum, pro rata; E&G Funds; effective August 16, 2012
- Ratneshwar Jha, Associate Professor, Department of Aerospace Engineering and Director of the Raspet Flight Research Laboratory, Bagley College of Engineering, salary of \$160,000 per annum, pro rata; E&G Funds; effective July 1, 2012 (*twelve-month contract*)

Mississippi University for Women

(Hired with Tenure)

Daniel Joseph Heimmermann, Provost and Vice President for Academic Affairs and Professor of History; salary of \$165,000 per annum, pro rata; E&G Funds; effective August 1, 2012

University of Mississippi

Correction to the May 17, 2012 agenda. The titles that followed "promotion to" on the May agenda for UM faculty were the current titles, not the new titles. The listing below reflects the new titles of faculty who received promotions in conjunction with tenure.

- Susan Hannah Allen, promotion to Associate Professor, Department of Political Science, College of Liberal Arts
- RoSusan D. Bartee, promotion to Professor, Department of Leadership and Counselor Education and Program Coordinator, School of Education
- Sarah E. Blackwell, promotion to Associate Professor, Elementary Education, Department of Curriculum and Instruction, School of Education
- Elaine Baird Day, promotion to Associate Professor, Department of Biology, College of Liberal Arts
- Elizabeth Kaye Ervin, promotion to Associate Professor, Department of Civil Engineering, School of Engineering
- Christopher R. Green, promotion to Associate Professor, School of Law
- Mary Elizabeth Hayes, promotion to Associate Professor, Department of English, College of Liberal Arts

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

- Seong Bong Jo, promotion to Associate Professor, Department of Pharmaceutics and Research Assistant Professor in the Research Institute of Pharmaceutical Sciences, School of Pharmacy (*twelve-month contract*)
- Kirk A. Johnson, promotion to Associate Professor, Departments of African-American Studies and Sociology, College of Liberal Arts
- Willa Elaine Mathis Johnson, promotion to Associate Professor, Department of Sociology, College of Liberal Arts
- Andre Peter Liebenberg, Gwennette P. and Jack W. Robertson Chair of Insurance and promotion to Associate Professor of Finance, School of Business Administration
- Sally L. McWhite, Political Papers Archivist and promotion to Associate Professor, General Library (*twelve-month contract*)
- Debra Riley-Huff, Web Services Librarian and promotion to Associate Professor, General Library (*twelve-month contract*)
- Tanya Maren Ruetzler, promotion to Associate Professor, Department of Nutrition and Hospitality Management, School of Applied Sciences
- Ziaeddin Shariat-Madar, promotion to Associate Professor, Department of Pharmacology, Research Assistant Professor in the Research Institute of Pharmaceutical Sciences and Director of the University of Mississippi Light Microscopy Core, School of Pharmacy (*twelve-month contract*)
- Mohammed Bashir Salau, promotion to Associate Professor, Department of History, College of Liberal Arts
- Christopher David Sapp, promotion to Associate Professor, Department of Modern Languages, College of Liberal Arts (*twelve-month contract*)
- Steven C. Skultety, promotion to Associate Professor, Department of Philosophy, College of Liberal Arts
- John Harwood Sonnett, promotion to Associate Professor, Department of Sociology and Anthropology, College of Liberal Arts
- James Joseph Taylor, promotion to Associate Professor, Department of Nutrition and Hospitality Management Program, School of Applied Sciences
- Dwight Ernest Waddell II, promotion to Associate Professor, Department of Health, Exercise Science and Recreation Management, School of Applied Sciences, and Research Assistant Professor of Computer and Information Science, School of Engineering
- Ahmet Yukleyen Croft, promotion to Associate Professor, Department of Sociology and Anthropology, College of Liberal Arts

University of Mississippi Medical Center

- Jeffrey D. Carron, promotion to Professor, Department of Otolaryngology, School of Medicine (*twelve-month contract*)
- Arthur L. Calimaran, Associate Professor, Department of Anesthesiology, School of Medicine (*twelve-month contract*)
- Maheshkumar P. Mahta, Professor, Department of Anesthesiology, School of Medicine (*twelve-month contract*)
- Connie K. Machado, Associate Professor, Academic Information Services, Academic Information Services (*twelve-month contract*)

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

TERMINATION

Mississippi University for Women

Everett Caston, Interim Provost and Vice President for Academic Affairs, effective June 29, 2012

EMERITUS STATUS

Alcorn State University

- Robert Butler, *rom* Professor of English and Foreign Languages; *to* Professor Emeritus of English and Foreign Languages; *effective* July 1, 2012
- Troy Stewart, *from* Professor of Chemistry; *to* Professor Emeritus of Chemistry; *effective* July 1, 2012

University of Mississippi Medical Center

Neva Farbizo Greenwald, *from* Associate Professor, School of Health Related Professions; *to* Associate Professor Emeritus, School of Health Related Professions; *effective* July 1, 2012

ACADEMIC AFFAIRS

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **East Mississippi Community College** - Approved Stage III in the process for establishing a registered nursing program at East Mississippi Community College (EMCC). Approval of Stage III allows the school of nursing to qualify for full accreditation for a new program. Stage III includes a site visit during the last semester of the first graduating class in conjunction with the national nursing accrediting body, submission of NCLEX-RN® examination results of the first class, information on graduate employment, and submission of application for Stage III Qualify for Full Accreditation. The state survey team consisting of a representative of the Accreditation Review and Evaluation Committee of the Mississippi Council of Deans and Directors of Schools of Nursing (MCDDSN) and the IHL Director of Nursing Education made a site visit on October 4 - 6, 2011 in conjunction with the National League for Nursing Accrediting Commission (NLNAC), to validate the application for full accreditation and all materials pertaining to the nursing program. EMCC submitted the final report from NLNAC granting Initial Accreditation, with the next evaluation visit in Fall 2016, a completed application for Stage III and supportive evidence to qualify the program for full accreditation for a new program.

FINANCE AGENDA

Presented by Trustee Aubrey Patterson, Chair

On motion by Trustee Patterson, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Patterson, seconded by Trustee Pickering, all Trustees legally present and participating

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

voted unanimously to approve agenda item #2. On motion by Trustee Patterson, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Patterson, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Patterson, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #5. On motion by Trustee Patterson, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #6. On motion by Trustee Patterson, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve agenda item #7.

1. **JSU** - Approved the proposed Residency and Out-of-State Tuition Waiver Policy which authorizes and defines the criteria for granting waivers of out-of-state tuition to Jackson State University students. More specifically, this policy is implemented to include out-of-state tuition waivers as recently authorized, effective July 1, 2012, through the amendment to Miss. Code Ann. § 37-103-25 (3). This policy reflects, and shall be construed in conformity with, the *Policies and Bylaws* of the Board of Trustees of State Institutions of Higher Learning (IHL) and with Mississippi statutory law, including Miss. Code Ann. § 37-103-25, as amended. This policy shall be effective upon approval by IHL and JSU, with individual waivers becoming applicable as of the date approved by the JSU President, unless otherwise indicated in the categories as set forth in the bound *June 21, 2012 Board Working File*. The out-of-state waivers for urban scholars program and mission-specific are authorized, on a case-by-case basis, in addition to those in existence by virtue of prior statutory law and the IHL *Policies and Bylaws*. All waivers are contingent upon the student's submission to JSU of timely (before the start of the applicable semester) and adequate proof of having met the applicable criteria. The policy and supporting financial projections provided by JSU have been reviewed and approved by Board Staff and counsel.
2. **MSU** - Approved the amendment of the existing contracts with Aramark Educational Services, LLC. for 1) the food service management services contract, 2) the game day concessions contract, and 3) a revision to the multi-year food service (board) rates for fiscal years 2014 and 2015. The purpose of the amendments to each of the contracts is to obtain a commitment from Aramark to make additional investments at MSU which will increase the university's capacity to provide food services to MSU's growing student population in Starkville. At the same time, it will increase the diversity of offerings to students and employees. Specific details regarding the amended scope of work is shown in the bound *June 21, 2012 Board Working File*. The food services contract will be extended an additional five years from the current expiration date of June 30, 2017 to June 30, 2022. The term of the game day concessions contract will not change from the current agreement's stipulated expiration date of June 30, 2020. It is estimated that the amendment of the food services contract will generate an additional \$9.5 million to \$10 million in revenue. As a recap, the majority of the additional revenue will be realized as follows: 1) capital investments in dining service facilities-\$3,720,000, 2) unrestricted grants - \$3,250,000, and 3) contributions in the areas of Maintenance and Repair and Small Equipment funds in the combined amount of \$3.6 million, of which all but \$600,000 to \$700,000 will be new revenues generated by the amendment. In exchange for Aramark's investment to the food service contract, MSU will lower its sales commission for the existing game day concessions contract. This amendment will reduce commissions paid to MSU over the remaining years of contract by \$2,327,340. The amendments to both contracts will result in a net increase in revenue for MSU of approximately \$7,182,660 to \$7,672,660. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

3. **MSU** - Approved the request to amend the existing bookstore contract with Barnes and Noble College Booksellers, LLC. (B&N) to generate an additional investment for renovation and equipment purchases. The purpose of this amendment (Amendment Number Four) is to allow B&N to invest up to \$200,000 to renovate, fixture, and equip the bookstore to enhance store sales particularly in the spirit merchandise and technology offerings. The existing contract will be extended five additional years and would end on October 15, 2020. This extension would enable B&N to amortize the additional capital investment and to enhance the potential commissions received by MSU. A detailed description of the scope of work is shown in the bound *June 21, 2012 Board Working File*. The university should receive approximately \$4.1 million in additional sales commissions as a result of the proposed changes to the sales commission structure and the extended contract period. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
4. **MUW** - Approved the request to amend the existing facilities management services contract with Sodexo Operations, LLC. to add five full-time positions including painter, carpenter, electrician, mechanic and groundskeeper. The only change in the contract is the addition of personnel which will increase the cost of the existing contract to \$190,323.38 on an annual basis. The remaining scope of work as defined under the original contract remains the same. The original term length of the contract for fifty-eight months remains unchanged. The amendment will be effective June 22, 2012 and will continue through the remainder of the contract period of June 30, 2016. Annualized costs under this agreement would increase from \$2,467,761 to \$2,658,084.38. This amendment represents a 7.7% contract increase. The contract will be funded by Education and General (E&G) funds with all applicable charges billed to the auxiliary and restricted fund units. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
5. **USM** - Approved the resolution for the USM Educational Building Corporation (EBC) to issue up to a maximum aggregate principal amount of \$55 million of long-term bonds for the purpose of 1) the construction of Dormitory Replacement Phase II (Century Park II) a 956-bed residential facility which will be predominantly replacement housing (\$49.6 million), 2) refunding of prior debt (\$1,485,000 for refunding Series 1997A), 3) the demolition of buildings (estimated between \$1.5 and \$2 million), and 4) the payment of issuance costs (estimated at \$1,915,000). The Board also approved the related bond documents including the lease, ground lease, preliminary offering statement, trust indenture, continuing disclosure agreement, the bond purchase agreement in substantially final form, and the execution of these documents. As recommended by the financial advisor, the bonds will be issued with a maturity schedule of 23 years. Funds are available from the EBC revenue from operation of the residential facility. The bond documents have been reviewed and approved by the Attorney General's Office.
6. **System** - Approved the Operating Budgets of \$3.8 billion for the System for the fiscal year ending 2013. Included as supplemental information as required by the *Ayers* Settlement Agreement, Board Policy 704.02 Athletic Budget Approval and Reporting, and Board Policy 703.04 Policy Guidelines Subsection (E) are the following: Fiscal Year 2012-2013 *Ayers* Budgets, Fiscal Year 2012-2013 Athletic Budgets, and Fiscal Year 2012-2013 E&G Scholarships, Fellowships & Tuition Waivers. These proposed budgets are included in the *June 21, 2012 Board Working File*.
7. **System** - Approved the FY2014 proposed funding priorities as required for the FY 2014 Legislative Budget Request. A copy of the priorities is included in the *June 21, 2012 Board Working File*.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

REAL ESTATE AGENDA

Presented by Trustee C. D. Smith, Chair

On motion by Trustee Smith, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Real Estate Agenda.

1. **UM** - Approved the initiation of **IHL 207-362, Indoor Practice Facility Food Service**, and the appointment of Tipton Associates as the design professional. The project involves renovating an existing footprint of approximately 5,300 square feet of meeting space and expanding the available conditioned area into an adjacent courtyard and parking area for a total composite area of 9,000 square feet seating 250 persons. This renovation will create a new campus dining facility providing buffet style meals from flexible points of service. Furthermore, the design should integrate elements that evoke thoughts of university athletics and technology, giving identity to the location and the campus it serves. The proposed project budget is \$2.9 million. Funds are available from Auxiliary R&R Reserves (\$2.9 million).

LEGAL AGENDA

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to move agenda items #1 - #4 to the Executive Session Agenda. On motion by Trustee Robinson, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #5 as submitted on the following Legal Agenda.

1. **UM** - Settlement of IHL Self-Insured Workers' Compensation Program Claim No. 55-32947. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
2. **UM** - Settlement of IHL Self-Insured Workers' Compensation Program Claim No. 55-29872. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
3. **UMMC** - Settlement of Tort Claim No. 1686. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
4. **UMMC** - Settlement of Tort Claim No. 1777. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
5. **System** - Approved the request to delegate to the Commissioner the authority to approve the new contract for legal services between the Office of the Attorney General (AG) and IHL for FY 2013, once same is prepared by the AG's Office to include the new total dollar amount resulting from personnel and salary changes for the AG's staff at IHL. The current contract expires at the end of June 2012. The current FY 2012 total contract amount is \$359,614.66. The new contract amount for FY 2013 will be approximately \$395,643.47. The Commissioner's approval and the final contract dollar amount would then be reported to the Board as an information item.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Hank M. Bounds

On motion by Trustee Dye, seconded by Trustee Patterson, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Administration/Policy Agenda. On motion by Trustee Patterson, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #2. Agenda item #3 was approved as shown below.

1. **System** - Approved the appointments of institutional executive officers to serve on various boards as required by their employment contract and Board Policy 301.0806 University Foundation/Affiliated Entity Activities as follows:

| Institutional Executive Officer | Name of Entity |
|---|--|
| Alcorn State University Dr. M. Christopher Brown, II | -Association for the Study of Higher Education, Council on Ethnic Participation -American Commonwealth Project, Presidents Council -Natchez Literary and Cinema Celebration, Advisory Board |
| Delta State University Dr. John Hilpert | -Southern Association of Colleges and Schools -Mississippi Delta National Heritage Area -Cleveland Bolivar County Chamber of Commerce |
| Jackson State University Dr. Carolyn Meyers | -National Institute of Aerospace Foundation (Hampton, VA) -Downtown Jackson Partners, Inc. -Greater Jackson Chamber Partnership Mississippi -Nominated to Homeland Security Board -Mississippi Technology Alliance Board |
| Mississippi State University Dr. Mark Keenum | -MSU Bulldog Foundation Board -Mississippi Technology Alliance Board -Mississippi Delegation for the Board of Trustees of the Southern Association of Colleges and Schools Commission on Colleges |
| Mississippi University for Women Dr. Jim Borsig | -Columbus-Lowndes Development LINK -Board of Directors United Way of Lowndes County |
| Mississippi Valley State University Dr. Donna Oliver | -Mid-Delta Community Development Corporation -Elon University, School of Education Advisory Board |
| University of Mississippi Dr. Dan Jones | -Mississippi Technology Alliance Board -Global Resource Services |
| Commissioner of Higher Education Dr. Hank M. Bounds | -Mississippi Technology Alliance Board |

2. **System** - Approved the appointment of the Board Search Committee Members as follows:

| | |
|--|--|
| Delta State University 1. Alan Perry, Chair 2. Karen Cummins 3. Shane Hooper 4. Hal Parker 5. Aubrey Patterson 6. C.D. Smith | University of Southern Mississippi 1. Robin Robinson, Chair 2. Dr. Ford Dye 3. Bob Owens 4. Christy Pickering 5. Dr. Doug Rouse |
|--|--|

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

3. **System** - Selection of a consulting firm to assist with the Delta State University presidential search and the University of Southern Mississippi presidential search.

A motion was made by Trustee Patterson to grant the Board Search Committee chairs and Board president the authority to make a formal recommendation to the Board at a future meeting via conference call. Trustee Perry amended the motion to grant the Board Search Committee chairs and Board president the authority to notify the Board of the recommendation and proceed with hiring the consulting firm unless a board member requests a telephonic meeting to further discuss the search firm options after being notified by the Commissioner of the recommended firm. The amended motion was seconded by Trustee Patterson. All Trustees legally present and participating voted unanimously to approve the amended motion.

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

REAL ESTATE

1. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the May 17, 2012 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

LEGAL

2. **System** - The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 2.)

ADMINISTRATION/POLICY

3. **System** - The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.
- a. **System** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve renewals of service expenditure contracts if the original contract was previously approved by the Board and if the contract amount does not exceed 110% of the current contract. Since this contract was originally approved by the Board and the renewal amount did not go up by more than 10%, the Commissioner had the delegated authority to approve the renewal contract." On May 14, 2012, the Commissioner approved the request to amend the current audit services with KPMG, LLP by extending the agreement two additional years. The original contract is slated to expire at the completion of the current audit. After the extension, the System will have contracted for its annual financial and federal OMB Circular A-133 audit services for the next two reporting periods, June 30, 2012 and June 30, 2013. The extension will begin immediately. The total cost to the System will equal \$1,357,575 over the two year period, with all costs shared by the universities and the Executive Office based upon each institution's proportionate share of the audit hours worked at their campus. The two year fee represents a 6.5% increase (\$82,575) over the past two years of obligation to KPMG. Under this extension, KPMG will continue to perform all duties previously outlined in the current agreement. The Executive Office legal staff have reviewed and approved the contract documents.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

- b. **System** - On May 14, 2012, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning January 1, 2012 and ending March 31, 2012. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations.
- c. **System** - In accordance with Board Policy 613 (c) Athletics, each institution is required to submit a summary of their most recent annual Complimentary Athletic Ticket activity. On May 2, 2012, the Commissioner approved the 2012 Complimentary Athletic Tickets Report.
- d. **USM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On June 4, 2012, the Commissioner approved the budget revisions for the Hattiesburg Campus, Gulf Coast Campus, Gulf Coast Research Lab, and Auxiliary budgets for Fiscal Year 2012. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in the total budgets but rather reallocations among individual expenses categories; however, the Hattiesburg campus budget reflects the allocation of appropriations for Geospatial Licenses and Space Efficiency funds distributed after initial approval of the Fiscal Year 2012 Operating Budget. A copy of the documents are included in the *June 21, 2012 Board Working File*.

ANNOUNCEMENTS

- President Blakeslee invited the Institutional Executive Officers to report on the activities on their campuses.
- As part of the *Ayers* Settlement Agreement, IHL agreed to create a private endowment and try to raise \$35 million for this endowment. One million has been donated to the endowment. In order to raise the additional \$34 million, President Blakeslee appointed the *Ayers* Private Endowment Committee as follows:
 - 1. Bob Owens, Chair
 - 2. Ed Blakeslee
 - 3. Robin Robinson
 - 4. C.D. Smith

EXECUTIVE SESSION

On motion by Trustee Perry, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of five litigation matters at the public universities,
Discussion of six personnel matters at the public universities, and
Discussion of the relocation of a business in connection with one of the public universities.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

During Executive Session, the following matters were discussed and/or voted upon:

On motion by Trustee Hooper, seconded by Trustee Cummins, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim case No. 1777 styled as *Gabriel Curtis vs. UMMC et al*, as recommended by counsel.

On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve the settlement of the Tort Claim case No. 1686 styled as *Veronica Thomas vs. UMMC et al*, as recommended by counsel.

The Board received an update on a university litigation matter and an update on the plans for the relocation of a business at one of the public universities.

On motion by Trustee Pickering, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers' Compensation Program Claim No. 55-32947 and Claim No. 55-29872 styled as *Claudine Perry vs. UM et al.*, as recommended by counsel.

The Board received an update on six personnel matters at the public universities.

On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to return to Open Session.

**FINANCE COMMITTEE
MEETING REPORT
May 17, 2012**

Following the adjournment of the Board meeting, the Finance Committee met to discuss budget priorities, issues and accomplishments of the university as presented by Mississippi State University staff members. The following Finance Committee members attended the meeting: Trustee Patterson (Chair), Trustee Hooper, Trustee Parker, Trustee Perry, and Trustee Pickering. Trustee Rouse was absent. (Note: He attended the Academic Affairs meeting which was held simultaneously.) Vice President Owens also attended.

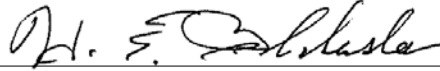
**ACADEMIC AFFAIRS
COMMITTEE REPORT
May 17, 2012**

Following the adjournment of the Board meeting, the Academic Affairs Committee met to discuss the academic priorities, challenges, and accomplishments of the university as presented by the Mississippi State University staff members. The following Committee members attended the meeting: Trustee Rouse (Chair), Trustee Cummins, Trustee Dye, Trustee Robinson, and Trustee Smith. President Blakeslee also attended.

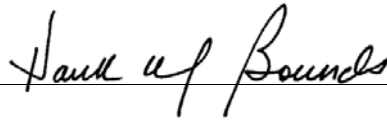
**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Patterson, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to adjourn the meeting.



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 21, 2012**

EXHIBITS

- Exhibit 1 Real Estate items that were approved by the IHL Board staff subsequent to the May 17, 2012 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

June 21, 2012

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE May 17, 2012 BOARD MEETING SUBMISSION DEADLINE

NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL.

Change Order Approval Note: No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff.

1. ASU – GS 101-269 – Dumas Hall Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$44,499.28 and thirty (30) additional days to the contract of Paul Jackson & Son, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 24, 2012

Change Order Justification: **Change Order #4** is necessary to include a dual basin fixture as specified, additional steel plates, fasteners and grout to fill holes uncovered during demolition, new shut-off valve to finish installation & testing of the new gas piping in the building and modifications to the duct above the stair lobby 200 and reception 201 are necessary in order to fit above the present ceiling that cannot be lowered any further.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$184,458.16.

Project Initiation Date: January 31, 2008

Design Professional: Duvall Decker Architects, P.A.

General Contractor: Paul Jackson & Son, Inc.

Contract Award Date: December 7, 2010

Project Budget: \$7,000,000.00

Funding Source(s): HB 246, L'07 (\$2,057,735.00); HB 1641, L'08 (\$368,847.64); SB 2988, L'03 (\$300,000.00); SB 2010, L'04 (\$4,273,417.36)

2. MSU – GS 105-343 – Lee Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to West Brothers Construction, Inc., the lower of nine (9) bidders, for a total contract amount of \$15,057,079.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 26, 2012

Project Initiation Date: June 16, 2011

Design Professional: Dale and Associates, Architects P.A.

EXHIBIT 1

June 21, 2012

General Contractor: West Brothers Construction, Inc.

Contract Award Date: April 26, 2012

Project Budget: \$20,700,000.00

Funding Source(s): HB 1641, L'08 (\$2,463,146.89); HB 1722, L'09 (\$4,660,866.80); HB 1701, L'10 (\$8,000,000.00); SB 3100, L'11 (\$5,575,986.31)

3. MSU– GS 113-130 – Necropsy Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$93,173.82 and five (5) additional days to the contract of T.L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 19, 2012

Change Order Justification: **Change Order #1** is necessary to provide overflow storm drain lines & all applicable hangers, downspout covers & insulation, remove existing temporary roof & replace with corrugated sheet metal roof, including a new thimble anchor, galvanized umbrella, and heat resistant caulking, demolish existing wall at door 105, remove & relocated existing utilities once the new wall is in place, demolish existing wall at door 101, install new wall, remove top courses of CMU to the bottom of the lowest pipe penetration, provide additional temporary fence due to the difference in scale on Go.1, remove & relocate existing 4" roof drain piping, relocate existing hot water heater, relocate existing 3" chilled water return piping, relocate VAV box, relocate 14" medium pressure supply duct from existing air handler unit and remove & reroute duct in corridor H1008.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$93,173.82.

Project Initiation Date: October 21, 2010

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: T.L. Wallace Construction, Inc.

Contract Award Date: December 2, 2011

Project Budget: \$12,697,791.22

Funding Source(s): HB 1701, L'10 (\$12,697,791.22)

4. MSU – GS 113-134– Wise Center Classroom Addition

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Pryor & Morrow Architects and Engineers, P.A. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: May 15, 2012

Project Initiation Date: November 17, 2011

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$1,900,000.00

Funding Source(s): SB 3100, L'11 (\$1,000,000.00); HB 1701, L'10 (\$700,000.00); Tuition Funds (\$200,000.00)

EXHIBIT 1

June 21, 2012

5. MSU – IHL 205-231 – South Entrance Road – PH 1

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Falcon Contracting Company, the lower of three (3) bidders, for a total contract amount of \$980,805.90

Staff Approval Date: May 9 2012

Project Initiation Date: August 15, 2007

Design Professional: Neel-Schaffer

General Contractor: Falcon Contracting Company

Contract Award Date: May 9, 2012

Project Budget: \$5,000,000.00

Funding Source(s): Self-Generated Funds (\$120,000.00); Federal Highway Administration (\$4,880,000.00)

6. MSU – IHL 205-260– Expansion and Renovation to Davis Wade Stadium

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by LPK Architects, P.A., design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved request to advertise for receipt of bids.

Staff Approval Date: May 14, 2012

Project Initiation Date: May 19, 2011

Design Professional: LPK Architects

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$80,000,000.00

Funding Source(s): EBC Bonds (\$80,000,000.00) / Commercial Paper

7. UM– IHL 207-345 – University Housing – Package A

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$4,406.96 and zero (0) additional days to the contract of D. Carroll Construction.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$614.39 and zero (0) additional days to the contract of D. Carroll Construction.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$6,728.00 and zero (0) additional days to the contract of D. Carroll Construction.

Staff Approval Date: #1 (May 2, 2012); #2 (April 26, 2012); #3 (April 30, 2012)

Change Order Justification: **Change Order #3** is necessary for construction & drip line fence repair including installation of gate to allow access to the west side of the west building from Guess Hall and installation of a new inlet to help with storm water run-off.

Change Order #4 is necessary to repair the fence damaged by the window installer on the south side of the site. **Change Order #5** is necessary to furnish & install the site drainage lines that connect the 2” condensation drain lines that are installed to the site

EXHIBIT 1

June 21, 2012

drainage basins as the connection point for the condensate drains is beyond the 5'-0" distance of the building.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$20,579.42.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: D. Carroll Construction

Contract Award Date: June 22, 2011

Project Budget: \$39,314,500.00

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

8. UM– IHL 207-345 – University Housing – Package C

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$13,546.10 and zero (0) additional days to the contract of SMSA.

Staff Approval Date: April 26, 2012

Change Order Justification: **Change Order #3** is necessary to modify the original contract requirements for future construction i.e. to build out the basement area for food service, classrooms and housing office area.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$3,731.10.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: SMSA.

Contract Award Date: June 22, 2011

Project Budget: \$39,314,500.00

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

9. UM– IHL 207-345 – University Housing – Package E

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the **credit amount** of \$2,706.90 and zero (0) additional days to the contract of Atlas Group Enterprises, Inc.

Staff Approval Date: April 26, 2012

Change Order Justification: **Change Order #2** is necessary to deduct for cleaning charges to prime contractor who did not clean the project per the contract requirements.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$3,919.40.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Atlas Group Enterprises, Inc.

EXHIBIT 1

June 21, 2012

Contract Award Date: August 9, 2011

Project Budget: \$39,314,500.00

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

10. UM– IHL 207-345 – University Housing – Package G

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the **credit amount** of \$614.39 and zero (0) additional days to the contract of Clinton Interiors, Inc.

Staff Approval Date: April 26, 2012

Change Order Justification: **Change Order #3** is necessary to deduct for cost to repair fence damaged by window installer on the south side of the site.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$38,234.31.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Clinton Interiors, Inc.

Contract Award Date: June 22, 2011

Project Budget: \$39,314,500.00

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

11. UM– IHL 207-345 – University Housing – Package K

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$2,434.00 and zero (0) additional days to the contract of Fireline, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the **credit amount** of \$1,206.80 and zero (0) additional days to the contract of Fireline, Inc.

Staff Approval Date: April 26, 2012

Change Order Justification: **Change Order #1** is necessary for raising the lounge fire sprinkler piping which was required as a result of raising the ceiling height to allow sufficient room for the sidewall grilles installed in the soffit. **Change Order #2** is necessary to deduct for cleaning charges to prime contractor who did not clean the project per the contract requirements.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$1,227.20.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Fireline, Inc.

Contract Award Date: May 24, 2011

Project Budget: \$39,314,500.00

EXHIBIT 1

June 21, 2012

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

12. UM– IHL 207-345 – University Housing – Package L

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$27,461.00 and zero (0) additional days to the contract of Ivey Mechanical Company, LLC.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$3,217.00 and zero (0) additional days to the contract of Ivey Mechanical Company, LLC.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the **credit amount** of \$429.75 and zero (0) additional days to the contract of Ivey Mechanical company, LLC.

Staff Approval Date: April 26, 2012

Change Order Justification: **Change Order #5** is necessary to support the contract that will be awarded to build out the basement area for food service, classrooms and housing office areas and plumbing underground work to save the project from paying for re-work and re-mobilization fees that would result if the work was not started now.

Change Order #6 is necessary to relocate the HVAC vent from a sidewall above the door to the center of the ceiling at the stairwell landing due to the lack of clearance between the top of the doorframe & the ceiling at the center stairwell landing of the north and south buildings. **Change Order #7** is necessary to deduct for cleaning charges to the prime contractor who did not clean the project per the contract requirements and the cost for gas & domestic service to be installed at the proper location indicated in the contract as they were previously installed in the incorrect location.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$112,012.75.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Ivey Mechanical Company, Inc.

Contract Award Date: June 2, 2011

Project Budget: \$39,314,500.00

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

13. UM– IHL 207-346 – Stockard Hall & Martin Hall Brick Veneer Replacement

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Pryor & Morrow Architects and Engineers, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: April 18, 2012

Project Initiation Date: February 17, 2011

Design Professional: Pryor & Morrow Architects and Engineers

EXHIBIT 1

June 21, 2012

General Contractor: TBA
Contract Award Date: TBA
Project Budget: \$8,000,000.00
Funding Source(s): Auxiliary R&R funds (\$8,000,000.00)

14. UM– IHL 207-359 – Housing – Classroom Build-Out

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: April 26, 2012

Project Initiation Date: March 15, 2012

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$1,256,314.41

Funding Source(s): Internal R&R (\$1,256,314.41)

15. UMMC– IHL 209-526 – Cafeteria/Kitchen Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the **credit amount** of \$32,585.00 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the **credit amount** of \$16,806.00 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval Date: April 18, 2012

Change Order Justification: **Change Order #5** is necessary to purchase the correct switches & UPS systems as the new ones are not compatible with the existing computer network system and to relocate an existing telephone panel located in an existing corridor that was not noted on the plans and was not discovered until the walls were torn down in the demolition phase of the project. **Change Order #6** is necessary to replace the Aladdin Tray Carts (24 ea.) to Lockwood Tray Carts (24 ea.) as a cost savings measure.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$103,005.00

Project Initiation Date: August 20, 2009

Design Professional: The McCarty Company Design Group, P.A.

General Contractor: Fountain Construction Company

Contract Award Date: January 17, 2012

Project Budget: \$7,750,000.00

Funding Source(s): Hospital Patient Revenue (\$7,750,000.00)

EXHIBIT 1

June 21, 2012

16. UMMC– IHL 209-527 – Ophthalmology Renovations-764 Lakeland

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$202,259.20 and one hundred seven (107) additional days to the contract of Fountain Construction Company.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the **credit amount** of \$125,266.01 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval Date: April 18, 2012

Change Order Justification: **Change Order #3** is necessary for additional window film on grade level windows & repair ground floor leaks at existing windows & walls, additional exterior plaster finish for the exterior side of the wall between the new egress corridor & the parking area to provide walk-up counters at four check-in/check-out windows instead of wall openings, omit the projection screen for conference room 104, change the window shade fabric, add 3-way switching and dimming for exam room lights, add the power connections for the owner supplied UPS to serve the third floor server room 303, install reinforcing steel plates to certain existing steel beams supporting the fourth floor above the third floor ceilings, install dimmable lights with owner supplied foot controls for certain treatment rooms, a new aluminum door and frame in the existing cased opening with opaque glass to block light & all hardware for latching the door, supply asphaltic sealer and re-stripe the asphalt parking areas of the lower level, provide and install signs, both Hegis room identifications, directional & identification signs and provide black-out glass film to make the conference room 104 dark during presentations. **Change Order #4** is necessary to provide additional structural steel support under the existing concrete floor beneath the sound booths, reconciliation of the HVAC controls allowance package, additional door access controls on doors LP106 & LP399-01, revised ceiling tile & insulation for sound control, additional lighting & dimmer controls in exam rooms 100-01, 106-01, 331, 348 & 349, additional parking lot lighting & additional exit signs.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$379,207.19.

Project Initiation Date: August 20, 2009

Design Professional: Dale Partners Architects, P.A.

General Contractor: Fountain Construction Company

Contract Award Date: September 1, 2010

Project Budget: \$5,279,000.00

Funding Source(s): Interest Income & Restricted Funds (\$5,279,000.00)

17. UMMC – IHL 209-530 – Classroom Renovations 2009

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the **credit amount** of \$54,314.42 and ninety-one (91) additional days to the contract of Harris Constructors, Inc.

Staff Approval Date: April 23, 2012

Change Order Justification: **Change Order #5** is necessary to deduct for unused allowance amounts and the additional days as an adjustment for impacts to critical path

EXHIBIT 1

June 21, 2012

elements from Owner's required rescheduling of "noisy" activities that disrupted classes & operations in adjacent areas during the course of the contract.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$113,658.94.

Project Initiation Date: November 19, 2009

Design Professional: Dale Partners Architects, P.A.

General Contractor: Harris Constructors, Inc.

Contract Award Date: March 7, 2011

Project Budget: \$1,210,000.00

Funding Source(s): Student Tuition (\$720,000.00); Indirect Cost Income (\$490,000.00)

18. UMMC – IHL 209-532 – Cardiovascular Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$23,169.00 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval Date: May 15, 2012

Change Order Justification: **Change Order #1** is necessary to provide an ADA temporary ramp allowing for an existing sidewalk to be used for exit from the north wing & classroom wing and School of Nursing wings & provides a path for wheel chairs to safe areas beyond potential building emergency threats as well as provides a temporary detour of visitors and/or employees that require wheel chair assistance.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$23,169.00.

Project Initiation Date: February 18, 2010

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.

General Contractor: Fountain Construction Company

Contract Award Date: January 19, 2012

Project Budget: \$20,182,526.00

Funding Source(s): EBC Bonds (\$20,182,526.00)

19. UMMC – IHL 209-534B – Parking, Roadways, and Infrastructure Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Hemphill Construction Company, Inc., the lower of four (4) bidders, for a total contract amount of \$3,350,583.69.

Staff Approval Date: April 30, 2012

Project Initiation Date: April 15, 2010

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.

General Contractor: Hemphill Construction Company, Inc.

Contract Award Date: April 30, 2012

Project Budget: \$11,150,000.00

Funding Source(s): Interest Income (\$625,000.00); EBC Bonds 2010 (\$5,500,000.00), 2011 (\$3,000.00); pending MDA (\$2,025,000.00)

EXHIBIT 1

June 21, 2012

20. UMMC – IHL 209-535 – Learning Resources Renovation - 2010

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$9,539.00 and zero (0) additional days to the contract of Harrell Contracting Group, LLC.

Staff Approval Date: May 8, 2012

Change Order Justification: **Change Order #7** is necessary to replace a broken window on the south side of the third floor and before the new hardware/cylinders arrived for installation, the old hardware had to be temporarily installed and then removed when the new hardware arrived.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$244,799.00.

Project Initiation Date: April 15, 2010

Design Professional: Cooke, Douglass Farr Lemons Architects & Engineers, P.A.

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: February 3, 2011

Project Budget: \$3,150,000.00

Funding Source(s): Interest Income (\$1,150,000.00); MCEBC (\$2,000,000.00)

21. USM – GS 108-217 and GS 114-015 – Science Building & Recreation Bldg. Repair & Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$6,686.31 and zero (0) additional days to the contract of J.F. Pate and Associates Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: May 4, 2012

Change Order Justification: **Change Order #4** is necessary to provide wall and roof modifications that are required to coordinate with existing framing that was discovered during demolition and to add solid sod instead of sidewalks as originally specified.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$1,571,806.84.

Project Initiation Date: January 21, 2010

Design Professional: Studio South/Allred Architectural Group

General Contractor: J.F. Pate and Associates Contractors, Inc.

Contract Award Date: July 25, 2011

Project Budget: \$12,292,109.24

Funding Source(s): HB 1641, L'08 (\$249,488.02); SB 2010, L'04 (\$6,031,955.11); SB 2988, L'03 (\$1,279,656.30); SB 3197, L'03 (\$231,009.81); SB 3100, L'11 (\$1,500,000.00); HB 1701, L'10 (\$3,000,000.00)

22. USM – GS 108-260 Phase II – Bolton Hall – Residence Halls Sprinkler Systems

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Hanco Corporation, the lower of three (3) bidders, for a total contract amount of \$322,900.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

EXHIBIT 1

June 21, 2012

Staff Approval Date: May 15, 2012
Project Initiation Date: June 18, 2009
Design Professional: Atherton consulting Engineers, Inc.
General Contractor: Hanco Corporation
Contract Award Date: May 15, 2012
Project Budget: \$2,000,000.00
Funding Source(s): HB 1722, L'09 (\$2,000,000.00)

23. USM – GS 108-267– 2005 Preplanning Business Facility

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Hanco Corporation, the lower of thirteen (13) bidders, for a total contract amount of \$22,391,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: May 8, 2012
Project Initiation Date: March 2, 2005
Design Professional: Eley Guild Hardy Architects, P.A./Studio South
General Contractor: Hanco Corporation
Contract Award Date: May 15, 2012
Project Budget: \$34,000,000.00
Funding Source(s): SB 3100, L'04 (\$340,247.95); HB 1701, L'10 (\$11,259,752.05); SB 3100, L'11 (\$15,200,000.00); USM Foundation/Donations (\$7,200,000.00)

24. USM– Gulf Park - IHL 214-014 – Hardy Hall Storm Damage Repair

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$21,073.83 and seven (7) additional days to the contract of C. Perry Builders, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$26,423.92 and fifteen (15) additional days to the contract of C. Perry Builders, Inc.

Staff Approval Date: #3 (April 19, 2012); #4 (May 4, 2012)

Change Order Justification: **Change Order #3** is necessary to add data & conduit to kitchen's point of sale system, relocate existing downspout to coordinate roof drainage with the elevator override requirement, to provide wing walls at corridors 202 & 302 at the public waiting areas as these are load bearing walls, changes to be made to the attachment condition for the elevator rails due to a 7" offset condition at the wall of the elevator pit and replacement of cut floor joists discovered after demolition. **Change Order #4** is necessary to delete parking lot lights per owner, to make changes to the RCP in conference rooms 230, 281, 330 & 380 and add electrical outlets, to delete buffet equipment, sink & low height stud wall and replace it with a full height butt glass wall & 6" pilasters for plumbing, to delete all marker boards, to add headers at existing openings & blocking to existing walls, and to make changes to electrical at first floor & planter.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$95,523.65.

Project Initiation Date: August 21, 2008
Design Professional: Dale and Associates Architects, P.A.

EXHIBIT 1

June 21, 2012

General Contractor: C. Perry Builders, Inc.

Contract Award Date: August 22, 2011

Project Budget: \$10,095,459.54

Funding Source(s): Insurance & FEMA reimbursables (\$10,095,459.54)

25. ERC – GS 111-049 – Road Improvements

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by W. L. Burle Engineers. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 17, 2012

Project Initiation Date: October 20, 2011

Design Professional: W. L. Burle Engineers

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$2,400,000.00

Funding Source(s): BOB Discretionary Funds- HB 1701, L'10 (\$1,150,000.00); IHL Discretionary Funds- SB 3100, L'11 (\$750,000.00); HB 1701, L'10 (\$250,000.00); JSU-SB 3100, L'11 (\$250,000.00)

EXHIBIT 2

June 21, 2012

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

Legal fees approved for payment to outside counsel in relation to litigation and other matters:

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 5/4/12) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (This statement, in the amount of \$2,438.25, represents services and expenses in connection with *Jackson HMA, LLC et al. vs. Mississippi Department of Health, et al.*)

TOTAL DUE.....\$ 2,438.25

Payment of legal fees for professional services rendered by Julie Brown (statement dated 5/20/12) from the funds of the Mississippi State University. (This statement, in the amount of \$165.00, represents services and expenses in connection with General Advice.)

TOTAL DUE.....\$ 165.00

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 4/9/12 and 5/18/12) from the funds of Mississippi State University. (These statements, in the amounts of \$2,000.00 and \$2,000.00, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 4,000.00

Payment of legal fees for professional services rendered by Lawrence Bernstein (statements dated 2/1/12 and 3/2/12) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with WUMS - University of Mississippi Campus Radio Station - \$1,137.50 and WUMS - University of Mississippi Campus Radio Station - \$162.50, respectively.)

TOTAL DUE.....\$ 1,300.00

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statements dated 4/10/12 and 5/15/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,513.89 and \$3,345.05, respectively, represent services and expenses in connection with Environmental Audits.)

TOTAL DUE.....\$ 9,858.94

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 7/18/11, 10/24/11, 10/24/11, 10/24/11, 1/11/12, 1/23/12, 1/23/12, 1/23/12, 2/14/12, 2/14/12, 2/14/12, 3/14/12, 3/14/12, 3/14/12, 3/30/12, 3/30/12 and 4/27/12) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with UMMC - North Clinic - General Advice - HMA-Public Records Request - \$473.00; UMMC - North Clinic - General Representation of the Medical

EXHIBIT 2

June 21, 2012

School and Facility Practice Plans - \$365.50; UMMC - 2009 Medicaid Audit - \$43.00; UMMC - *Jackson HMA, LLC vs. UMMC, et al.* - \$23,267.94; General Advice - Reduction in Force - \$440.00; UMMC - *Jackson HMA, LLC vs. UMMC, et al.* - \$14,543.24; UMMC - Property Tax Assessment - \$1,204.00; UMMC - 2009 Medicaid Audit - \$430.00; UMMC - *Jackson HMA, LLC vs. UMMC, et al.* - \$1,290.00; UMMC - North Clinic - General Advice - \$83.71; UMMC - General Advice - Reduction in Force - \$1,140.00; UMMC - Faculty Practice Plan - \$64.50; UMMC - HMA-Transaction and Antitrust Analysis - \$14,039.50; UMMC - *Jackson HMA, LLC vs. UMMC, et al.* - \$645.00; UMMC - *Jackson HMA, LLC vs. UMMC, et al.* - \$623.50; UMMC - General Advice - Deferred Compensation - \$365.50 and UMMC - *Jackson HMA, LLC vs. UMMC, et al.* - \$553.50, respectively.)

TOTAL DUE.....\$ 59,571.89

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 1/18/12, 1/18/12, 1/18/12, 1/18/12, 1/18/12, 1/18/12, 1/23/12, 1/23/12, 1/23/12, 1/23/12, 1/23/12, 3/19/12, 3/19/12, 4/11/12, 4/11/12 and 4/11/12) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled *King* - \$313.50; *Zeigler/Varnado* - \$5,928.55; *Kermode* (Federal Case) - \$8,514.00; *Kermode v. Park* - \$4,356.00; *Kermode* (State Case) - \$2,326.50; UMMC - General Advice - \$1,732.50; *Mawson* - \$1,518.00; *Zeigler/Varnado* - \$13,386.90; *Kermode* (Federal Case) - \$2,902.30; *Kermode vs. Park* - \$482.75; *Kermode* (State Case) - \$241.50; *Britton* - \$396.00; *Sellers* - \$396.00; *Zeigler/Varnado* - \$3,069.00; *Williams* - \$5,915.00; *Zeigler/Varnado* - \$5,247.00 and *Emtel* - \$9,636.00.)

TOTAL DUE.....\$ 65,965.50

Payment of legal fees for professional services rendered by Bryan Nelson, P.A. (statement dated 11/10/11) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$371.10, represents services and expenses in connection with a personnel issue.)

TOTAL DUE.....\$ 371.10

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 4/5/12) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the case styled *The University of Iowa, et al. v. The University of Southern Mississippi* - \$225.00.)

TOTAL DUE.....\$ 225.00

EXHIBIT 2

June 21, 2012

Legal fees approved for payment to outside counsel in relation to patent and other matters:

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 5/2/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Registration - Bulldog Head" - \$106.25; "Registration - Bulldog Head in Miss. State Circle" - \$106.25; "Registration - Bulldog with Mstate" - \$106.25; "Registration - Cowbell in Circle" - \$191.25; "Registration - Miss. State Banner" - \$106.25; "Registration - Mississippi State University (words)" - \$170.00; "Registration - Mississippi State University (crest)" - \$42.50; "Registration - Mstate" - \$191.25; "Registration - Paw Print" - \$170.00; "Engine Speed Controller" - \$1,297.50; "MSU-Change Analyst" - \$1,083.75; "Giant Myscanthis Provisional Plant Patent Application" - \$446.25; "Utility Application - System for Stabilizing Gas Hydrates at Low Pressures" - \$1,297.50; "MSU - Patent Functional Enhancement of Antimicrobials" - \$1,690.00; "Triglyceride-Secreting Strain of Rhodococcus Opacus" - \$295.00; "Diethylene Tricabamide and Diethylene Tricabamide-Formaldehyde Condensation Resins-CIP Application" - \$1,678.75; "Buckscore Logo" - \$701.25; "XOS Production by Autohydrolysis of Corn Fiber Separated from DDGS" - \$2,677.50; "Production of Densified and Water Repellant Solids by Binding Particles" - \$892.50; "Oral Vaccination of Fish with Live Attenuated Edwardsiella ictaluri Vaccines" - \$127.50; "Generation of Imazapic Resistance Switchgrass Population" - \$297.50; "Buckscore Pre-litigation Infringement" - \$786.25; "Process and Catalyst for Converting Biomass Derived Nitrogen Rich Syngas to Liquid Hydrocarbon Mixture by a Single Stage" - \$125.00 and "Method of Epitaxial Growth of Silicon Carbide" - \$565.00.)

TOTAL DUE.....\$ 15,151.25

Payment of legal fees for professional services rendered by Valauskas Corder (statements dated 3/13/12, 4/26/12 and 4/26/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Preparation of Draft Form License" - \$1,500.00; "Provisional Wood Preservation System" - \$600.00 and "Provisional Wood Preservation System" - \$250.00, respectively.)

TOTAL DUE.....\$ 2,350.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 3/14/12, 3/14/12, 3/14/12, 3/14/12, 3/14/12 and 3/29/12) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "8-Aminoquinolines" - \$1,066.75; "8-Aminoquinolines" - \$1,063.50; "8-Aminoquinolines" - \$1,563.25; "8-Aminoquinolines" - \$726.50; "8-Aminoquinolines" - \$848.50 and "A Novel Selective Inhibitor of Prolycarboxypeptidase" - \$127.50, respectively.)

TOTAL DUE.....\$ 5,396.00

EXHIBIT 2

June 21, 2012

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 10/24/11, 1/23/12, 2/14/12 and 3/14/12) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: "Gut Prosthetic Patent" - \$1,222.50; "Gut Prosthetic Patent" - \$265.00; "Gut Prosthetic Patent" - \$127.50 and "Gut Prosthetic Patent" - \$536.50, respectively.)

TOTAL DUE.....\$ 2,151.50

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 4/9/12 and 4/24/12) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: "Urban - Covalent Attachment of Bacteriophages to Polymeric Surfaces" - \$450.00 and "Lockheed Oil Dispersant Patent" - \$85.00.)

TOTAL DUE.....\$ 535.00

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 5/2/12) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: "Method for Front Matching Stereo Vision" - \$935.00; "Soy Protein Adhesives and Uses Thereof" - \$1,151.25 and "Application for Registration of D.E.E.P. Comprehension Service Mark" - \$446.25.)

TOTAL DUE.....\$ 2,532.50