

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

BE IT REMEMBERED, That the Mississippi 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 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 14, 2021, to each and every member of said Board said date being at least five days prior to this June 16, 2022 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader (via Zoom), and Dr. J. Walt Starr. The meeting was called to order by Mr. Tom Duff, President, with Trustee Gee Ogletree providing the invocation.

INTRODUCTION OF GUESTS

- President Duff noted that several presidents were unable to attend the meeting. He welcomed the following officials representing each institution:
 - Dr. Ontario Wooden, Provost and Senior Vice President for Academic Affairs, representing Dr. Felecia Nave, President of Alcorn State University
 - Dr. Alisa Mosely, Provost and Vice President for Academic Affairs, representing Mr. Thomas Hudson, President of Jackson State University
 - Dr. Kathie Stromile Golden, Director of International Program and Special Assistant to the President, representing Dr. Jerryl Briggs, President of Mississippi Valley State University.
 - Ms. Allyson Easterwood, Vice President for Finance and Administration, representing Dr. Rodney Bennett, President of the University of Southern Mississippi.
- President Duff also welcomed Mr. Kennedy Guest, President of the Executive Council of the Student Association at Mississippi State University.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Ogletree, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on May 19, 2022.

CONSENT AGENDAS

On motion by Trustee Morgan, seconded by Trustee Cunningham, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

ACADEMIC AFFAIRS

1. **SYSTEM** – Approved the following modifications to existing academic degree programs:
RENAME

- a. **MUW** – Current Program Title: Bachelor of Arts (BA) in Women’s Studies
Proposed Program Title: Bachelor of Arts (BA) in Women’s, Gender, and Sexuality Studies
Academic Unit: College of Arts & Sciences, Department of Languages, Literature, & Philosophy
CIP Code, Sequence: 05.0207, 5834
Total credit hours: 124
Effective date: August 2022
- b. **USM** – Current Program Title: Bachelor of Arts (BA) in Public Relations and Advertising
Proposed Program Title: Bachelor of Arts (BA) in Strategic Communication
Academic Unit: School of Communication
Current CIP Code, Sequence: 09.0900, 5544
Proposed CIP Code, Sequence: 09.0909, 5544
Total credit hours: 120
Effective date: August 2022
- c. **USM** – Current Program Title: Bachelor of Arts (BA) in Journalism
Proposed Program Title: Bachelor of Arts (BA) in Digital Journalism
Academic Unit: School of Communication
CIP Code, Sequence: 09.0401, 5546
Total credit hours: 120
Effective date: August 2022

DELETE

- d. **USM** – Program Title: Master of Science (MS) in Communication
Academic Unit: School of Communication
CIP Code, Sequence: 09.0101, 4325
Total credit hours: 30
Effective date: August 2022

2. **SYSTEM** – Approved the following modifications to existing academic units:
Rename

- a. **ASU** – Current Title: Honors Curriculum Program
Proposed Title: Myrlie-Evers Williams Honors Program
Unit Location: The Honors Building
Effective date: April 2022
Five-year cost of implementation: \$0
- b. **USM** – Current Title: School of Communication
Proposed Title: School of Media and Communication
Unit Location: College of Arts and Sciences
Effective date: August 2022
Five-year cost of implementation: \$3,750

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

Rename and Reorganize

- c. **UMMC** – Current Title: Department of Neurobiology and Anatomical Sciences
Proposed Title: Department of Advanced Biomedical Education
Unit Location: School of Medicine
Effective date: July 2022
Five-year cost of implementation: \$300,000 for salary alignment and faculty development
 - d. **UMMC** – Current Title: Department of Microbiology and Immunology and Department of Cell and Molecular Biology
Proposed Title: Department of Cell and Molecular Biology
Unit Location: School of Medicine
Effective date: July 2022
Five-year cost of implementation: \$100,000 for salary alignment
 - e. **UMMC** – Current Title: Department of Clinical and Diagnostic Sciences
Proposed Title: Department of Radiologic Sciences and Department of Medical Laboratory Sciences
Unit Location: School of Health Related Professions
Effective date: July 2022
Five-year cost of implementation: \$500
3. **SYSTEM** – Approved the following degrees to be conferred in Summer 2022, provided each candidate has met all requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total
Jackson State University				
	<i>Undergraduate</i>			
	Bachelor of Arts	12		
	Bachelor of Business Administration	58		
	Bachelor of Music	5		
	Bachelor of Music Education	1		
	Bachelor of Science	312		
	Bachelor of Science Education	18		
	Bachelor of Social Work	34		
	Bachelor of University Studies	10		
	<i>Graduate</i>			
	Master of Arts	4		
	Master of Arts in Teaching	78		
	Master of Business Administration	37		
	Master of Music Education	4		
	Master of Public Health	3		
	Master of Public Policy and Administration	2		
	Master of Science	75		
	Master of Science in Education	34		
	Master of Social Work	57		
	Specialist in Education	44		
	Doctor of Education	5		
	Doctor of Philosophy	129		
	Doctor of Public Health	22		
	Total Undergraduate Degrees		450	

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total
	<i>Total Graduate Degrees</i>		494	
	<i>Total Degrees</i>			944
Mississippi University for Women				
	<i>Undergraduate</i>			
	Bachelor of Applied Science	5		
	Bachelor of Art	11		
	Bachelor of Business Administration	7		
	Bachelor of Fine Art	1		
	Bachelor of Music	1		
	Bachelor of Professional Studies	2		
	Bachelor of Science	26		
	Bachelor of Science in Nursing	265		
	<i>Graduate</i>			
	Master of Art in Teaching	6		
	Master of Business Administration	11		
	Master of Fine Art	11		
	Master of Science in Nursing	24		
	<i>Total Undergraduate Degrees</i>		318	
	<i>Total Graduate Degrees</i>		76	
	<i>Total Degrees</i>			383

FINANCE

4. **JSU** – Approved the request to enter an Agreement with PATH Company LLC (PATH) to develop an Energy Efficiency Performance Plan for JSU. This agreement commences on the date of execution and ends 270 days after its start date, which shall be no later than June 30, 2023. The contract amount is \$497,426. The contract will be funded with Higher Education Emergency Relief Funds (HEERF) and University Funds from Reduced Energy Expenditures. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **MSU** – Approved the request to enter a new contract with Adobe for an Adobe Enterprise Term License Agreement (ETLA) by utilizing the Mississippi Department of Information Technology Services’ purchasing contract with the National Association of State Procurement Officials (NASPO) for the purchase of software for the State of Mississippi. The ETLA consists of the Creative Cloud suite of applications for all active employees (4,701) and half the currently enrolled student population (10,730). The term of the contract is three-years from May 1, 2022, through April 30, 2025. The contract amount is \$1,477,639.29 and will be funded with general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **MSU** – Approved the request to enter a new contract with Mythics Inc. for Oracle Software Licenses and Services in order to run Ellucian Banner for MSU and IHL. In addition, Oracle licenses are required for other MSU critical enterprise systems. The term of the agreement is three years from July 1, 2022 through June 30, 2025. The contract amount is

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

- \$1,798,015.23. The contract will be funded with General Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **MSU** – Approved the request to enter a new contract with Honorlock, Inc. to provide online proctoring services for use during exams to ensure that student identity is verified, that students have complied with testing requirements and to monitor and report testing irregularities. The term of the contract is one year with the option to renew for additional one-year terms up to three years. The contract amount is \$974,700, or \$324,900 annually. The contract will be funded with General Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 8. **MSU** – Approved the request to enter a contract for services with Prophet Brand Strategy, Inc. (“Prophet”) to assist MSU in managing its transformation and brand activation initiative. Prophet will provide guidance in development and execution of a transformation plan, campus master plan, strategic enrollment plan, and brand strategy in order to best communicate the university’s many success stories and positive impact on the many diverse stakeholders and communities it serves. The term of the agreement begins on the date of execution and ends December 1, 2022. The contract amount is \$1.5 million and will be funded by General Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 9. **MSU** – Approved the request to enter an amendment to its Sublease Agreement with the United States Department of Agriculture/Agricultural Research Service (USDA) for office and laboratory space at the Delta Water Center in Stoneville, MS. Due to significant changes in the cost of construction and expansion of the scope of improvements desired by USDA, the Amendment is necessary to authorize USDA to reimburse MSU for up to an additional \$600,000.00 of improvements to the facilities. The term of the contract is from September 1, 2020 through August 31, 2026. MSU will continue to receive a rental payment of \$136,000 annually under the Sublease. The Amendment will increase the amount MSU will be entitled to reimbursement for improvements desired by USDA. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 10. **MUW** – Approved the request to amend the agreement with Barnes & Noble to allow the offering of the First Day Complete (FDC) program which provides course materials on the first day of class. The effective date of the amendment is July 1, 2022. The original contract ends March 31, 2023. The amendment extends the contract to March 31, 2024, with renewal year to year thereafter. The FDC program is expected to generate additional annual commissions of \$22,308. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 11. **UM** – Approved the request for the University on behalf of the University’s Office of University Marketing & Communications and Division of Enrollment Management to amend the Master of Service Agreement (MSA) with Carnegie Dartlet LLC to add a new Statement of Work #10 (SOW 10), which will provide digital marketing services to support

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

the university's enrollment and brand strategies. The current MSA is scheduled to expire on March 22, 2025. SOW10 has a twelve-month term beginning July 2022 and ending June 2023. The amount of SOW10 is \$499,728. This addition would increase the total amount of the existing Agreement to a sum not to exceed \$2,075,481.76. The source of funding for SOW10 will be split between University Marketing & Communications funds earmarked for the purpose of brand marketing as well as the Division of Enrollment Management funds earmarked for the purpose of enrollment marketing. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

12. **UM** – Approved the request on behalf of the Athletics Department to enter a contract with STM Charters, Inc. for passenger charter air transportation and related services for the 2022 football season. The contract will begin on September 16, 2022 and end on November 19, 2022. The contract amount is \$421,120 billed in two installments. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
13. **UM** – Approved the request for the University on behalf of the Athletic Department to amend a contract with Total Production Services, LLC (TPS) which produces broadcasts of Ole Miss sporting events as requested by the University, on either a linear network, digital platform or both as well as engineering services. This Agreement shall become effective on July 1, 2022 and terminate on June 30, 2027. The Agreement may be renewed for five (5) additional years commencing on July 1, 2027, and terminating June 30, 2032, unless either party gives notice of its intent to terminate the Agreement by providing such notice one hundred twenty (120) days prior to June 30, 2027. The contract amount will be approximately \$750,000 per year. (The exact amount will be determined based on actual future team schedules.) This contract will be funded by the University of Mississippi Athletics Department's operating funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
14. **UMMC** – Approved the request to amend its Agreement for Physician Locums Tenens Coverage with CHG Companies, Inc. d/b/a CompHealth (CompHealth). The Amendment adds CHG Medical Staffing, Inc., d/b/a CompHealth Medical Staffing (CompHealth Medical Staffing) as a party to the agreement and adds advanced practice healthcare professional coverage (APP). The amended agreement provides temporary physician and APP coverage on UMMC's main campus in Jackson, as needed. The term of this amended agreement remains unchanged and is three (3) years, from December 1, 2021, through November 30, 2024. The first amendment will be effective June 20, 2022. The total cost of the amended agreement over the three (3) year term is \$6,675,000. The projected cost of the original agreement was \$3,500,000. The first amendment will add \$3,175,000. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

15. **UMMC** – Approved the request to enter a new Services Agreement with Cross Country Staffing, Inc. (Cross Country) for augmentation of nursing, nursing assistants, therapists, technologists, and technicians to be utilized on an as-needed basis at all UMMC locations. The term of the agreement is five (5) years, from July 1, 2022, through June 30, 2027. The total estimated cost of the agreement over the five (5) year term is \$11,875,000. Beginning in year two (2), UMMC has included ten percent (10%) each year for potential volume increases. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
16. **UMMC** – Approved the request to enter the Second Amendment to the EVA System Placement Program Agreement with Dutch Ophthalmic USA, Inc. (Dutch Ophthalmic) to extend the term of the agreement one (1) additional year. The agreement is for the placement of two (2) EVA Vaccuflow Valved Timing Intelligence Phaco and Vitrectomy Systems with Integrated 532Nm Laser (Vitrectomy System) at UMMC and sale of disposable products utilized on the systems. The Board also approved the request for the institution to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the amended agreement is six (6) years, from July 1, 2017 through June 30, 2023. The original agreement was for a three (3) year term, from July 1, 2017, through June 30, 2020. Amendment No. 1 extended the term to five (5) years, from July 1, 2017, through June 30, 2022. The Second Amendment will extend the term one (1) additional year through June 30, 2023. The total estimated cost of the amended agreement is \$4,550,000. The original estimated cost of the three (3) year agreement was \$1,635,992. The increased cost of the agreement after Amendment No. 1 was \$3,350,000. During the extended term under the Second Amendment, UMMC anticipates the need for an additional \$1,200,000. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow payment of the annual maintenance or service fee in advance of the coverage year. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
17. **UMMC** – Approved the request to enter a Lease Agreement and a Use, License, and Service Agreement (ULSA) (collectively, the “Agreement”) with Intuitive Surgical, Inc. (Intuitive) for the lease, service, and delivery of a da Vinci® Xi Dual Console Surgical System (da Vinci Xi). The da Vinci Xi system is a piece of robotic equipment that performs precise, minimally invasive surgical procedures such as hepatobiliary, lobectomy, and thoracic procedures and decreases the length of stay for each. The term of the Agreement is approximately five (5) years, one (1) month, and twenty (20) days, from June 30, 2022, through August 18, 2027. The term of the Agreement will begin on June 30, 2022, and end five (5) years from the delivery date of the da Vinci Xi System to UMMC. Delivery is anticipated to be on or about August 19, 2022, for an expected expiration date of August 18, 2027. The total estimated cost over the five (5) year term is \$3,625,000, which includes the da Vinci System, delivery of the system, software license, service and maintenance fees for years two (2) through five (5). Beginning in year two (2), UMMC has included an annual ten percent (10%) increase for potential additional service costs for afterhours

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

service and freight. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of service on an annual basis. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

18. **UMMC** – Approved the request to enter a new Lease Agreement (Lease) with the Jackson Municipal Airport Authority (JMAA) for approximately 32,130 square feet of space located at Jackson-Evers International Airport. The leased location provides office and storage space for components of the Mississippi State Department of Health’s (MSDH) State Medical Response System (SMRS), which includes safety and security for UMMC’s mobile field hospital and a training location for the State Medical Assistance Team (SMAT) medical and logistical staff. The term of the Lease is five (5) years, from July 1, 2022, through June 30, 2027. The total estimated cost of the five (5) year term is \$1,457,000.00. Under the lease, UMMC will pay a base rent of \$8.25 per square foot, with a one and a half percent (1.5%) annual increase. UMMC is responsible for an electricity surcharge of \$17,280.00 per year, as well as purchasing ID badges and employee parking, if UMMC’s employees utilize JMAA parking facilities. UMMC employees currently only utilize parking spaces located next to the leased building. While UMMC does not foresee any charges for parking, UMMC has calculated an additional \$350.00 per year for this contingency. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of the monthly rent in advance each month, as well as vehicle parking charges for employees, as applicable. UMMC will pay the Lease costs directly to JMAA; however, MSDH will reimburse UMMC the cost of the Lease via federal grant funds received for public health emergency and/or hospital preparedness. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
19. **UMMC** – Approved the request to enter a Fee Per Case Agreement with Stryker Sales Corporation (Stryker) for the provision of operating room support for surgical cases in the Kathy and Joe Sanderson Tower at Children’s of Mississippi. The services provided under the agreement will allow for support of surgical scopes and related equipment such as cameras and power tools. Stryker’s services include providing assistance with maintenance of the scopes and equipment, repairing them during minimally invasive surgeries, and helping prepare the operating room for the next surgery. The term of the agreement is five (5) years, from July 1, 2022, through June 30, 2027. The total estimated cost of the agreement over five (5) years is \$3,650,000. UMMC has included a ten percent (10%) increase beginning in year two (2) for potential volume increases. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
20. **USM** – Approved the request to enter a contract with Mythics, Inc. for Oracle Software Support and Maintenance which includes PeopleSoft Modules and Oracle Database products. PeopleSoft, owned by Oracle, is the University’s primary enterprise solution. The initial period begins August 1, 2022 and ends November 28, 2025. The End date

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

accommodates the expiration of support agreements at different dates. The total contract cost for the initial three years is estimated at \$2,830,873.53. Payment is expected to be issued on an annual basis upon receipt of an invoice prior to July 31 of each contract year. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to make multi-year prepayments at the beginning of each contract year. The contract will be funded with general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

21. **UM** – Approved the budget escalation to realign major objects and to provide spending authority for additional revenues in the Airport and for greater than anticipated operating fuel costs. Self-generated revenue will be used to fund the increase in operating expenditures.

University of Mississippi FY 2022 Auxiliary Enterprises Budget by Major Object			
Category	Current FY 2022 Operating Budget	Revision/Escalation	Revised FY 2022 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 50,587,309	\$ 78,200	\$ 50,665,509
Travel and Subsistence	8,221,126	(2,000)	8,219,126
Contractual Services	59,602,485	(2,016,547)	57,585,938
Commodities	21,916,858	3,712,191	25,629,049
Capital Outlay: Non-Equipment		-	-
Capital Outlay: Equipment	2,223,955	(4,000)	2,219,955
Mandatory Transfers	21,442,778	-	21,442,778
Non-Mandatory Transfers	6,398,380	(755,000)	5,643,380
Increase in Fund Balance	-	-	-
Total	\$ 170,392,891	\$ 1,012,844	\$ 171,405,735

22. **UM** – Approved the request for permission to file an application for and enter into a FAA Airport Improvement Program Grant Agreement, Grant Number 3-28-0057-041-2022 (the “Grant”) for projects at or associated with the University-Oxford Airport. These projects include install runway 9/27 lighting MIRL, install REILs runway 9, replace wind cone, and install two supplemental wind cones. The Grant is for four years (1,460 calendar days) from the date of acceptance. The maximum obligation of the United States payable under the Grant is \$483,188. Legal Staff has reviewed the grant application for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

REAL ESTATE

23. **ASU** – Approved the initiation of IHL 201-261, Math and Science Building Auditorium Renovation, and the appointment of Canizaro Cawthon Davis as the design professional. The project will be divided into two parts. Part A will address Covid related concerns such as new vinyl auditorium chairs that can be disinfected instead of cloth chairs and new epoxy-based flooring that can be disinfected instead of carpet. Part B will center around addressing issues brought to the attention of the University by the Fire Marshal including

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

a new fire system, installation of natural gas shut off valves and door closers for the total building. Part B will also address ADA issues related to the auditorium. The proposed project budget is \$1,236,159.00. Funds are available from CARES Act Funding through the U.S. Department of Education and University E&G Funds (\$1,236,159).

24. **MSU** – Approved the initiation of IHL 213-147, Livestock Assessment Multi-Purpose Laboratory, and the appointment of PryorMorrow as the design professional. This project will construct a new facility on the South Farm including a demonstration room, support facilities, and a covered arena area. The proposed project budget is \$1.5 million. Funds are available from U.S. Department of Housing and Urban Development Grant Funds and University/MAFES Designated Funds (\$1,500,000).
25. **UM** – Approved the initiation of IHL 207-483, NW Mechanical Plant (Electrical Phase II) to construct a new 46kV/12.47kV substation on the west side of campus to provide an additional 40MW of firm electrical capacity. The substation will consist of a new 46kV overhead primary line, two new 46kV gas circuit breakers and associated disconnect switches, two new 46kV/12.47kV 20MVA transformers, and a new control building to house the medium-voltage switchgear lineup. The project also provides three new duct banks with associated cabling and pad-mounted switchgear to tie the substation into existing campus infrastructure. The project budget is anticipated to exceed \$3 million; therefore, it is required that the university use the Request for Qualifications method for the selection of the design professional. The proposed project budget for design fees only is \$500,000. Funds are available from Internal R&R (\$500,000).
26. **UM** – Approved the initiation of IHL 207-484, Writers Cabin and Community, to create a retreat-style writer’s residency on Greenfield Farm, a 20-acre parcel previously owned by William Faulkner. Greenfield will serve novelists, poets, songwriters, essayists, and other writers with roots or work in Mississippi. The project budget is anticipated to exceed \$3 million; therefore, it is required that the university use the Request for Qualifications method for the selection of the design professional. The proposed project budget for design fees only is \$100,000. Funds are available Internal R&R (\$100,000).
27. **UM** – Approved the initiation of IHL 207-487, UM Early Learning and Evaluation Center, to develop a comprehensive state-of-the-art early childhood center where clinical and educational services are integrated for all children ages birth to 6 years old. The project budget is anticipated to exceed \$3 million; therefore, it is required that the university use the Request for Qualifications method for the selection of the design professional. The proposed project budget for design fees only is \$1 million. Funds are available from SB 3002, Laws of 2022 (\$1,000,000).
28. **UMMC** – Approved the initiation of IHL 209-579, Ridgeland Campus, and the appointment of Cooke Douglass Farr Lemons (CDFL) Architects and Engineers, as the design professional. The project will develop a new campus that allows for the training of health professionals and furthering the academic research mission of UMMC. Providing a much-needed multidisciplinary, educational campus to facilitate the work of the School of Medicine, School of Nursing, Graduate Medical Education programs, and the teaching hospital. The proposed project budget for design fees only is \$1.6 million. Funds are available from Patient Generated Revenue (\$1,600,000).

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

29. **UMMC** – Approved the initiation of IHL 209-582, Update Lakeland Medical Building, and the appointment of Burris/Wagnon Architects, P.A., as the design professional. This project will allow for the renovation and repair of the Lakeland Medical Building’s interior and exterior to include repair of the parking deck structure and waterproofing of the deck, add a canopy at back parking lot at patient drop-off, repair EIFS cladding, repair/replace leaking windows, replace flooring, remove wallcovering and repaint in public corridors. The proposed project budget is \$1,550,000. Funds are available from Patient Generated Revenue (\$1,550,000).
30. **USM** – Approved the initiation of IHL 214-024, The Children’s Center and the DuBard School at Gulf Park. This project is for the design and construction of a two-story facility (approximately 20,000 square feet) on the Gulf Park Campus. The project budget is anticipated to exceed \$3 million; therefore, it is required that the university use the Request for Qualifications method for the selection of the design professional. The proposed project budget is \$7.9 million. Funds are available from Community Project Funding/Congressionally Directed Spending projects funding from the US Department of Health and Human Services and Health Resources and Services Administration as part of the Consolidated Appropriations Act, 2022 (PL 117-103) (\$7,900,000).
31. **MSU** – Approved the exterior design for the project IHL 405-002, Kinesiology and Autism Services Building, on the campus of MSU. A copy of the rendering is included in the *bound June 16, 2022 Board Working File*.
32. **MSU** – Approved the exterior design for the Davis Wade Terraces. This is a MSU Bulldog Club project and will include the construction of new terrace seating in the upper deck of the West Side of Davis Wade Stadium. A copy of the rendering is included in the *bound June 16, 2022 Board Working File*.
33. **UM** – Approved the exterior design for the future project IHL 407-486, Alpha Chi Omega House to be built on the Oxford campus. The scope of this project includes demolition of the former Kappa Alpha Theta house and construction of a new Alpha Chi Omega house on the same site. A copy of the rendering is included in the *bound June 16, 2022 Board Working File*.
34. **UM** – Approved a sublease between The Alumni Association of Alpha Gamma of Chi Psi (“Chi Psi”) and Delta Tau Delta Fraternity (“Delta Tau”) and authorized the University Chancellor to execute the Prime Landlord’s Consent on behalf of the Board of Trustees of State Institutions of Higher Learning. Delta Tau seeks to sublease for one year the residential facility located on lot #303 on the UM Campus, which it currently leases from IHL/UM, to Chi Psi. Delta Tau currently does not have a residential facility on UM’s campus. This is a sublease for a residential facility on fraternity lot #303 on the University of Mississippi’s Oxford campus that was erected by Chi Psi. The primary lease between the IHL/UM and Chi Psi is for a thirty-year term, from June 1, 2015, to May 31, 2045. The primary lease between the IHL/UM and Chi Psi imposes an annual \$50 lease payment to UM. The base rent under the sublease between Chi Psi and Delta Tau is \$134,000 for the one-year term, with a \$20,000 security deposit. The IHL/UM may terminate the primary lease with Chi Psi if its initial thirty (30) year term expires and the lease is not renewed. UM may also terminate the primary lease for breach of any of the express conditions listed. These express conditions include building specifications, use of the building, building

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

improvements, running of and paying for utilities, maintenance of building and grounds, and building insurance. The sublease between Chi Psi and Delta Tau may be terminated for the non-payment of rent or if one of the other conditions specified in the sublease is triggered such as failure of Delta Tau, as subtenant, to observe or perform any provision of sublease within 30 days of notice. On May 20, 2005, Chi Psi and the IHL/UM entered a lease for fraternity house lot #303 on the University of Mississippi's Oxford campus. On June 1, 2015, Chi Psi and the IHL/UM entered a second lease for fraternity house lot #303 on the University of Mississippi's Oxford campus. Chi Psi erected a fraternity residential facility on the lot. For financial reasons, Chi Psi has chosen not to occupy the house beginning this spring but rather has decided to sublease. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

35. **USM** – Approved the request to demolish and delete from inventory Building #236 (Blue House) located at 200 N.35th Ave. Hattiesburg, MS. USM acquired this house in 2015. No major renovations were done to the building during the time USM has owned this building. The remaining space after demolition will be used for parking and future expansion. The approval letter has been received from the Mississippi Department of Archives and History stating Building #236 (Blue House) is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
36. **USM** – Approved the request to demolish and delete from inventory Building #224 (Center for Military Veterans) located at 3503 Morningside Drive, Hattiesburg, MS. USM acquired this property in 2012. No major renovations were done to the building during the time USM has owned this building. The remaining space after demolition will be used for parking and future expansion. The approval letter has been received from the Mississippi Department of Archives and History stating Building #224 (Center for Military Veterans) is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
37. **IHL System Office**– Approved the request for Mississippi State University, the University of Mississippi, and the University of Mississippi Medical Center to procure and administer state-funded construction and maintenance projects for FY 2023 as required by House Bill #475, Laws of 2022. The IHL Staff verified that all three institutions meet the Minimum Criteria to self-administer state-funded construction, renovation, and maintenance projects.

LEGAL

38. **MSU** – Approved an Interlocal Agreement with the City of Starkville for the purpose of constructing a multi-use path from Collegeview Drive to Old West Point Road (“Collegeview Connector”). Pursuant to the Interlocal Agreement, the City of Starkville and the University will share equally the cost of design and construction of the project over and above Federal Transportation Alternative Funds that are committed to the project by the Mississippi Department of Transportation. The Board approved the request for the university to make non-substantive revisions to the Interlocal Agreement if requested by the Attorney General's Office. MSU previously initiated a construction project for the Collegeview Connector (IHL# 205-311). This Interlocal Agreement shares the cost of design and construction for the project. The purpose of the Interlocal Agreement is to

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

define the parties' roles, responsibilities and commitments related to the Collegeview Connector Project. The scope of work is to design and construct a multi-use path connecting Collegeview Drive to Highway 182. The connection will provide a needed bike and pedestrian connection from the northwest sector of the campus of MSU to the improved City of Starkville bike and pedestrian corridor along Highway 182. The funding sources for the project are Mississippi Department of Transportation Alternatives Program and MSU Designated Funds. The Attorney General's Office has reviewed the agreement and found same to be compliant with applicable law and Board policy. A copy of the Interlocal Agreement is in the bound *June 16, 2022 Board Working File*.

39. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional legal services with the law firm of Brunini, Grantham, Grower & Hewes, PLLC for the provision of legal advice and counsel on general construction matters, including but not limited to legal and regulatory issues related to construction management advisor and construction manager at risk project delivery methods, contract preparation, negotiations, litigation, internal reviews, bid protests, dispute resolution, claim preparation/evaluation, and other construction matters as assigned. The contract term is one year from July 1, 2022 to June 30, 2023. The hourly rates for partners and associates are \$300 and \$200, respectively, and \$100 for paralegal services, with a maximum amount payable of \$75,000. This firm carries professional liability insurance coverage in the amount of \$15,000,000 per claim and an annual aggregate of \$30,000,000.
40. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional legal services with the law firm of Mayo Mallette PLLC as outside counsel to assist the University on real estate, compliance, internal investigations, employment, and other legal matters as assigned. The contract term is one year from July 1, 2022 to June 30, 2023. The hourly rates are \$250 for partners, \$200 for associates and \$100 for paralegal services with a maximum amount payable of \$60,000. This firm carries professional liability insurance coverage in the amount of \$2,000,000 per claim with an annual aggregate of \$2,000,000.
41. **UM** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Nelson Mullins Riley & Scarborough LLP as outside counsel for the provision of legal services in the areas of Title IX risk management and regulatory compliance, including athletic equity advice on the University's intercollegiate athletics program, and other legal matters as assigned. The contract term is one year from July 1, 2022 to June 30, 2023. The hourly rate is \$485 for attorney Daniel Cohen, with a maximum amount payable of \$50,000. This firm carries professional liability insurance coverage in the amount of \$200 million per claim with an annual aggregate of \$400 million.
42. **UM** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional services with the law firm of Speights Law, LLC as outside counsel for the provision of legal services in the areas of legal review of contracts and other legal matters as assigned. The contract term is one year from July 1, 2022 to June 30, 2023. The hourly rate is \$95 for attorneys with a maximum amount payable of \$50,000. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

43. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional legal services with the law firm of Thomas | Horstemeyer LLP for the provision of legal advice and counsel on intellectual property matters, including patent prosecution, trademarks, IP related litigation, licensing, copyrights, transactions, and applications, filings, and submissions specified in Appendix A attached to the contract. The hourly rates range from \$225 to \$446 for attorneys with a maximum amount payable of \$250,000. TH will also handle certain transactional IP matters for a flat fee based on category of services, at an additional savings to the University. That fee schedule is set out below and attached to the Contract as Appendix A. The contract term is one year from July 1, 2022, to June 30, 2023. This firm carries professional liability insurance coverage in the amount of \$5,000,000 per claim with an annual aggregate of \$5,000,000.

Appendix A

Rates

Preparation, Filing and Prosecution of U.S. Patent Applications

Provisional Applications

Cover Sheet Provisional Application \$500	Includes, where applicable: <ul style="list-style-type: none"> • preparation of transmittal papers • review of application text provided to the Firm • filing of application • include 1 or 2 broad claims to broaden the scope of the disclosure
Category 1 \$1500	Includes, where applicable: <ul style="list-style-type: none"> • preparation of transmittal papers and application text incorporating the invention disclosure • paragraphs containing a reasonable explanation of the invention and various embodiments as well as one or more claim sets filing of application • one revision by the inventor • informal figures • filing of application
Category 2 \$3000	Includes, where applicable: <ul style="list-style-type: none"> • preparation of transmittal papers and application text incorporating the invention disclosure • paragraphs containing a reasonable explanation of the invention and various embodiments as well as one or more claim sets filing of application • one revision by the inventor • informal figures • filing of application • one or more revisions by the inventor • in addition to the substantive information, the application has the look and feel of a non-provisional application so it can be used for marketing purposes filing of application • the figures may not be formal
Category 3 \$5000	Includes, where applicable: <ul style="list-style-type: none"> • preparation of transmittal papers and application text incorporating the invention disclosure • paragraphs containing a reasonable explanation of the invention and various embodiments as well as one or more claim sets filing of application • one revision by the inventor • informal figures

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

	<ul style="list-style-type: none"> • filing of application • one or more revisions by the inventor • more complete claim set <p>In addition to the substantive information, the application has the look and feel of a non-provisional application so it can be used for marketing purposes filing of application.</p>
Category 4 \$7500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparation of transmittal papers and application text incorporating the invention disclosure • paragraphs containing a reasonable explanation of the invention and various embodiments as well as one or more claim sets filing of application • one revision by the inventor • informal figures • filing of application • one or more revisions by the inventor • the figures may not be formal • more complete claim set • full claims sets • multiple revisions by the inventor <p>Category 4 applications may be filed as a non-provisional application with limited effort if the invention is not changed. In addition to the substantive information, the application has the look and feel of a non-provisional application so it can be used for marketing purposes filing of application.</p>

U.S. Utility or PCT Patent Application

Category 1 \$1000	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • conversion of provisional application limited to formal issues • review by the inventor • simple inventorship determination • preparation of transmittal papers • filing of applications
Category 2 \$3500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • additional emphasis on claims and other formal issues • review by the inventor • simple inventorship determination • preparation of transmittal papers • filing of applications
Category 3 \$5500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • additional emphasis on claims and other formal issues • review by the inventor • simple inventorship determination • preparation of transmittal papers • filing of application • additional detail and claims • one or more revisions by the inventor • inventor interview • more complete claim set
Category 4 \$8000	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • additional emphasis on claims and other formal issues • review by the inventor • simple inventorship determination • preparation of transmittal papers

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

	<ul style="list-style-type: none"> • filing of application • additional detail and claims • one or more revisions by the inventor • inventor interview • more complete claim set • full claim sets towards multiple embodiments • multiple revisions by the inventor • longer applications • numerous figures
Category 5 \$10,000	<p>Including, where applicable:</p> <ul style="list-style-type: none"> • additional emphasis on claims and other formal issues • review by the inventor • simple inventorship determination • preparation of transmittal papers • filing of application • additional detail and claims • one or more revisions by the inventor • inventor interview • more complete claim set • full claim sets towards multiple embodiments • multiple revisions by the inventor • longer applications • numerous figures • exceptionally complex technology • long cases (greater than 75pages) • the inventor is difficult to interact with or provides little input • various other documented complexities

**Patent Prosecution
Response to Restriction Requirement**

Category 1 \$300	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparing, filing and reporting response to simple restriction requirement indicating election without traversal
Category 2 \$700	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparing, filing and reporting response to restriction requirement with group election and simple traversal • preparing, filing and reporting response to election of species with indication of applicable claims
Category 3 \$1500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparing, filing and reporting response to restriction requirement with group election and detailed traversal

Response to Office Action/Appeal Brief

The Parties will mutually agree upon the billing category of a response to office action or appeal brief before work on response or brief is authorized

Category 1 \$1500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • review and analysis of less complex office actions and cited publications • developing strategy for response • preparing, filing and reporting response or appeal brief
Category 2 \$2500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • review and analysis of more complex office actions and cited publications • developing strategy for response

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

	<ul style="list-style-type: none"> • preparing, filing and reporting response or appeal brief
Category 3 \$3500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • review and analysis of most complex office actions and cited publications • developing strategy for response • preparing, filing and reporting response or appeal brief
Category 4 \$4500	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • review and analysis of most complex office actions and cited publications • developing strategy for response • preparing, filing and reporting response or appeal brief: • developing strategy for evidentiary declaration under 131 or 132 • consultation with declarant • gathering evidence; preparing declaration • sending declaration out for signature by declarant • filing and reporting declaration
Filing Notice of Appeal \$100	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparing, filing and reporting notice of appeal • review and analysis of office action and cited publications

Additional Filings or Reports

Continuation or Divisional Patent Application \$1000	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparation of transmittal papers and application including priority claim • filing of and reporting filed application • preliminary amendment with new or restricted claims
National Phase Patent Application (simple/complex) \$400 or \$1000	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparation of transmittal papers and application including priority claim • filing of and reporting filed application • filing with existing claims (simple) • preliminary amendment with amended or added claims (complex)
Continuation-in-part Patent Application <i>See Categories for U.S. Utility or PCT Patent Application</i>	<p>Category of continuation-in-part application will be agreed at the time the application is authorized based on the goals for the application. The scope and quality of the application are the primary factors distinguishing the categories.</p>
Request for Continued Examination \$150	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparation, filing and reporting request for continued examination
Patent Assignment Preparation and Recording \$250	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparation of assignment and recordation cover sheet • filing assignment for recordation • reporting filing and recordation
Information Disclosure Statement (simple/complex)	<p>Includes, where applicable:</p> <ul style="list-style-type: none"> • preparation of list of publications and applications to be cited from relevant sources • preparation of transmittal papers

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

\$250-\$600	<ul style="list-style-type: none"> filing and reporting filed statement
Notice of Allowance and Issue Fee Payment \$500	Includes where applicable: <ul style="list-style-type: none"> review and reporting of notice of allowance attention to extensive allowance checklist, including, for example, identifying need to file a continuation or divisional monitoring of issue fee payment due date preparation and filing of issue fee transmittal review of patent application for errors
Report office Action/other Reporting letters/Formality Response \$150	Includes, where applicable <ul style="list-style-type: none"> reporting office action by email and monitoring of due date preliminary review and analysis of office action telephone conference with the University regarding preliminary analysis other reporting letters for assignments, publications, etc.
Review/Correction of Patent Term Adjustment \$150	Includes, where applicable <ul style="list-style-type: none"> preliminary review and analysis of patent term calculation telephone conference with the University regarding patent time

Additional Attorney Analysis

Detailed inventorship analysis Not to exceed \$2500	The Parties will mutually agree upon the cost of inventorship analysis before authorization to begin work based on the information for the application.
Assignee analysis Not to exceed \$2000	The Parties will mutually agree upon the cost of assignee analysis before authorization to begin work based on the information for the application
Prior art search or patentability analysis Not to exceed \$2500	The Parties will mutually agree upon the cost of search or patentability analysis before authorization to begin work based on the goals for the application. Fees for a third-party search firm, if applicable, will be mutually agreed upon before authorization to begin the search.

44. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional legal services with the law firm of Ware | Immigration as outside counsel to provide services as needed regarding immigration matters, including but not limited to the preparation of labor certification applications on behalf of the University for its employees who seek permanent residence status. The contract term is one year from July 1, 2022 to June 30, 2023. The Schedule of Legal Fees is set out below with a maximum amount payable of \$100,000. All services not included in the fee schedule attached to the contract for legal services will be provided at the following hourly rates: David Ware \$350, Other Partners \$250, Associates \$175, and Paralegals \$100.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B petition	\$2250.00*
H-1B extension or amendment petitions (we handled original petition)	\$2250.00*
H-1B withdrawal	\$200.00
H-4 EAD (Employee may pay)	\$750.00

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

*additional legal fee of up to \$2,500 may apply for substantive requests for evidence	
TN petition or border/consulate processing	\$2250.00
TN extension petition (we handled original)	\$2250.00
E-3 petition or consular processing	\$2250.00
E-3 extension petition (we handled original)	\$2250.00
O-1 petition	\$7000.00
O-1 extension or amendment petition (we handled original)	\$4000.00
J-1 waiver (IGA or hardship)	\$7000.00
J-1 waiver (Conrad)	\$7000.00
J-1 waiver (no objection)	\$1500.00
I-539 Fee for Dependents (Employee may pay)	\$1000.00
<u>Permanent Residence Process with Labor Certification: Faculty</u>	
Special Handling labor certification	\$3000.00
(If position must be readvertised)	\$2500.00
Additional fee if audited	\$1500-2500.00
Immigrant petition (I 140)	\$2500.00
<u>Permanent Residence Process with Labor Certification: Non-Faculty</u>	
Labor certification	\$6000.00
Additional fee if audited	\$1500-2500.00
Additional fee if subject to supervised recruitment	\$3000.00
Immigrant petition	\$2500.00
<u>Permanent Residence Process: Outstanding Professors and Researchers</u>	
Immigrant petition	\$7000.00
<u>Permanent Residence Process: National Interest Waiver</u>	
Immigrant petition	\$7000.00
NIW or OP/OR RFE or NOID: case by case determination up to	\$2500.00
<u>Adjustment of Status (any Employment-Based Permanent Residence Matter)</u>	
Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal	\$2500.00
“Standalone” AOS and related applications, principal	\$3000.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1500.00
Adjustment of status of each child, concurrent with I 140	\$1000.00
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2000.00
“Standalone” adjustment of status, child	\$2000.00
Reschedule biometrics appointment	\$150.00
Reschedule adjustment of status interview	\$150.00
I 485 J (standalone cases)	\$1500.00
<u>Employment Authorization and Advance Parole Renewal</u>	
Employment Authorization Renewal per individual	\$500.00
Advance Parole Renewal per individual	\$500.00
<u>Marriage Based Permanent Residence</u>	
Principal Applicant	\$4000.00
Each child, if any	\$2500.00

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

45. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Gore, Kilpatrick and Dambrino, PLLC as outside counsel to attend and provide guidance to UMMC personnel during hearings, depositions and meetings in the Grenada, Mississippi area. The contract term is three years from July 1, 2022 to June 30, 2025. The hourly rate is \$135 for attorneys with a maximum amount payable of \$30,000 over the full term of the contract. This firm carries professional liability insurance coverage in the amount of \$3,000,000 per claim with an annual aggregate of \$3,000,000.
46. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Hogan Lovells US, LLP as outside counsel to advise on matters related to healthcare transactions, tax, antitrust, and regulatory matters related to academic medical center strategy and business issues. The contract term is three years from July 1, 2022 to June 30, 2025. The hourly rate structure is \$950 for the period July 1, 2022, to June 30, 2023; \$985 for the period July 1, 2023, to June 30, 2024; and \$1,015 for the period July 1, 2024, to June 30, 2025. The maximum amount payable under the full term of this contract is \$750,000. This firm carries professional liability insurance coverage in the amount of £20,000,000 per claim with an annual aggregate of £60,000,000.
47. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Mayo Mallette, PLLC as outside counsel to assist and advise on academic and personnel issues including but not limited to academic and employment related litigation. The contract term is three years from July 1, 2022 to June 30, 2025. The hourly rate is \$200 for attorneys with a maximum amount payable of \$600,000 over the full term of the contract. This firm carries professional liability insurance coverage in the amount of \$2,000,000 per claim with an annual aggregate of \$2,000,000.
48. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Stites & Harbison, PLLC as outside counsel for the provision of services necessary in obtaining patents for designs, processes, products and other patentable materials. They will also assist and advise on copyright and tech transfer matters, including license agreements and assignments. The contract term is three years from July 1, 2022 to June 30, 2025. The hourly rates range from \$360 to \$230 for principal and associate attorneys with a maximum amount payable of \$450,000 over the full term of the contract. This firm carries professional liability insurance coverage in the amount of \$30,000,000 per claim with an annual aggregate of \$60,000,000.
49. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the Walker Immigration Law Firm as outside counsel for the provision of services necessary in preparing J-1 waiver applications and employment-based petitions on behalf of UMMC for its incoming and current employees, as well as providing other related services. The contract term is three years from July 1, 2022 to June 30, 2025. The fee schedule is set out below with a maximum amount payable of \$450,000 over the full term of the contract. This firm carries

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000.

Fee Schedule

J-1 Waiver	\$3,000.00
J-1 Waiver Transfer	\$1,500.00
O-1 Petition	\$3,000.00
Initial Fee (PERM)	\$2,500.00
Initial Fee (PERM Special Handling)	\$2,000.00
I-140	\$2,000.00
I-485	\$2,000.00

50. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Watkins and Eager, PLLC as outside counsel to assist and advise on healthcare regulatory and compliance matters, healthcare administrative hearings, human resources issues, including but not limited to employment related litigation, and commercial and general matters. The contract term is three years from July 1, 2022 to June 30, 2025. The hourly rate is \$265 for attorneys with a maximum amount payable of \$1,500,000 over the full term of the contract. This firm carries professional liability insurance coverage in the amount of \$20,000,000 per claim with an annual aggregate of \$20,000,000.
51. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Workman Nydegger as outside counsel for the provision of services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with UMMC. In addition, the firm will assist in commercialization activities including license agreements, assignments, tech transfer matters, opinion letters, and spin-off company formation, as well as advise on copyright and trademark issues. The contract term is three years from July 1, 2022 to June 30, 2025. The hourly rates range from \$500 to \$350 for partners and \$280 to \$250 for associate attorneys with a maximum amount payable of \$150,000 over the full term of the contract. This firm carries professional liability insurance coverage in the amount of \$25,000,000 per claim with an annual aggregate of \$50,000,000.
52. **USM** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Caves & Caves, PLLC as outside counsel for the provision of services related to acting as hearing officers for Title IX proceedings at the University. The contract term is two years from July 1, 2022 to June 30, 2024. The hourly rates are \$195 for partners and \$90 for paralegal services with a maximum amount payable of \$40,000 over the full term of the contract. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000.
53. **USM** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with Colette A. Oldmixon, P.A. as outside counsel for the provision of services related to acting as hearing officers for Title IX proceedings at the University. The contract term is two years from July 1, 2022 to June 30, 2024. The hourly rates are \$195 for partners and \$90 for paralegal services with a maximum amount payable of \$40,000 over the full term of the contract. This firm carries professional liability

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$2,000,000.

54. **USM** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Mendelsohn Dunleavy, PC as outside counsel for the provision of services in the practice area of intellectual property, specifically to include the preparation and filing of patent applications in the U.S. and other jurisdictions. The contract term is two years from July 1, 2022 to June 30, 2024. The hourly rates range from \$200 to \$350 for attorneys and \$100 for paralegal services with a maximum amount payable of \$80,000 over the full term of the contract. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$3,000,000.
55. **MSU** – Approved the agreement between the university and Cornerstone Government Affairs, LLC, for assistance in the university’s pursuit of its in-state government affairs and business objectives, including monitoring and lobbying of legislation of interest to MSU during the regular session of the Legislature and other services throughout the year. The term of the agreement is one year from July 1, 2022, through June 30, 2023. The requested contract amount is \$50,000 and will be paid with private funds (self-generated funds). The Attorney General’s Office has reviewed the agreement and found same to be compliant with applicable law and Board policy. In accordance with Board Policy 201.0506 Political Activity, Cornerstone’s client list and proposed agreement are included in the bound *June 16, 2022 Board Working File*.
56. **MUW** – Pending approval by the Attorney General, the Board approved the contract between the university and Corporate Relations Management (CRM) of Canton, Mississippi, to provide in-state lobbying and government relations consulting services. The term of the agreement is one year from July 1, 2022, through June 30, 2023. The contractual flat fee is \$30,000 to be paid in monthly installments. The fee will be paid with private funds by the MUW Foundation (self-generated funds). In accordance with Board Policy 201.0506 Political Activity, CRM’s client list and proposed agreement are included in the bound *June 16, 2022 Board Working File*.
57. **USM** – Approved the request to continue the agreement with Capitol Resources LLC, in Jackson, MS, to provide state lobbying and government relations and consulting services in Mississippi from July 1, 2022 through June 30, 2023. Capitol Resources will be compensated in the amount of \$48,000 annually, payable in monthly installments of \$4,000 per month, plus reasonable reimbursement of travel expenses, funded by self-generated funds. The Attorney General’s Office has reviewed the agreement and found same to be compliant with applicable law and Board policy. In accordance with Board Policy 201.0506 Political Activity, Capitol Resources’ client list and proposed agreement are included in the bound *June 16, 2022 Board Working File*.
58. **MSU** – Approved the request for Federal Solutions, LLC, to continue to lobby on behalf of the university outside the State of Mississippi in accordance with Board Policy 201.0506 Political Activity.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING**

June 16, 2022

59. **UM** – Approved the request for BGR Governmental Affairs, LLC, a Washington, D.C. based firm, to continue to assist in managing the university’s federal governmental affairs and to represent its interests before federal executive branch agencies and congressional offices and committees in accordance with Board Policy 201.0506 Political Activity.
60. **USM** – Approved the request to continue the agreement between the university and Cassidy & Associates, Inc., in Washington, DC, to provide federal relations services to obtain federal funding to support the infrastructure and research programs and to provide consultation, advice and assistance with the annual federal appropriations requests in accordance with Board Policy 201.0506 Political Activity.
61. **ASU** – Approved Dr. Felecia M. Nave as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
62. **ASU** – Approved Marcus D. Ward as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
63. **DSU** – Approved Dr. Rick Munroe as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
64. **JSU** – Approved Jacqueline Anderson-Woods as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
65. **MSU** – Approved Lee Weiskopf as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
66. **MUW** – Approved Karen Clay as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
67. **MVSU** – Approved Dr. Jerryl Briggs as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
68. **MVSU** – Approved Dameon Shaw as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
69. **UM** – Approved Perry Sansing as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
70. **UMMC** – Approved Kristy Simms as one of the institution’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
71. **UMMC** – Approved Anna Moak Sparks as one of the institution’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
72. **USM** – Approved Chad Driskell as the university’s legislative liaison in accordance with Board Policy 201.0506 Political Activity.
73. **SYSTEM** – Approved Dr. Alfred Rankins, Jr. as one of the IHL Executive Office’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.
74. **SYSTEM** – Approved Kim Gallaspy as one of the IHL Executive Office’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

PERSONNEL REPORT

75. **Employment**

Delta State University

- Elizabeth Belenchia; *rehired retiree*; part-time Instructor in Teacher Education, Leadership, and Research; salary \$35,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2022
- Diana Ezell; *rehired retiree*; part-time Instructor in Teacher Education, Leadership and Research and Coordinator of Educational Administration Programs; salary \$45,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2022
- Beverly Johnston; *rehired retiree*; Adjunct Instructor in Teacher Education, Leadership, and Research; salary \$25,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2022
- Maud Kuykendall; *rehired retiree*; Adjunct Instructor in Teacher Education, Leadership, and Research; salary \$30,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2022
- Kathleen Lott; *rehired retiree*; Advisor and Coordinator of Educational Administration and Supervision and part-time Instructor in Teacher Education, Leadership, and Research; salary \$29,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2022
- Peter Rocconi; *rehired retiree*, Cabling Specialist; salary \$25,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2022
- Dianne Thomas; *rehired retiree*; Adjunct Instructor in Teacher Education, Leadership, and Research; salary \$20,000 per annum, pro rata; Fund 10 funds; 12-month contract; effective July 1, 2022
- Kent Wyatt; *rehired retiree*; President Emeritus; salary \$59,000 per annum; Fund 10 funds; 12-month contract; effective July 1, 2022

University of Southern Mississippi

Randall J. Langston; Senior Associate Vice President for Enrollment Management; salary \$195,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2022

76. **Change of Status**

University of Mississippi

- Virginia Chavis; *from* Acting Associate Provost and Professor of Art; salary of \$99,176 per annum; pro rata; E&G Funds; *to* Associate Provost and Professor of Art; salary of \$215,000 per annum; pro rata; E&G Funds; 12-month contract; effective June 24, 2022
- Ethel Scurlock; *from* Interim Dean of the Sally McDonnell Barksdale Honors College, Senior Fellow of the Luckyday Residential College, and Associate Professor of English and African American Studies; salary of \$142,553 per annum; pro rata; E&G

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

Funds; *to* Dean of the Sally McDonnell Barksdale Honors College and Associate Professor of English and African American Studies; salary of \$225,000 per annum; pro rata; E&G Funds; 12-month contract; effective June 24, 2022

- Jennifer Simmons; *from* Assistant Dean for Student Services; salary of \$83,026 per annum; pro rata; E&G Funds; *to* Assistant Provost; salary of \$160,000 per annum; pro rata; E&G Funds; 12-month contract; effective June 24, 2022

77. **Sabbatical**

Mississippi State University

FROM: Renee M. Clary; Professor of Geosciences; *from* salary of \$89,726.00 per annum, pro rata; E&G and Designated Funds; 9-month contract; *to* salary of \$44,863.00 for sabbatical period; E&G and Designated Funds; effective August 16, 2022, to May 15, 2023; professional development

[Originally approved by IHL Board February 17, 2022]

CORRECTED: Renee M. Clary; Professor of Geosciences; *from* salary of \$89,726.00 per annum, pro rata; E&G and Designated Funds; 9-month contract; *to* salary of \$44,863.00 for sabbatical period; E&G and Designated Funds; effective August 16, 2022, to December 31, 2022; professional development

University of Mississippi

FROM: Likun Zhang; Assistant Professor of Physics and Astronomy; *from* salary \$73,540 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$36,770 per annum, pro rata during sabbatical period; E&G Funds; effective August 18, 2022 to December 31, 2022 and January 23, 2023 to May 13, 2023; professional development (Contingent on being awarded tenure by July 1.)

[Originally approved by IHL Board February 17, 2022]

TO: Likun Zhang; Assistant Professor of Physics and Astronomy; *from* salary \$73,540 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 23, 2023 to May 13, 2023; professional development (Contingent on being awarded tenure by July 1.)

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee Martin, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Cunningham, seconded by Trustee Hubbard, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

1. **SYSTEM** – Approved the request to add the following academic degree programs:
 - a. **JSU** – Master of Science (MS) in Elementary and Special Education
CIP code: 13.9999
Total credit hours: 36
Effective date: August 2022
 - b. **JSU** – Master of Social Science (MSS)
CIP code: 45.0101
Total credit hours: 30
Effective date: August 2022
 - c. **JSU** – Bachelor of Science (BS) in Public Health
CIP code: 56.2201
Total credit hours: 122
Effective date: August 2022
 - d. **UM** – Master of Science (MS) in Dietary Supplement and Medical Cannabis
CIP code: 51.2005
Total credit hours: 30
Effective date: January 2023
 - e. **USM** – Bachelor of Applied Science (BAS) in Cybersecurity
CIP code: 11.1003
Total credit hours: 120
Effective date: August 2022
2. **SYSTEM** – Approved the request to add the following new centers:
 - a. **JSU** – Center Title: Bob Owens Pre-Law Center
Unit Location: College of Liberal Arts
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Effective Date: August 2022
 - b. **USM** – Center Title: Center for Human Trafficking Research and Training (CHRT)
Unit Location: School of Social Work
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Effective Date: August 2022

FINANCE AGENDA

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee McNair, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. On motion by Trustee Parker, seconded by Trustee McNair, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Parker, seconded by Trustee Starr, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #3 and #4. Trustee Gee Ogletree recused himself from discussing

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

or voting on items #5 - #7 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Parker, seconded by Trustee McNair, with Trustee Ogletree absent and not voting and with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #5 - #7. Trustee Ogletree returned to the room following the discussion and vote on items #5 - #7 on the Finance Agenda. Trustee Alfred McNair recused himself from discussing or voting on item #8 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Parker, seconded by Trustee Cunningham, with Trustee McNair absent and not voting and with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #8. Trustee McNair returned to the room following the discussion and vote on item #8 on the Finance Agenda.

1. **SYSTEM** – Approved the fiscal year ending 2023 Operating Budgets for the system. Included as supplemental information as required by the *Ayers* Settlement Agreement, Board Policy 704.02 Athletic Budget Approval and Reporting, and Policy 703.04 Policy Guidelines Subsection E. are: Fiscal Year 2022-2023 *Ayers* Budgets, Fiscal Year 2022-2023 Athletic Budgets, and Fiscal Year 2022-2023 E&G Scholarships, Fellowships & Tuition Waivers. **(See Composite Exhibit 1.)**
2. **SYSTEM** – Approved the FY 2024 proposed funding priorities as required for the 2024 Legislative Budget Request. **(See Exhibit 2.)**
3. **UMMC** – Approved the request for add funds to the Sales, License, and Service Agreement with Intuitive Surgical, Inc. (Intuitive). Under the agreement, UMMC purchased the da Vinci® Xi Dual Console Surgical System (da Vinci Xi), a piece of robotic equipment that performs precise, minimally invasive surgical procedures. The purchase included the da Vinci Xi, instrumentation, accessories, software license and documentation needed to operate the system, service and maintenance, training, and the trade in of equipment previously owned by UMMC. The Board approved the request for the institution to continue to add and remove instruments and accessories from the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is unchanged, from May 1, 2020, through five (5) years from the date of acceptance of the equipment, which was May 5, 2020. The agreement will expire May 4, 2025. The revised estimated cost over the five (5) year term is \$35,750,000. The original estimated cost for the single da Vinci Xi system was \$7,550,000. UMMC anticipates the need for an additional \$28,200,000 for the remainder of the term for the instrumentation and accessories required for both systems and increased volumes. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay for service on an annual basis. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **UMMC** – Approved the request to enter an Organ Transplantation Agreement with Mississippi Organ Recovery Agency, Inc. (MORA) to provide organs for transplantation into UMMC patients. Organs provided by MORA include kidney, heart, liver, and pancreas. UMMC's University Transplant is the only transplant center in the State of Mississippi serving citizens in need of organ transplantation therapy. The term of the agreement is five (5) years and eight (8) days, from August 24, 2022, through August 31,

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

2027. The estimated total cost of the agreement over the five (5) year term is \$54,750,000. Organ Acquisition Charges may vary by 10% above or below the fees set forth in the agreement to ensure compliance with CMS financial standards. Fees are subject to adjustment annually upon prior written notice to UMMC. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **JSU** – Approved the request to enter the following agreements with Enterprise FM Trust and Enterprise Fleet Management, Inc.: 1) a Master Equity Lease Agreement for a customized fleet leasing and management services program; 2) a Maintenance Agreement for the provision of preventative maintenance services for covered fleet vehicles; and 3) a Maintenance Management and Fleet Rental Agreement that establishes specific vehicle maintenance and rental management contract terms and conditions. The agreements will enable JSU to lease 87 vehicles via Open-Ended Lease Schedules that will all receive routine preventative maintenance service. The University will phase in replacement of its current lease vehicles and will add additional vehicles to its existing fleet. The new fleet will be used for administrative, maintenance and service purposes for JSU. The term of the agreements is five (5) years, July 1, 2022 through June 30, 2027. The maximum projected cost for the five (5) year contract term is approximately \$4,176,000.00 for lease, maintenance, title, and registration expenses. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay monthly leasing fees and maintenance fees. The agreement will be funded by E&G funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **UM** – Approved the request to enter a contract with ADT Commercial, LLC to provide annual inspection, testing, and maintenance of building fire alarm systems for 94 campus facilities on a firm fixed-price basis, with additional maintenance and repair work performed as requested on a time and materials basis. The initial term of the contract will be from July 1, 2022 to June 30, 2023. Four optional one-year terms are also part of the agreement. If all options are exercised, the contract end date is June 30, 2027. This contract is estimated at \$175,000 per annum, based on the contractor's proposed price of \$150,453 for the firm fixed-price scope of work and a conservative estimate for the time and materials work. Annual price increases based on the Consumer Price Index will be considered if requested. Using a 9% CPI for annual increases, the total over the potential five-year term is estimated at \$1,050,000. This contract will be funded using educational and general (E&G) funds for academic and administrative buildings, and auxiliary funds for athletics and auxiliary buildings. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **SYSTEM** – Approved the request to renew the auto liability excess insurance coverage with Genesis, a Berkshire Hathaway company. The primary auto liability policy is with Berkley Southeast Insurance Group (Berkley), which was approved by the Board at a prior meeting. The policy term will be July 1, 2022, to July 1, 2023. The premium for this excess insurance is approximately \$262,762.50 for the 2022-2023 policy. The final

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

premium amounts may fluctuate based upon the number of owned vehicles in university fleets. The universities are billed directly for their share of the premium. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

8. **UMMC** – Approved the request to enter a new Medical Office Building Lease (Sublease) with Memorial Hospital at Gulfport (MHG) to sublease approximately 5,440 square feet of clinical space located at 8950 Lorraine Road in Gulfport, Mississippi, for use as a pediatric outpatient clinic. The term of the agreement is thirty-two (32) months, from July 1, 2022, through February 28, 2025. The total anticipated cost of the Sublease is \$488,790 over the thirty-two (32) month term. UMMC’s base rent will be \$11,260.80 per month or \$135,129.60 annually with a two and a half percent (2.5%) increase beginning in year two (2), plus an estimated \$120,500 in operating expenses over the term of the Sublease. Operating expenses were estimated based on historical cost data and adjusted upward for inflation of 5% in the second year of the Sublease. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay rent on the first day of each month. The agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

LEGAL AGENDA

Presented by Trustee Gee Ogletree, Chair

On motion by Trustee Ogletree, seconded by Trustee Starr, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to move item #1 to the Executive Session Agenda. Trustee Gee Ogletree recused himself from discussing or voting on items #2 - #5 on the Legal Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Martin, seconded by Trustee McNair, with Trustee Ogletree absent and not voting and Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #2 - #5. Trustee Gee Ogletree returned to the room following the discussion and vote on items #2 - #5 on the Legal Agenda.

1. **UM** – Settlement of IHL Self-Insured Workers’ Compensation Claim No. 55-42841-1. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION FOR CONSIDERATION.)**
2. **UM** – Pending approval by the Attorney General, the Board approved the request to renew the contract for professional legal services with the law firm of Butler Snow LLP as outside counsel for the provision of legal services in the areas of intellectual property (including patent prosecution), commercialization, construction, business, taxation, regulatory matters, and other legal matters as assigned. This representation as provided herein does not and is not intended to include any representation by the Law Firm for or on behalf of the University as bond counsel or in any related role in connection with any financing transaction undertaken by or for the University, including any other matters which may concern advice in connection with indebtedness of the University. The contract term is one year from July 1, 2022, to June 30, 2023. The blended hourly rate will be \$295 for all attorneys (including patent work) and \$135 for all paralegals, with a maximum amount

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

- payable of \$250,000. This firm carries professional liability insurance coverage in the amount of \$50 million per claim with an annual aggregate of \$100 million.
3. **UMMC** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Butler Snow LLP as outside counsel for the provision of legal advice and counsel on intellectual property matters, healthcare regulatory and compliance matters, healthcare administrative hearings, human resource issues and commercial and general matters. The contract term is one year from July 1, 2022, to June 30, 2023. The hourly rate is \$295 for attorneys, \$195 for Healthcare Policy, Compliance and Coding Advisors, and \$95 for paralegal services with a maximum amount payable of \$900,000. This firm carries professional liability insurance coverage in the amount of \$50 million per claim with an annual aggregate of \$100 million.
 4. **USM** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of Butler Snow LLP as outside counsel for the provision of services as necessary in the practice areas of taxation, intellectual property and commercial matters, including trademark, copyright and patent matters; commercial and regulatory matters; litigation, including but not limited to disputes related to issues with the Federal Emergency Management Agency (FEMA); human resource matters, faculty, student, personnel and employment issues, general administrative matters, general legal advice, and investigations at the request of the University in matters involving various legal issues. The contract term is one year from July 1, 2022, to June 30, 2023. The hourly rates are \$295 for all attorneys and \$135 for paralegal services with a maximum amount payable of \$200,000. This firm carries professional liability insurance coverage in the amount of \$50 million per claim with an annual aggregate of \$100 million.
 5. **UMMC** – Approved the request to contract with Butler Snow LLP to provide in-state lobbying and government relations consulting services. The contractual flat fee is \$60,000 (payable \$5,000 per month) and reimbursement of reasonable expenses. The fee will be paid with self-generated funds. The term of the agreement is one year from July 1, 2022, through June 30, 2023. The Attorney General’s Office has reviewed the agreement and found same to be compliant with applicable law and Board policy. In accordance with Board Policy 201.0506 Political Activity, Butler Snow’s client list and proposed agreement are included in the bound *June 16, 2022 Board Working File*.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **SYSTEM** – Intent to offer the following existing degree programs by distance learning.
 - a. **JSU** – Bachelor of Arts (BA) in History
Total credit hours: 124
CIP Code, Sequence: 54.0101, 5159
Cost to offer by distance learning: \$0
Effective date: August 2022

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING**

June 16, 2022

- b. **UM** – Bachelor of Business Administration (BBA) in General Business
Total credit hours: 120
CIP Code, Sequence: 52.0101, 5853
Cost to offer by distance learning: None
Effective date: August 2022
- c. **USM** – Bachelor of Interdisciplinary Studies (BIS) in Interdisciplinary Studies
Total credit hours: 120
CIP Code, Sequence: 30.9999, 5752
Cost to offer by distance learning: Off-set by online course fee of \$20 per credit hour
Effective date: August 2022
- d. **USM** – Bachelor of Science (BS) in Computer Science (emphasis in Applied Computer Science)
Total credit hours: 124
CIP Code, Sequence: 11.0101, 5552
Cost to offer by distance learning: Off-set by online course fee of \$20 per credit hour
Effective date: August 2022
- e. **USM** – Graduate Certificate in Nonprofit Studies
Total credit hours: 15
CIP Code, Sequence: 30.9999, 8051
Cost to offer by distance learning: Off-set by online course fee of \$20 per credit hour
Effective date: August 2022
- f. **USM** – Master of Science (MS) in Public Relations
Total credit hours: 30
CIP Code, Sequence: 9.0902, 4327
Cost to offer by distance learning: Off-set by online course fee of \$20 per credit hour
Effective date: August 2022

REAL ESTATE

- 2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the May 19, 2022 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 3.)**

LEGAL

- 3. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 4.)**

ADMINISTRATION/POLICY

- 4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

- a. **ASU** – 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 May 5, 2022, Commissioner Alfred Rankins, Jr. approved the budget revisions to the FY 2022 *Ayers* academic programs after conducting a review. It appears that these revisions were necessary to align 2022 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- b. **MSU** – On May 16, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and the Bulldog Club, Inc. for the construction of premium seating terraces in the west upper deck of Davis Wade Stadium. Effective upon the Bulldog Club’s written notice of intent to proceed, the Bulldog Club will lease property described in Attachment A of the Lease Agreement for a 24-month period or until the completion of the renovation and construction improvements, whichever occurs first. Consideration for the lease will be the Bulldog Club’s provision of all construction of improvements at no cost or other expense to the university and with all improvements to and on the premises being owned “free and clear” by the university upon the termination of the lease. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- c. **MSU** – On May 16, 2022, Commissioner Alfred Rankins, Jr., approved a Farm Lease between Mississippi Agriculture and Forestry Station (MAFES) /Mississippi State University and Prevost Farms, LLC for use of 79.5 acres located at the Brown Loam Branch Experiment Station in Raymond, MS, for crop farming. This is a new revenue-generating lease and will be effective upon approval and execution through no later than October 31, 2023 at a cost of \$47.50 per acre annually due on November 1 of each year. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- d. **MVSU** – 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 May 5, 2022, Commissioner Alfred Rankins, Jr. approved the budget revisions to the FY 2022 *Ayers* academic programs after conducting a review. It appears that these revisions were necessary

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

to align 2022 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. Two of the requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

- e. **UM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On May 9, 2022, Commissioner Alfred Rankins, Jr. approved the University of Mississippi’s Parking and Traffic Rules and Regulations for the 2022 – 2023 school year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the documents.
- f. **UM** – On May 16, 2022, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Mississippi and Tullos Land & Timber, LP for a condominium located at 1100 Augusta Drive, Unit 702 in Oxford, MS for use by the university. The term of the lease is one year beginning June 1, 2022 with the option for three annual renewals. Rent is \$2,600 per month and is due in advance on or before the first of each month. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- g. **UM** – On May 20, 2022, Commissioner Alfred Rankins, Jr., approved the Utility Easement for Water Lines, Water Supply Well, Ingress and Egress and Temporary Construction between the University of Mississippi and City of Oxford for the installation of water lines and a water supply well. The Attorney General’s Office has reviewed the Easement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- h. **UM** – On May 20, 2022, Commissioner Alfred Rankins, Jr., approved the Lease Addendum between the University of Mississippi and the Phi Kappa Tau House Corporation. The original 50-year lease between the University and Fraternity was effective on April 1, 2002. It does not currently expressly allow non-fraternity members to reside in the house. Due to room vacancies in the house, the Fraternity seeks to allow up to 14 student non-members to reside in the house during the Fall 2022 semester. The addendum will allow such occupancy and be effective from August 15, 2022 to December 10, 2022. The House Corporation and Fraternity will be responsible for the actions of these non-members to the same extent they

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

are responsible for the actions of their members. The Attorney General's Office has reviewed the Addendum and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

- i. **UMMC** – On May 23, 2022, Commissioner Alfred Rankins, Jr., approved the Medical Office Building Lease (sublease) between the University of Mississippi Medical Center and Memorial Hospital at Gulfport to sublease approximately 2, 229 square feet of clinical space for use as a pediatric outpatient clinic. The term of the lease is one year beginning June 1, 2022 and ending May 31, 2023 at a cost of \$4,287.11 per month with the first installment being due in advance on the lease start date. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- j. **UMMC** – On May 23, 2022, Commissioner Alfred Rankins, Jr., approved the Fairgrounds Use Agreement between the University of Mississippi Medical Center and the Mississippi Department of Agriculture and Commerce for the use of the Mississippi Coliseum as the venue for its 2022 commencement ceremony. The term of the Lease is three days beginning May 25, 2022 and ending May 27, 2022, at a one-time estimated total cost of \$15,000. UMMC will also make prepayment of the rental fee and expenses, as set out in paragraphs 3 and 4 of the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.

**HEALTH AFFAIRS
COMMITTEE REPORT**

Wednesday, June 15, 2022

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Chairman Walt Starr at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed the monthly financial summary/strategic goal dashboard and the FY 2022-23 budget status, and received a written quality report. **No action was taken.**
2. Executive Session

On motion by Trustee McNair, with Trustees Cummings, Cunningham, and Ogletree absent and not voting and with Trustees McNair and Rader participating via Zoom, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Morgan, seconded by Trustee Luckey, with Trustees Cummings, Cunningham, and Ogletree absent and not voting and with Trustee Rader participating via Zoom, all Committee members legally present and participating voted unanimously **to enter**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

Executive Session for the reasons reported to the public and stated in these minutes, as follows:

Discussion of the strategic business plans related to a public hospital.

During Executive Session, the following matters were discussed:

The Committee discussed the strategic business plans related to a public hospital. **No action was taken.**

On motion by Trustee Martin, seconded by Trustee Starr, with Trustees Cummings, Cunningham, and Parker absent and not voting and Trustee Rader participating via Zoom, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee McNair, seconded by Trustee Luckey, with Trustees Cummings, Cunningham, and Parker absent and not voting and Trustee Rader participating via Zoom, all Committee members legally present and participating voted unanimously to adjourn.

The following Committee members were present: Dr. Walt Starr (Chair), Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Luckey, Mr. Bruce Martin, Dr. Alfred McNair (via Zoom & in person), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Mr. Gregg Rader (via Zoom). Dr. Steven Cunningham and Dr. Ormella Cummings were absent.

ANNOUNCEMENTS

- President Duff invited the university presidents to report on current activities on their campuses.
- President Duff announced the July Board meeting remains subject to call. The next meeting is scheduled for August 18, 2022.

EXECUTIVE SESSION

On motion by Trustee McNair, seconded by Trustee Cunningham, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Cummings, seconded by Trustee McNair, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a litigation matter at the University of Mississippi,
Discussion of two personnel matters at Delta State University,
Discussion of two personnel matters at the University of Southern Mississippi,
Discussion of one personnel matter at the University of Mississippi,
Discussion of one personnel matter at Mississippi State University,
Discussion of one personnel matter at Jackson State University,
Discussion of one personnel matter at Mississippi Valley State University,
Discussion of one personnel matter at Alcorn State University, and

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

Discussion of one personnel matter at the Mississippi University for Women.

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

On motion by Trustee McNair, seconded by Trustee Morgan, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-42841-1 styled as *Latisha Stewart vs. the University of Mississippi, et al.*, as recommended by counsel.

On motion by Trustee Hubbard, seconded by Trustee Luckey, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously that the Board's employment contract with Mr. William LaForge, President of Delta State University, be terminated for the Board's convenience effective at the conclusion of June 30, 2022.

On motion by Trustee Hubbard, seconded by Trustee Luckey, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to employ Dr. E. E. "Butch" Caston as interim president of Delta State University, contingent upon receipt of a clean background check report, at a state salary of \$300,000 per year pro rata, effective July 1, 2022 and that Dr. Caston be given an employment contract as interim president on a month-to-month basis.

On motion by Trustee Ogletree, seconded by Trustee McNair, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously that the Board's employment contract with Dr. Rodney Bennett, President of the University of Southern Mississippi, be terminated for the Board's convenience effective end of day July 15, 2022.

On motion by Trustee Ogletree, seconded by Trustee Hubbard, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following:

1. The employment of Dr. Joe Paul as the interim president of the University of Southern Mississippi at an annual state salary of \$450,000, pro rata, effective July 16, 2022, and that he be given a 7-month employment contract,
2. That if there is still no permanent institutional executive officer at the University of Southern Mississippi at the end of the 7-month contract period, Dr. Paul's employment contract will then be on a month-to-month basis, and
3. That Dr. Paul's employment contract contains a provision that states that when a permanent institutional executive officer is hired at the University of Southern Mississippi, the Board may unilaterally change Dr. Paul's title and duties, as well as his state salary, such salary to be commensurate with his new duties assigned at the time.

On motion by Trustee Luckey, seconded by Trustee Morgan, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following:

1. That Dr. Glenn Boyce, Chancellor of the University of Mississippi, be given a new employment contract with a start date of July 1, 2022, and an ending date of June 30, 2026,

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

to include a state salary of \$450,000 per year and a University of Mississippi Foundation salary supplement of \$400,000 per year, each to be paid pro rata.

2. In light of the Board's desire to retain Dr. Boyce as Chancellor of the University of Mississippi, that such new employment contract include a provision which provides that if Dr. Boyce remains employed as Chancellor through the conclusion of the first two years of his new 4-year contract (through June 30, 2024), Dr. Boyce is to then be paid an amount as additional retention pay, such amount to be determined by the University of Mississippi Foundation, up to a maximum amount of \$400,000, and that the retention payment will be provided in full by the University of Mississippi Foundation to the University of Mississippi, and then to Dr. Boyce after June 30, 2024.
3. That such new employment contract will include a provision which provides that if Dr. Boyce remains employed as Chancellor through the ending date of his new 4-year contract (through June 30, 2026), Dr. Boyce is to then be paid an amount as additional retention pay, such amount to be determined by the University of Mississippi Foundation, up to a maximum amount of \$400,000, and that such retention payment will be provided in full by the University of Mississippi Foundation to the University of Mississippi, and then to Dr. Boyce after June 30, 2026.
4. That the University of Mississippi be required to report to the Board of Trustees the full amount of all retention payments paid to Dr. Boyce within 30 days of any such payment being made to Dr. Boyce.

On motion by Trustee McNair, seconded by Trustee Martin, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following:

1. To amend the employment contract of Dr. Mark Keenum, President of Mississippi State University, to reflect a new annual state salary in the amount of \$450,000 and a foundation salary supplement in the amount of \$400,000 annually, all effective July 1, 2022,
2. To amend the employment contract of Mr. Thomas Hudson, President of Jackson State University, to reflect a new annual state salary in the amount of \$450,000 and a foundation salary supplement in the amount of \$5,000 annually effective July 1, 2022,
3. To amend the employment contract for Dr. Jerryl Briggs, President of Mississippi Valley State University, to reflect a new annual state salary in the amount of \$300,000 and a foundation salary supplement in the amount of \$5,000 annually effective July 1, 2022,
4. To amend the employment contract of Dr. Felecia Nave, President of Alcorn State University, to reflect a new annual state salary in the amount of \$300,000 and a foundation salary supplement in the amount of \$5,000 annually effective July 1, 2022, and
5. To amend the employment contract of Mrs. Nora Miller, President of the Mississippi University for Women, to reflect a new annual state salary in the amount of \$300,000 and a foundation salary supplement in the amount of \$5,000 annually effective July 1, 2022.

On motion by Trustee Cunningham, seconded by Trustee McNair, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to return to Open Session.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
June 16, 2022**

IHL Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process, subsection B. Board Search Committee provides that the President of the Board shall appoint a committee of Board members to manage the search for an institutional executive officer. On motion by Trustee Ogletree, seconded by Trustee Cunningham, with Trustee Rader participating via Zoom, all Trustees legally present and participating voted unanimously to approve the appointment of the following trustees to serve on the search committee for the eleventh President of the University of Southern Mississippi.

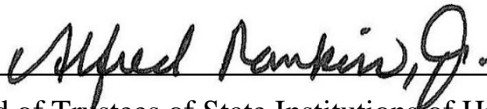
1. Tommy Duff, Co-Chair
2. Gee Ogletree, Co-Chair
3. Jeanne Luckey
4. Dr. Alfred McNair, Jr.
5. Dr. Steven Cunningham

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Cunningham, seconded by Trustee Martin, with Trustee Rader participating via Zoom, 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 16, 2022**

EXHIBITS

- Composite
Exhibit 1 Fiscal year ending 2023 Operating Budgets for the system.
- Exhibit 2 FY 2024 proposed funding priorities for the 2024 Legislative Budget Request.
- Exhibit 3 Real Estate items that were approved by the IHL Board staff subsequent to the May 19, 2022 Board meeting.
- Exhibit 4 Report of the payment of legal fees to outside counsel.

COMPOSITE EXHIBIT 1



Total Operating Budget FY 2023

	Appropriation	Self Generated	Budget	Percent Appropriation
Education & General	\$ 411,820,864	\$ 935,993,889	\$ 1,347,814,753	30.55%
Capital Funds	176,124,895	-	176,124,895	100.00%
Total E&G	587,945,759	935,993,889	1,523,939,648	38.58%
UMMC (1)	190,606,038	1,688,872,208	1,879,478,246	10.14%
UMMC Capital	55,000,000	-	55,000,000	100.00%
Total UMMC	245,606,038	1,688,872,208	1,934,478,246	12.70%
Agricultural	89,154,391	55,146,691	144,301,082	61.78%
Student Financial Aid (2)	53,631,667	6,500,000	60,131,667	89.19%
Subsidiary	42,387,533	28,817,942	71,205,475	59.53%
Restricted	-	1,014,060,336	1,014,060,336	0.00%
Ayers	1,615,903	3,050,128	4,666,031	34.63%
Auxiliary	-	491,657,325	491,657,325	0.00%
Total Budget	\$ 1,020,341,291	\$ 4,224,098,519	\$ 5,244,439,810	19.46%

(1) Includes reappropriated funds.

(2) Non-IHL budget.

COMPOSITE EXHIBIT 1



Total Operating Budget Original FY 2022 Compared to FY 2023

Budget	FY 2022	FY 2023	Change	Change
Education & General	1,270,385,278	1,347,814,753	\$77,429,475	6.09%
Capital Funds	13,239,631	176,124,895	162,885,264	1230.29%
Total E&G	1,283,624,909	1,523,939,648	240,314,739	18.72%
UMMC	1,817,688,437	1,879,478,246	61,789,809	3.40%
UMMC Capital		55,000,000	55,000,000	100.00%
Total UMMC	1,817,688,437	1,934,478,246	116,789,809	6.43%
Agricultural	139,505,395	144,301,082	4,795,687	3.44%
Student Financial Aid	50,443,957	60,131,667	9,687,710	19.20%
Subsidiary	66,743,129	71,205,475	4,462,346	6.69%
Restricted	1,062,263,491	1,014,060,336	-48,203,155	-4.54%
Ayers	12,296,446	4,666,031	-7,630,415	-62.05%
Auxiliary	450,789,876	491,657,325	40,867,449	9.07%
Total Budget	\$4,883,355,640	\$5,244,439,810	\$361,084,170	7.39%

COMPOSITE EXHIBIT 1



Education & General Operating Budget (Excludes *Ayers* Funds) FY 2022 and FY 2023

Institution	FY 2022	FY 2023	Change	Percent Change
ASU	\$53,861,146	\$57,794,033	\$3,932,887	7.30%
DSU	50,071,960	51,583,115	1,511,155	3.02%
JSU	93,303,647	98,733,172	5,429,525	5.82%
MSU	397,978,816	416,038,170	18,059,354	4.54%
MUW	38,225,349	39,968,909	1,743,560	4.56%
MVSU	30,460,368	32,694,832	2,234,464	7.34%
UM	396,899,598	428,737,965	31,838,367	8.02%
USM	209,354,504	221,464,557	12,110,053	5.78%
Total	\$1,270,155,388	\$1,347,014,753	\$76,859,365	6.05%

Note: Excludes Capital Expense Funds and ARPA Act Funds.

COMPOSITE EXHIBIT 1



Education and General Functional Budget Change in FY 2022 Original Budget to FY 2023

Functional Area	FY 2022	FY 2023	Dollar Change	Percent Change
Instruction	\$505,878,303	\$502,764,254	(\$3,114,049)	-0.62%
Research	33,219,930	64,143,823	30,923,893	93.09%
Public Service	5,710,564	6,334,207	623,643	10.92%
Academic Support	120,293,939	126,885,756	6,591,817	5.48%
Student Services	77,379,594	88,219,347	10,839,753	14.01%
Institutional Support	142,231,649	155,749,355	13,517,706	9.50%
Operations & Maintenance	125,393,044	135,415,846	10,022,802	7.99%
Scholarships	256,114,024	263,592,824	7,478,800	2.92%
Transfers	3,934,341	3,909,341	-25,000	-0.64%
Total	\$1,270,155,388	\$1,347,014,753	\$76,859,365	6.05%

Note: Excludes Capital Expense Funds and ARPA Funds.

June 16, 2022

Finance Agenda

COMPOSITE EXHIBIT 1



Education and General Major Object Category Budget Change in FY 2022 Original Budget to FY 2023

Category	FY 2022	FY 2023	Dollar Change	Percent Change
Personnel	\$825,537,450	\$883,175,569	\$57,638,119	6.98%
Travel	8,324,209	8,804,631	480,422	5.77%
Contractual	383,583,229	395,033,819	11,450,590	2.99%
Commodities	19,465,674	19,238,399	-227,275	-1.17%
Capital	15,838,169	18,159,250	2,321,081	14.65%
Other	17,406,657	22,603,084	5,196,427	29.85%
Total	\$1,270,155,388	\$1,347,014,753	\$76,859,365	6.05%

Note: Excludes Capital Expense Funds and APRA Funds.

June 16, 2022

Finance Agenda

COMPOSITE EXHIBIT 1



University of Mississippi Medical Center Operating Budget FY 2022 Compared to FY 2023

Budget	FY 2022	FY 2023	Dollar Change	Percent Change
School of Dentistry	\$17,949,353	\$25,491,293	\$ 7,541,940	42.02%
School of Health Related Professions	8,505,605	14,549,777	6,044,172	71.06%
School of Medicine	181,225,287	237,776,838	56,551,551	31.21%
School of Population Health	6,704,527	8,035,478	1,330,951	19.85%
School of Nursing	14,124,540	19,877,581	5,753,041	40.73%
Service Area	187,442,411	78,345,682	-109,096,729	-58.20%
University Hospital	1,401,736,714	1,495,401,597	93,664,883	6.68%
ARPA Funds - Nursing	-	55,000,000	55,000,000	100.00%
Total Budget	\$1,817,688,437	\$1,934,478,246	\$116,789,809	6.43%

Note: Auxiliary budget and restricted budget aggregated in the system presentation.

June 16, 2022

Finance Agenda

COMPOSITE EXHIBIT 1



Subsidiary Units (includes Executive Office, University Press & Student Financial Aid) Change in Total Operating Budget FY 2022 to FY 2023

Budget	FY 2022	FY 2023	Change	Change	Appropriation
Urban Research Center	\$506,111	\$521,816	\$15,705	3.10%	100.00%
Center for Advanced Vehicular Systems	4,623,419	\$4,671,540	\$48,121	1.04%	100.00%
State Chemical Laboratory	2,251,905	\$2,356,537	\$104,632	4.65%	78.64%
Water Resources Research Institute	351,676	\$351,676	\$0	0.00%	100.00%
Stennis Institute	741,318	\$758,384	\$17,066	2.30%	100.00%
Alcohol Safety Education Program (Special Funds)	1,816,761	\$1,856,286	\$39,525	2.18%	0.00%
Law Research Institute	818,324	\$861,178	\$42,854	5.24%	100.00%
Mineral Resources Institute	342,489	\$355,037	\$12,548	3.66%	100.00%
Research Institute of Pharmaceutical Sciences	3,416,812	\$3,755,929	\$339,117	9.92%	100.00%
Supercomputer	630,650	\$644,348	\$13,698	2.17%	100.00%
Small Business Center	312,113	\$350,215	\$38,102	12.21%	87.86%
Center for Manufacturing Excellence	2,885,579	\$3,069,737	\$184,158	6.38%	100.00%
State Court Education Program	2,219,022	\$2,082,974	(\$136,048)	-6.13%	100.00%
Mississippi Polymer Institute	667,563	\$865,161	\$197,598	29.60%	100.00%
Gulf Coast Research Laboratory	9,880,296	\$10,263,838	\$383,542	3.88%	81.48%
Stennis Center	345,515	\$352,716	\$7,201	2.08%	100.00%
Executive Office	27,351,805	\$38,088,103	\$10,736,298	39.25%	35.64%
Student Financial Aid	50,443,957	\$60,131,667	\$9,687,710	19.20%	89.19%
University Press	2,886,795	\$3,342,501	\$455,706	15.79%	0.00%

Exhibit 2



FY 2024 Legislative Funding Priorities

Request Based on 3rd Year of 6-Year Plan to Reach SREB Median Salaries

Budget	FY 2023	FY 2024	Requested Increase	Percent Increase
Campuses	\$411,820,864	\$497,515,843	\$85,694,979	20.81%
Nursing Faculty	-	5,000,000	5,000,000	100.00%
Mental Health Assistance	-	2,500,000	2,500,000	100.00%
Capital Funds	74,143,000	75,000,000	\$857,000	1.16%
Total E&G Request	485,963,864	580,015,843	\$94,051,979	19.35%
UMMC	186,924,508	201,424,508	14,500,000	7.76%
UMMC Capital Funds	3,681,530	14,181,530	10,500,000	285.21%
Total UMMC	190,606,038	215,606,038	25,000,000	13.12%
SFA (1)	53,631,667	53,631,667	-	0.00%
Subsidiaries	37,208,286	40,418,485	3,210,199	8.63%
Agriculture	89,154,391	105,200,295	16,045,904	18.00%
Ayers (2)	1,615,903	1,615,903	-	0.00%
ARPA Funds				
Eligible Capital Projects	25,000,000	175,000,000	150,000,000	600.00%
Forgivable Nursing Loan	6,000,000	6,000,000	-	0.00%
School of Nursing UMMC	55,000,000	-	(55,000,000)	-100.00%
Total Request	\$944,180,149	\$1,177,488,231	\$233,308,082	24.71%

(1) This appropriation request is approved by the Postsecondary Board. This Board has not yet acted on an appropriation request for FY 2023.

(2) This request is consistent with the payment schedule in the *Ayers* settlement.

June 16, 2022

Finance Agenda

EXHIBIT 3

June 16, 2022

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE MAY 19, 2022 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 WHICH STATES.

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 until the budget increase is approved by the Board.

MISSISSIPPI STATE UNIVERSITY

1. MSU- IHL 205-297 – BUTLER HALL MECHANICAL, ADA IMPROVEMENTS AND EXTERIOR WINDOW REPLACEMENT

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$84,034.81 and one hundred fifty-seven (157) additional days to the contract of Brislin, Inc.

Approval Status & Date: APPROVED, May 19, 2022

Change Order Description: Change Order #4 includes the following items: relocated existing power receptacles to the outside of new mechanical closets; modified finishes (paint & flooring); fire sprinkler aesthetic changes performed; relocated existing conduit in crawl space conflicting with new ductwork; modified finishes (paint & floor); provided structural steel reinforcement at windows where existing underlying structural issues were discovered; provided credit for test & balance allowance; and one hundred fifty-seven days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$424,930.09.

Project Initiation Date: December 5, 2019

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: Brislin, Inc.

Total Project Budget: \$4,643,800.00

2. MSU- IHL 205-311 – TRANSPORTATION ALTERNATIVES PROJECT COLLEGEVIEW CONNECTOR

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Neel Schaffer, Engineers and Planners, Inc.

EXHIBIT 3

June 16, 2022

Approval Status & Date: APPROVED, May 19, 2022

Project Initiation Date: May 20, 2021

Design Professional: Neel Schaffer, Engineers and Planners, Inc.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

3. **MSU- IHL 205-321 – SUMMER PAVING 2022**

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on May 10, 2022 to approve a budget increase from \$1,200,000.00 to \$2,000,000.00 for an increase of \$800,000.00 for the Summer Paving 2022 project.

Interim Approval Status & Date: APPROVED, April 10, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,710,231.79 to the apparent low bidder, Gregory Companies LLC.

Approval Status & Date: APPROVED, May 19, 2022

Project Initiation Date: May 19, 2022

Design Professional: Neel-Schaffer, Engineers and Planners, Inc.

General Contractor: Gregory Companies LLC

Total Project Budget: \$2,000,000.00

4. **MSU- IHL 405-004 – HIGH PERFORMANCE COMPUTING AND DATA CENTER**

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Dale Partners.

Approval Status & Date: APPROVED, May 31, 2022

Project Initiation Date: October 19, 2020

Design Professional: Dale Partners

General Contractor: TBD

Total Project Budget: \$38,000,000.00

5. **MSU- IHL 413-002 – FOREST & WILDLIFE FACILITIES**

Approval Request #1: Change Order #4

Board staff approved Change Order #1 in the amount of \$49,629.42 and one hundred seventy-two (172) additional days to the contract of West Brothers Construction, Inc.

Approval Status & Date: APPROVED, May 19, 2022

Change Order Description: Change Order #1 includes the following items: provided an access control for an added door; added a Knox box; added gutters and downspouts at the aviary; added an alternate three road; added wood framing in the corridor and cells; added wood framing in a corridor; sitework done for medical mixing drainage; added an aviary camera rough in for cells; credit for building plaque; revision to greenhouse plumbing; gravel added to the trailer parking area; additional access controls and communication raceways; and one hundred seventy-two (172) days to the contract.

EXHIBIT 3

June 16, 2022

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions; one hundred forty-one weather related delay days; user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$49,629.42.

Project Initiation Date: March 1, 2019

Design Professional: Shafer-Zahner Zahner

General Contractor: West Brothers Construction, Inc.

Total Project Budget: \$5,172,500.00

UNIVERSITY OF MISSISSIPPI

6. UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG A – SITE IMPROVEMENTS

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the credit amount of \$8,093.75 and thirty-seven (37) additional days to the contract of Shaw Services, LLC.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #2 includes the following items: added an additional storm drain riser; deducted unused rock allowance; and thirty-seven (37) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; twenty-seven (27) weather related delays; user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$3,863.91.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Shaw Services, LLC

Total Phased Budget: \$327,524.86

Total Project Budget: \$3,700,000.00

7. UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG B – STRUCTURAL CONCRETE

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$2,685.00 and forty-one (41) additional days to the contract of W&W Construction, Inc.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #1 includes the following items: deduct for landscape beds in lieu of concrete; demolished and replaced a concrete sidewalk; and forty-one (41) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; twenty-seven (27) weather related delay days; four (4) scope delay days; ten (10) material delay days; and user/owner requested modifications.

EXHIBIT 3

June 16, 2022

Total Project Change Orders and Amount: One (1) change order for a total amount of \$2,685.00.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Shaw Services, LLC

Total Phased Budget: \$184,627.67

Total Project Budget: \$3,700,000.00

8. **UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG C – MASONRY**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$0.00 and forty-one (41) additional days to the contract of Hollis Masonry, Inc.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #1 includes the following item: forty-one (41) days to the contract.

Change Order Justification: These changes were due to twenty-seven (27) weather related delay days; four (4) scope delay days; and ten (10) material delay days; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$0.00.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Shaw Services, LLC

Total Phased Budget: \$225,642.88

Total Project Budget: \$3,700,000.00

9. **UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG D – ROOFING**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$0.00 and forty-one (41) additional days to the contract of Graham Roofing, Inc.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #1 includes the following item: add additional forty-one (41) days to the contract.

Change Order Justification: These changes were due to twenty-seven (27) weather related delays; four (4) scope delay days; ten (10) material delay days; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$0.00.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Graham Roofing, Inc.

Total Phased Budget: \$152,788.93

Total Project Budget: \$3,700,000.00

EXHIBIT 3

June 16, 2022

10. UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG E – DRYWALL AND PAINT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$0.00 and forty-one (41) additional days to the contract of F. L. Crane and Sons.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #1 includes the following item: forty-one (41) days to the contract.

Change Order Justification: These changes were due to twenty-seven (27) weather related delay days; four (4) scope delay days; ten (10) material delay days; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$0.00.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: F. L. Crane and Sons

Total Phased Budget: \$515,763.53

Total Project Budget: \$3,700,000.00

11. UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG F – GENERAL WORKS

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$4,221.00 and forty-one (41) additional days to the contract of McCarty King.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #1 includes the following items: add angle iron to extend the brick around the high wall; deduct for access control at the apparel storage area; add lettering for the building name change; add additional lettering to add “Jerry Hollingsworth” name to the building; and forty-one (41) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; twenty-seven (27) weather related delay days; four (4) scope delay days; ten (10) material delay days; and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$6,231.00.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: McCarty King

Total Phased Budget: \$90,352.78

Total Project Budget: \$3,700,000.00

EXHIBIT 3

June 16, 2022

12. UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG G – FLOORING

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$278.40 and forty-one (41) additional days to the contract of Craft Croswell, LLC.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #1 includes the following items: added additional carpet flooring for the recovery storage area; and forty-one (41) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; twenty-seven (27) weather related delay days; four (4) scope delay days; and ten (10) material delay days.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$278.40.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Craft Croswell, LLC

Total Phased Budget: \$95,870.11

Total Project Budget: \$3,700,000.00

13. UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG H – FIRE PROTECTION

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$0.00 and forty-one (41) additional days to the contract of Fireline, Inc.

Approval Status & Date: APPROVED, May 31, 2022

Change Order Description: Change Order #1 includes the following item: added forty-one (41) days to the contract.

Change Order Justification: These changes were due to twenty-seven (27) weather related delay days; four (4) scope delay days; ten (10) material delay days; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$0.00.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Fireline, Inc.

Total Phased Budget: \$46,513.73

Total Project Budget: \$3,700,000.00

14. UM- IHL 207-457 – TRACK AND FIELD LOCKER ROOMS – PKG I – MECHANICAL AND PLUMBING

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$2,216.76 and forty-one (41) additional days to the contract of Upchurch Plumbing.

Approval Status & Date: APPROVED, May 31, 2022

EXHIBIT 3

June 16, 2022

Change Order Description: Change Order #3 includes the following items: removed external portion of the dryer exhaust duct and salvage damper and screen; installed a new exhaust hood; and forty-one (41) days to the contract.

Change Order Justification: These changes were due to twenty-seven (27) weather related delay days; four (4) scope delay days; and ten (10) material delay days.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$4,716.44.

Project Initiation Date: August 15, 2019

Design Professional: Weir Boerner Allin Architecture

General Contractor: Upchurch Plumbing

Total Phased Budget: \$95,870.11

Total Project Budget: \$3,700,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

15. USM- GS 108-293 – MONTAGUE PARKING IMPROVEMENTS

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$0.00 and one hundred seventy-one (171) additional days to the contract of Warren paving, Inc.

Approval Status & Date: APPROVED, June 2, 2022

Change Order Description: Change Order #2 includes the following item: one hundred seventy-one (171) days to the contract.

Change Order Justification: These changes were due to one hundred twenty-eight (128) weather related delay days; and forty-three (43) days for delay from utility relocation.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$140,777.16.

Project Initiation Date: August 15, 2019

Design Professional: Neel-Schaffer, Inc.

General Contractor: Warren Paving, Inc.

Total Project Budget: \$2,621,023.45

EXHIBIT 4

June 16, 2022

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 Brunini, PLLC (statement dated 5/13/22) from the funds of Mississippi State University. (This statement, in the amount of \$1,950.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,950.00

Payment of legal fees for professional services rendered by Butler Snow LLP (statement dated 5/20/22) from the funds of Mississippi State University. (This statement, in the amount of \$3,935.61, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,935.61

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 5/1/22 and 5/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00 and \$543.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 3,043.00

Payment of legal fees for professional services rendered by The Winfield Law Firm, P.A. (statement dated 4/28/22) from the funds of Mississippi State University. (This statement, in the amount of \$4,469.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,469.50

Payment of legal fees for professional services rendered by Brunini (statement dated 5/13/22) from the funds of the University of Mississippi. (This statement, in the amount of \$2,850.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,850.00

Payment of legal fees for professional services rendered by Butler Snow LLP (statements dated 12/26/19, 1/27/20, 3/31/20, 4/7/20, 7/31/20, 9/8/20, 4/12/22 and 4/22/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,298.00, \$3,835.00, \$1,625.93, \$59.00, \$177.00, \$1,091.50, \$442.50 and \$885.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 9,413.93

EXHIBIT 4

June 16, 2022

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 5/1/22, 5/1/22, 5/1/22, 5/1/22 and 5/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$535.00, \$559.00, \$287.50, \$27.03 and \$57.62, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 1,466.15

Payment of legal fees for professional services rendered by Butler Snow LLP (statements dated 4/8/22, 4/8/22, 4/14/22, 4/22/22, 5/12/22, 5/12/22 and 5/12/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$171.00, \$3,122.95, \$113.75, \$1,954.00, \$1,182.90, \$1,652.00 and \$6,925.19, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 15,121.79

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statement dated 2/28/22) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$19,062.73, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 19,062.73

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 4/18/22 and 4/18/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$826.50 and \$330.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,156.50

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statements dated 9/29/21, 4/19/22 and 5/10/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$12,381.00, \$3,880.80 and \$871.20, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 17,133.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 4/5/22 and 4/8/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,452.00 and \$4,477.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,929.50

EXHIBIT 4

June 16, 2022

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statement dated 4/18/22) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$16.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 16.50

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 4/18/22 and 4/18/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$214.50 and \$231.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 445.50

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 4/8/22, 4/8/22, 4/13/22, 4/13/22, 5/10/22 and 5/10/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,448.00, \$8,211.60, \$294.00, \$231.00, \$432.00 and \$2,676.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 14,292.60

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 5/11/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,014.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,014.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 3/8/22 and 5/10/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,211.00 and \$2,467.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,678.50

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 5/1/22, 5/1/22, 5/1/22 and 5/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$5,000.00, \$51.77, \$60.50 and \$5.00, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 5,117.27

EXHIBIT 4

June 16, 2022

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

Payment of legal fees for professional services rendered by Butler Snow LLP (statements dated 4/21/22 and 4/21/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Systems and Methods for Pest Reduction” - \$691.50; and IP and Regulatory Matters - \$262.50.)

TOTAL DUE.....\$ 954.00

Payment of legal fees for professional services rendered by Conley Rose (statements dated 4/6/22, 4/6/22, 4/6/22, 5/5/22, 5/5/22 and 5/5/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “System to Control and Actuator” - \$2,218.50; “Smart Outlet” - \$870.00; “Wearable Flexible Sensor Motion Capture System” - \$2,225.00; “Accessories for Raman and Luminescence Spectral Acquisitions” - \$590.00; “Systems for Delivery of Biologics” - \$1,997.50; and “Systems to Control an Actuator” - \$40.00, respectively.)

TOTAL DUE.....\$ 7,941.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 5/5/22 and 5/5/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$245.00; and “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” – \$297.50.)

TOTAL DUE.....\$ 542.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/20/22, 4/20/22, 4/26/22, 4/26/22 and 5/4/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Fluoroalkylsilane-Modified Polystyrene-coated Metal Electrodes for Sensitive Electrochemical Detection of Oil in Water” - \$66.50; “Polymers and Co-polymers for Polymer Matrix Composites and High Yield Carbon-Carbon-Composition Structures Therefrom” - \$5,768.50; “Method for Improving Rice Nutrition via Manipulation of Starch Crystalline Structure and Nutrient Penetration Method” - \$2,400.00; “Novel Catalyst and Process for Liquid Hydrocarbon Fuel Production” - \$2,000.00; and “Compositions of Food Grade Coatings to Control Pest Infestations and Methods of Applications” - \$803.00, respectively.)

TOTAL DUE.....\$ 11,038.00

Payment of legal fees for professional services rendered by Thomas Horstemeyer, LLP (statements dated 4/29/22, 4/29/22 and 5/2/22) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Dyes, Dye-Sensitized Solar Cells and Methods of Making and Using Same” - \$1,080.55;

EXHIBIT 4

June 16, 2022

“Indolizine Dyes with Short Wavelength Infrared Absorption and Emission and Methods for Making and Using Same” - \$529.00; and “Orally Bioavailable, Brain-Penetrant Compound with Selectivity for the Cannabinoid Type 2 Receptor with Potential Use Towards Visceral Pain Management and Neurodegenerative Disorders” - \$ 1,650.00, respectively.)

TOTAL DUE.....\$ 3,259.55

Payment of legal fees for professional services rendered by Butler Snow LLP (statements dated 3/28/22, 3/28/22, 3/28/22, 3/28/22 and 3/28/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “2021 0012 & 2021 0013 Patents” - \$1,422.00; “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$142.50; “Lidar for Underwater” - \$767.00; “Infrared Detection with Intrinsically Conductive” - \$278.50; and “Oral Suction Device” - \$2,650.00, respectively).

TOTAL DUE.....\$ 5,260.00