

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 17, 2011**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at approximately 9:11 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on January 6, 2011, to each and every member of said Board, said date being at least five days prior to this March 17, 2011 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Amy Whitten was absent. The meeting was called to order by Dr. Bettye Neely, President, and opened with prayer by Trustee Ed Blakeslee.

INTRODUCTION OF GUESTS

- ▶ President Bettye Neely welcomed the Student Government Association presidents: Mr. Rhett Hobart - President Elect from Mississippi State University and Mr. Taylor McGraw, President Elect at the University of Mississippi.
- ▶ Commissioner Hank Bounds introduced Dr. Eric Clark, Executive Director of State Board for Community and Junior Colleges. Dr. Clark introduced Dr. Joan Haynes, new Associate Executive Director for Academic and Student Affairs. Dr. Haynes will be the primary liaison between the State Board for Community and Junior Colleges and the Board of Trustees.
- ▶ Commissioner Bounds then recognized Ms. Erica Washington who is an intern in the IHL Office of Academic and Student Affairs. She is a student at Jackson State University in Public Policy & Administration.
- ▶ The Mississippi Legislature recently recognized the hard work of IHL and our MARIS (Mississippi Automated Resource Information System) and the map prepared for redistricting as “an integral and inseverable part” of the joint resolution. Commissioner Bounds thanked Director Jim Steil and his staff for the many hours they dedicated to translating decisions made by the committees on to the maps.

APPROVAL OF THE MINUTES

On motion by Trustee Blakeslee, seconded by Trustee Patterson, with Trustees Owens and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on February 17, 2011.

CONSENT AGENDA

On motion by Trustee Blakeslee, seconded by Trustee Patterson, with Trustees Owens and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to move agenda item #10 to the Regular Legal Agenda due to possible litigation issues related to the item. On motion by Trustee Blakeslee, seconded by Trustee Ross, with Trustees Owens and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

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BUDGET, FINANCE AND AUDIT

1. **DSU** - Approved the request to purchase three Diamond Aircraft “twin trainers” to update the fleet for the Commercial Aviation program. The unit cost of the aircraft is \$592,501 for a total purchase of \$1,777,503. The purchase will be funded through IHL’s master lease financing. Debt service on the lease will be financed using Commercial Aviation student fees and state appropriated funds. The agreement has been reviewed and approved by the Attorney General’s Office.
2. **UM** - Approved the request to escalate the On-Campus Education and General budget and authorized the spending authority for the budget shown below. Additional personnel costs are related to greater than anticipated enrollment increases and the balance is requested for library acquisitions. The budget increase will be funded with tuition revenue.

Category	Original FY 2011 Budget	Revision/ Escalation	Revised FY 2011 Budget
Salaries, Wages, & Fringe Benefits	\$148,427,170	\$1,039,500	\$149,466,670
Travel & Subsistence	1,636,689	-	1,636,689
Contractual Services	39,885,582	-	40,088,672
Commodities	5,575,581	-	5,575,581
Capital Outlay:			-
Other than Equipment	3,945,477	100,000	4,045,477
Equipment	2,870,310	-	2,870,310
Total Capital Outlay	6,815,787	100,000	6,915,787
Transfers:			
Mandatory	1,111,067	-	1,111,067
Non-Mandatory	5,595,309	-	5,595,309
Total Transfers	6,706,376	-	6,706,376
Subsidies, Loans & Grants	-	-	-
TOTAL	\$209,047,185	\$1139,500	\$210,186,685

3. **UM** - Approved the request to escalate the Off-Campus Education and General budget and authorized the spending authority for the budget shown below. The escalation is due to additional scholarship costs related to increased enrollment. The budget increase will be funded with tuition revenue.

Category	Original FY 2011 Budget	Revision/ Escalation	Revised FY 2011 Budget
Salaries, Wages, & Fringe Benefits	\$7,649,161	\$ -	\$7,649,161
Travel & Subsistence	102,779	-	102,779
Contractual Services	1,318,245	145,213	1,463,458
Commodities	239,604	-	239,604
Capital Outlay:			-
Other than Equipment	-	-	-
Equipment	158,582	-	158,582
Total Capital Outlay	158,582		158,582

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Transfers:			
Mandatory	103,484		103,484
Non-Mandatory	131,094		131,094
Total Transfers:	234,578		234,578
Subsidies, Loans & Transfers	-	-	-
TOTAL	\$ 9,702,949	\$145,213	\$9,848,162

4. **UM** - Approved the request to escalate the Auxiliary Enterprise budgets and authorized the spending authority for the budget shown below. The escalation is required for equipment upgrades and expansions to accommodate rapid growth. The increases relate to three particular units – a) the Inn at Ole Miss for costs associated with an increase in business, b) Student Housing for additional costs for renovating and updating Campus Walk, additional community student workers and realignment of debt service payments, and c) Contractual Service Management for an additional person, upgrade of position, equipment upgrades, and expansion for Johnson Commons and the ID Center. The budget increase will be funded with housing rental fees and food service contracts.

Category	Original FY 2011 Budget	Revision/ Escalation	Revised FY 2011 Budget
Salaries, Wages, & Fringe Benefits	\$8,171,518	\$141,770	\$8,313,288
Travel & Subsistence	153,250	-	153,250
Contractual Services	9,674,410	500,000	10,174,410
Commodities	7,214,680	227,560	7,442,240
Capital Outlay:			-
Other than Equipment	-	-	-
Equipment	705,000	165,000	870,000
Total Capital Outlay	705,000	165,000	870,000
Transfers:			
Mandatory	6,156,420	(387,560)	5,768,860
Non-Mandatory	644,401	-	644,401
Total Transfers	6,800,821	(387,560)	6,413,261
Subsidies, Loans & Transfers	-	-	-
TOTAL	\$32,719,679	\$646,770	\$33,366,449

5. **UM** - Approved the request to exercise the renewal option to extend the end date and increase the total authorized cost of the service agreement with PCS Ling, Inc. *doing business as* Greenwood and Hall for the call center for the Bursar and Financial Aid Offices. The contract length will be extended an additional four years bringing the total contract period to six years - April 1, 2009 to March 31, 2015. The agreement allows for re-evaluation on a year-by-year basis. The fee per call remains the same as in the original agreement, but the estimated annual call volume has increased from 82,000 calls to 102,500 calls. Anticipated call volume is based on actual call history. The primary reason for the increase is due to the university's enrollment increases over the last two years. Costs for the four year extended period are estimated at \$1,681,000 bringing the overall total contract cost to \$2,353,400. Funds are available from E & G sources. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
6. **UMMC** - Approved the request to increase the total authorized amount of the staffing services agreement with Central Parking System of Mississippi, Inc. from \$840,000 (3 years) to \$2,040,984

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to cover the entire five-year period. The original agreement which was approved by the Board in February 2006 was for an initial two-year period at a cost of \$840,000 with the right to approve for additional three one-year periods. The contract was not brought back for approval once the costs were known for years three through five since the language approved the right to renew in the original approval. The contract length is March 1, 2006 through February 28, 2011. The contract will be funded from E & G sources. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

7. **UMMC** - Approved the request to renew the license agreement with Dell Marketing, LP to provide for Volume Licensing for Microsoft Desktop Operating System, Microsoft Office Products (both personal computer and Mac/Apple) and Microsoft Server Products. This agreement is campus wide which covers licenses for all faculty, staff and student desktops estimated to be 10,723. The contract length is three years - April 1, 2011 to March 31, 2014. Costs for the three-year period are not to exceed \$2,087,208.72 with an annual cost of \$695,736.24. Funding is available from E & G sources. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
8. **UMMC** - Pending approval by the Attorney General's Office, the Board approved the request to engage First Southwest Company as Financial Advisor; Watkins, Ludlam, Winter and Stennis as Bond Counsel, Morgan Stanley & Co., Inc. as Lead Underwriter and Ziegler Securities and RBC as additional underwriters to assist the university with a tax-exempt bond issue at fixed and/or variable rates. The Bonds will be issued for the purpose of financing capital expenditures related to the expansion, furnishing and equipping of existing and new health care, education, and research facilities located in the Metro Jackson, Mississippi area. The professional team will assist UMMC in prioritizing its capital projects which will be submitted in April, 2011.
9. **System** - Approved the revisions to the Rules and Regulations and the Contract and Note for the Veterinary Medicine Minority Loan/Scholarship Program effective for the 2011-2012 award year. A copy of the revisions which have been reviewed and approved by the Attorney General's Office is included in the bound *March 17, 2011 Board Working File*.

REAL ESTATE

10. **UM** - Appointment of Harrell Contracting Group as the Construction Manager-Advisor for the **IHL 207-345, University Housing**. The estimated project budget is \$32 million. Design costs will be funded from Student Housing R&R reserves. Construction and equipping costs will be funded by a mix of Student Housing R&R reserves, contributions from the university food services partner and UM EBC bond proceeds. **(THIS ITEM WAS MOVED TO THE REGULAR LEGAL AGENDA.)**
11. **UM** - Approved the initiation of **IHL 207-347, Northgate Apartments HVAC Renovation**, and the appointment of Corbett Legge & Associates as design professionals. The estimated project budget is \$1.5 million. Funds are available from Auxiliary R&R funds (\$1.5 million).
12. **JSU** - Approved the request to increase the budget for **GS 103-234, ADA Compliance Phase II-B**, from \$4,532,985.50 to \$5,032,985.50 for an increase of \$500,000. This is the third budget escalation request for this project. The escalation is necessary to replace and upgrade the existing elevators in the Administration Tower, assist with the planning and construction of the interior modifications required at the exterior and interior entrances of the Old Industrial Arts building as well as other needed repairs to the vertical circulations, restrooms, and the foundation of the building. This project will help the university to meet requirements of the American with Disabilities Act (ADA)

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- on the main campus as well as off campus properties. Funds are available from HB 1701, Laws of 2010 (\$500,000); HB 246, Laws of 2007 (\$4,032,985.50); SB 3197, Laws of 2002 (\$500,000).
13. **UMMC** - Approved the change in scope for **IHL 209-527, Ophthalmology Renovations-764 Lakeland**, to include additional plumbing revisions to the second and fourth floors with no escalation of the project budget. The university believes it is in its best interest to incorporate the required “below floor” plumbing work into the current project to prevent interruptions and damages to Clinic operations and to reduce the construction time and “after hours” scheduling of work activities on the future IHL #209-538, 4th Floor -764 Lakeland Renovation project. The estimated budget is \$5,279,000. Funds are available from Interest Income (\$25,000) and Restricted Funds (\$5,254,000).
 14. **MSU** - Approved the request to delete Building 1674 from inventory and demolish it. Building 1674, a residence at the Beaumont Unit of the Mississippi Agricultural and Forestry Experiment Station, was destroyed by fire and no longer needs to be on inventory. The approval letter has been received from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality. All legal documentation will be kept on file in the Office of Real Estate and Facilities.
 15. **MSU** - Approved the request to delete Building 144 (Arbour Acres #3) and Building 145 (Arbour Acres #4) from inventory and demolish it as part of IHL #205-255 New Residence Hall – Arbour Hall. These apartment units sit in the proposed footprint of the new residence hall (Arbour Hall) and must be removed to make way for the new construction of the residence hall. The approval letter has been received from the Mississippi Department of Archives and History. The buildings will be demolished following notification of and approval from the Mississippi Department of Environmental Quality. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

EFFICIENCY

16. **System** - The Board received an update on the Energy Efficiency Task Force. The next step includes the Commissioner drafting a letter to the proposed IHL Energy Council members inviting them to serve. A conference call will be scheduled with Council Members and facilities staff to kick off the process. The report is included in the *March 17, 2011 Board Working File*.
17. **System** - The Board received an update on the reverse auction pilot project at Mississippi State University. For the next step, the Commissioner will direct the Institutional Executive Officers to have their procurement officers work together to look for opportunities to conduct reverse auctions both at their institution and within the system. As the Board continues to investigate shared services opportunities, a system procurement officer for the regional institutions should be part of that discussion. The report is included in the *March 17, 2011 Board Working File*.

LEGAL

18. **UMMC** - Pending approval by the Attorney General’s Office, the Board approved the request to hire William Smith, III of the firm Watkins & Eager, PLLC to provide outside counsel services as real estate counsel. This is a renewal of a contract. The contract will be for one year. Either party may terminate upon thirty (30) days notice. The proposed attorney hourly rate is \$165 up to a do not exceed amount of \$100,000. The funding source will be state funds.
19. **USM** - Pending approval by the Attorney General’s Office, the Board approved the request to hire Barry Cannada, John Healy, Cara Baer, Hemant Gupta, Lane Belisimo, Bob Morris, Al Bright, Ben

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Roberson, and Ryan O'Beirne with Butler, Snow, O'Mara, Stevens & Cannada as outside counsel to represent USM in the filing of applications for patents in the United States and other intellectual property matters. The hourly rates to be charged will be \$225.00 for intellectual property/patent work, \$215.00 for commercial work, and \$85.00 for paralegals. Disbursements will include any long distance telephone charges, delivery charges, photocopy and drawing costs, computer search charges, government filing fees, travel expenses, and the like incurred in connection with this engagement. The approval will be for a period of one year. Either party may terminate the contract with thirty (30) days notice. These fees will be paid with funds from indirect costs associated with various University grants.

20. PERSONNEL REPORT

EMPLOYMENT

Mississippi University for Women

Jennifer M. Miles, Vice President for Student Services, salary of \$124,000 per annum, pro rata; E&G Funds; effective May 9, 2011

Rehired retirees making more than \$20,000 who ARE on contracts during Fiscal Year 2011 and Fiscal Year 2012

E.E. Caston, former position: DSU Dean of Education; new position: MUW Interim Provost and Vice President for Academic Affairs; consulting contract period: May 1, 2011 through June 30, 2011; rate of pay - \$64.50 per hour; re-employment period: July 1, 2011 through June 30, 2012; salary of \$134,250

Mississippi State University

Rehired retirees making more than \$20,000 who are NOT on contracts during Fiscal Year 2011

- Jeri V. Mangum, former position: Office Associate; re-employment position: Office Associate; re-employment period: November 1, 2010 through June 30, 2011; salary of \$26,000
- Thomas E. Edwards, former position: Research Professor; re-employment position: Research Professor; re-employment period: January 27, 2011 through June 30, 2011; salary of \$36,208
- Billie Hughes, former position: Chief of Police; re-employment position: Mississippi Alcohol Safety Education Program (MASEP) Facilitator; re-employment period: January 3, 2011 through June 30, 2011; salary of \$28,400
- Gloria Wilson, former position: Lecturer; re-employment position: Lecturer, re-employment period: January 1, 2011 through June 30, 2011; salary of \$22,000

CHANGE OF STATUS

University of Southern Mississippi

Ann Parker Blackwell; from Interim Dean, College of Education and Psychology and Professor, Department of Child and Family Studies; salary of \$135,000 per annum, pro rata; E&G Funds; to Dean, College of Education and Psychology and Professor, Department of Child and Family Studies; salary of \$152,000 per annum, pro rata; E&G Funds; effective July 1, 2011

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SABBATICALS

Mississippi State University

- Noel D. Addy, Associate Professor, Richard C. Adkerson School of Accountancy, from salary of \$91,121 per annum, pro rata for sabbatical period; E&G funds; to salary of \$45,560.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- Anatolijs Afanasjevs, Professor, Physics and Astronomy, from salary of \$71,899 per annum, pro rata for sabbatical period; E&G funds; to salary of \$35,949.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to May 15, 2012; professional development
- Benjamin F. Blair, Associate Professor, Finance and Economics, from salary of \$76,205 per annum, pro rata for sabbatical period; E&G funds; to salary of \$38,102.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- Robert F. Brzuszek, Associate Professor, Landscape Architecture, from salary of \$79,735 per annum, pro rata for sabbatical period; E&G funds; to salary of \$29,900 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- Kenneth M. Coffey, Professor, Curriculum, Instruction, and Special Education, from salary of \$65,836 per annum, pro rata for sabbatical period; E&G funds; to salary of \$32,918 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- Robert J. Damm, Professor, Music Department, from salary of \$59,039 per annum, pro rata for sabbatical period; E&G funds; to salary of \$29,519.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- Richard V. Damms, Associate Professor, History Department, from salary of \$60,000.00 per annum, pro rata for sabbatical period; E&G funds; to salary of \$30,000.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- Sandra D. Devlin, Professor, Curriculum, Instruction, and Special Education, from salary of \$71,426 per annum, pro rata for sabbatical period; E&G funds; to salary of \$35,713.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2012 to May 15, 2012; professional development
- Jenny Q. Du, Associate Professor, Electrical and Computer Engineering, from salary of \$84,295 per annum, pro rata for sabbatical period; E&G funds; to salary of \$42,147.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2012 to May 15, 2012; professional development
- Steven H. Elder, Professor, Agricultural and Biological Engineering, from salary of \$93,419 per annum, pro rata for sabbatical period; E&G funds; to salary of \$46,709.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- James E. Fowler, Jr., Professor, Electrical and Computer Engineering, from salary of \$95,362 per annum, pro rata for sabbatical period; E&G funds; to salary of \$47,681 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development
- Shirley A. Hanshaw, Assistant Professor, English Department, from salary of \$47,224 per annum, pro rata for sabbatical period; E&G funds; to salary of \$23,612 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to December 31, 2011; professional development

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- Robert J. Harland, Associate Professor, Foreign Languages, from salary of \$50,073 per annum, pro rata for sabbatical period; E&G funds; to salary of \$25,036.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2012 to December 31, 2012; professional development
- Michael J. Highfield, Associate Professor, Finance and Economics, from salary of \$184,188 per annum, pro rata for sabbatical period; E&G funds; to salary of \$69,070.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2012 to May 15, 2012; professional development
- Rachel E. McCann, Professor, School of Architecture, from salary of \$74,138.00 per annum, pro rata for sabbatical period; E&G funds; to salary of \$37,069.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2011 to May 15, 2012; professional development
- Phyllis B. Miller, Associate Professor, School of Human Sciences, from salary of \$74,380 per annum, pro rata for sabbatical period; E&G funds; to salary of \$37,190 per annum, pro rata for sabbatical period; E&G Funds; January 1, 2012 to May 15, 2012; professional development
- Edward T. Potter, Associate Professor, Foreign Languages, from salary of \$50,056 per annum, pro rata for sabbatical period; E&G funds; to salary of \$25,028 per annum, pro rata for sabbatical period; E&G Funds; August 16, 2011 to December 31, 2011; professional development
- Richard C. Raymond, Professor and Head, English Department, from salary of \$102,000.00 per annum, pro rata for sabbatical period; E&G funds; to salary of \$38,250.00 per annum, pro rata for sabbatical period; E&G Funds; January 1, 2012 to May 15, 2012; professional development
- Robert M. West, Associate Professor, English Department, from salary of \$57,164 per annum, pro rata for sabbatical period; E&G funds; to salary of \$28,582 per annum, pro rata for sabbatical period; E&G Funds; August 16, 2011 to December 31, 2011; professional development
- Shu-hui Wu, Associate Professor, History Department, from salary of \$55,178 per annum, pro rata for sabbatical period; E&G funds; to salary of \$27,589 per annum, pro rata for sabbatical period; E&G Funds; January 1, 2012 to May 15, 2012; professional development

ADMINISTRATION/POLICY

20. **DSU** - Approved the request to bestow an honorary degree at the May 2011 commencement. Supporting documents are on file at the Board Office.
21. **MSU** - Approved the request to bestow two honorary doctorates at the Spring 2011 commencement ceremonies. Supporting documents are on file at the Board Office.
22. **MVSU** - Approved the proposed revisions to the mission statement as shown below:
Mississippi Valley State University, located in Leflore County, is as a Carnegie Master's Institution Classified Master's University, which provides accessible, relevant and quality academic and public service programs comprehensive undergraduate and graduate programs in education, the arts and sciences, and professional studies. The University is driven by its commitment to excellence in teaching, learning, service, and research – a commitment resulting in a learner-centered environment that prepares critical thinkers, exceptional communicators, and service-oriented, engaged, and productive citizens. While the University has historically drawn the majority of its students from throughout the Delta, the institution recognizes the need to provide greater services to the south and east Delta areas. MVSU, which recognizes the need to be efficient, effective and productive in all of its operations, offers concentrated study in the arts, business, education, humanities, public services, pre-professional services, social sciences, sciences, social work, and technology.

Master's level programs are offered in criminal justice, business administration, teaching, elementary education, special education, environmental health and rural public policy.

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~~The University also endeavors to provide additional programs that are vital and unique to the needs of the population it serves. MVSU is fundamentally committed to positively impacting the quality of life and creating extraordinary educational opportunities for the Mississippi Delta and beyond. MVSU emphasizes the study and applications of technology, basic and applied research, service learning, health and wellness, and economic and cultural affairs. The University expands its emphasis to incorporate an international focus on governmental, economic and cultural affairs. Out of this concept, the Delta Research and Cultural Institute provides the avenue for faculty and students to engage in theoretical and applied research on subject matter related to the cultural, social, economic and political concerns of the Delta.~~

PRESENTATIONS

- ▶ The Board received an update from the Efficiencies Task Force regarding space inventory. The report is included in the *March 17, 2011 Board Working File*.
- ▶ The Board received a presentation from Mr. David Mallery, Executive Director of Mississippi Commission for Volunteer Services
- ▶ The Board received an update on the work of the IHL Diversity Committee since its first meeting in February 2011. The report is included in the *March 17, 2011 Board Working File*.

ACADEMIC AFFAIRS

Presented by Ms. Robin Robinson, Chair

On motion by Trustee Robinson, seconded by Trustee Owens, with Trustee Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Academic Affairs Agenda.

1. **System** - Approved the proposed amendments to Board Policy 602 Nonresident Admissions for final reading as shown below:
 - F. **Nonresident Admissions**

Any student identified as a nonresident will be ~~admitted~~ qualified for admission to a Mississippi institution of higher learning based on equivalent preparation as determined by the admitting institution.

If, however, an admitting institution determines that anticipated enrollment will exceed the institution's capacity to adequately serve all prospective students who are otherwise qualified for admission, then the institution may make appropriate admissions decisions from among the pool of otherwise qualified non-resident applicants in light of institutional capacity and consistent with constitutional and other legal requirements, as well as in light of the IHL and the admitting institution's values, mission, and goals.

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BUDGET, FINANCE & AUDIT AGENDA

Presented by Mr. Bob Owens, Chair

On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Budget, Finance & Audit Agenda. On motion by Trustee Patterson, seconded by Trustee Blakeslee, with Trustees Owens and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **UMMC** - Approved the request for a waiver of the annual audit requirement applicable to the IHL approved affiliation agreement with the Medical Center Research Development Foundation (MCRDF) for the fiscal year ending June 30, 2011. The request for the waiver for FY 2011 is based on the assets of the MCRDF being less than \$30,000 at June 30, 2010. The cost of the related audit would be approximately \$3,500. There has not been material fiscal activity in the MCRDF to-date and it is anticipated there will not be through the end of this fiscal year. Therefore, the financial statements will be materially the same as the previous fiscal year.
2. **System** - Approved the proposed increases in food service and housing operations (room and board) rates for FY 2012 only. (See Exhibits 1 and 2.)

LEGAL AGENDA

Presented by Mr. Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Owens, with Trustee Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Legal Agenda.

1. **System** - Approved for final reading the proposed amendments to Board Policies 201.02 President of the Board, 301.01 Officers of the Board, and 301.02 Election of Officers. (See Exhibit 3.)

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

ACADEMIC AFFAIRS

1. **System** – 2011 Improving Teacher Quality Awards
Title II, Part A of the *No Child Left Behind Act of 2001* authorizes awards to higher education state agencies to support an “Improving Teacher Quality” competitive grant program. The IHL institutions below were awarded Title II federal grant funds for the period beginning March 1, 2011 through April 30, 2012.

INSTITUTION	DISCIPLINE	AMOUNT
Delta State University	Mathematics	\$89,774.00
Delta State University	Literacy Integration	\$89,447.00
Jackson State University	Mathematics	\$90,000.00
Mississippi State University	Literacy Integration	\$90,000.00
Mississippi State University	Mathematics and Technology	\$90,000.00
Mississippi Valley State University	Reading	\$90,000.00

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University of Mississippi	Literacy Integration	\$89,851.00
University of Southern Mississippi	Literacy and Leadership	\$89,464.00
University of Southern Mississippi	Mathematics and Technology	\$90,000.00
Total Awarded to IHL Institutions		\$808,536.00

REAL ESTATE

2. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the February 17, 2011 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 4.)

LEGAL

3. **System** - The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 5.)

FIRST EXECUTIVE SESSION

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

Discussion of a prospective litigation matter at the University of Mississippi.

During Executive Session, the following matter was discussed:

The Board discussed a prospective litigation matter at the University of Mississippi.

On motion by Trustee Pickering, seconded by Trustee Robinson, with Trustee Whitten absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

On motion by Trustee Blakeslee, seconded by Trustee Pickering, with Trustee Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve the appointment of Harrell Contracting Group as the Construction Manager-Advisor for the **IHL 207-345, University Housing**. The estimated project budget is \$32 million. Design costs will be funded from Student Housing R&R reserves. Construction and equipping costs will be funded by a mix of Student Housing R&R reserves, contributions from the university food services partner and UM EBC bond proceeds.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 17, 2011**

SECOND EXECUTIVE SESSION

On motion by Trustee Patterson, seconded by Trustee Pickering, with Trustee Whitten absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Patterson, seconded by Trustee Rouse, with Trustee Whitten absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at the Board Office.

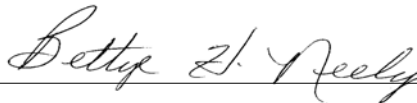
During Executive Session, the following matters was discussed:

The Board discussed a personnel matter at the Board Office.


On motion by Trustee Perry, seconded by Trustee Blakeslee, with Trustees Ross, Rouse and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Perry, seconded by Trustee Patterson, with Trustees Ross, Rouse and Whitten absent and not voting, 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
March 17, 2011**

EXHIBITS

- | | |
|-----------|---|
| Exhibit 1 | System Housing Overview, Proposed Annual Average Price of Housing, Double Occupancy for FY 2012 Compared to FY 2011. |
| Exhibit 2 | System Food Service Overview, Proposed Average Price of meal Plans for FY 2012 Compared to FY 2011. |
| Exhibit 3 | Proposed amendments to Board Policies 201.02 President of the Board, 301.01 Officers of the Board, and 301.02 Election of Officers for final reading. |
| Exhibit 4 | Real Estate items that were approved by the IHL Board staff subsequent to the February 17, 2011 Board meeting. |
| Exhibit 5 | Report of the payment of legal fees to outside counsel. |



System Housing Overview **EXHIBIT 1**

Proposed Annual Average Price of Housing Double Occupancy for FY 2012 Compared to FY 2011

Institution	FY 2011	FY 2012	Percent Change	Percent Change
ASU	\$ 4,460	\$ 4,594	\$ 134	3.0%
DSU	3,634	3,744	109	3.0%
JSU	4,110	4,275	165	4.0%
MSU	4,533	4,680	147	3.3%
MUW	3,302	3,434	132	4.0%
MVSU	3,090	3,614	524	17.0%
UM	4,080	4,230	150	3.7%
USM	3,686	3,895	210	5.7%
System	\$ 3,862	\$ 4,058	\$ 196	5.1%



EXHIBIT 2

System Food Service Overview Proposed Average Price of Meal Plans For FY 2012 Compared to FY 2011

Institution	FY 2011	FY 2012	Percent Change	Percent Change
ASU	\$ 2,348	\$ 2,442	\$ 94	4.0%
DSU	1,994	2,055	60	3.0%
JSU	2,413	2,509	97	4.0%
MSU	1,986	2,057	70	3.5%
MUW	2,258	2,314	56	2.5%
MVSU	2,447	2,800	353	14.4%
UM	1,941	2,017	76	3.9%
USM	2,574	2,660	86	3.3%
System	\$ 2,245	\$ 2,357	\$ 112	5.0%

Note: Includes all plans offered to students, including commuter plans. Because of the diversity of plan offerings, average prices are not necessarily comparable among universities. Additionally, UM presented a minimum increase and a maximum price offering in years after FY 2012. These are presented as the minimum rate and the maximum rate. Separate system averages have been adjusted to reflect this range.

EXHIBIT 3

March 17, 2011

Proposed Amendments to Board Policies 201.02 President of the Board, 301.01 Officers of the Board, and 301.02 Election of Officers for Final Reading.

201.02 PRESIDENT OF THE BOARD

~~Within 10 days after the beginning of the terms of office of its members, upon call of the Governor, the Board shall meet in the City of Jackson and organize by electing (1) of its number as president, whose term of office shall be for (1) year or until a successor shall be elected, and shall transact such other business as may come before the meeting. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie.~~

Miss. Code Ann., §37-101-7, as amended.
(See Section 301.01, A.)
(BT Minutes, 9/90; 1/98)

301.01 OFFICERS OF THE BOARD

A. PRESIDENT:

~~There shall be a president elected by the Board from its membership whose term of office shall be for one year or until his or her successor is elected. It is expected that each member of a class of Trustees shall be elected to serve as President, unless a Trustee elects not to serve. A class of Trustees shall consist of those Trustees who take office on the same date, or those whose terms as trustees end on the same date. Each member of the class of Trustees that took office as of May 2004 shall serve eleven months as president, unless he/she elects not to serve. The first Trustee elected as President from the class of Trustees that took office in 2004 shall begin his/her presidential term on May 1, 2011. Each member of the class of Trustees that took office as of May 2008 shall serve ten months as president, unless he/she elects not to serve. Each member of the class of Trustees that shall take office as of May 2012, as well as the members of all subsequent classes, shall serve nine months as president, unless he/she elects not to serve. If a member of a class of Trustees elects not to serve, another member of the class may serve more than one term, if elected. The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special~~

EXHIBIT 3

March 17, 2011

committees; ~~he or she shall appoint members of all standing or special committees;~~ he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie. The president of the Board may not immediately succeed himself/herself as president after having served a full ~~year~~ term.

Miss. Code Ann., §37-101-7, as amended.
(See Section 201.02 President of the Board)

B. VICE PRESIDENT:

There shall be a vice president elected by the Board from its membership. A vice president shall serve until completion of the term of the president that the vice president will succeed. ~~The term of office shall be one year, and~~ The vice president shall preside at meetings of the Board in the absence or disability of the president.

The vice president of the Board shall automatically succeed to the office of president after having served a ~~one year~~ term as vice president.

The vice president shall become president upon the resignation, removal, death or incapacity of the president.

(BT Minutes, 9/90, 1/98)

301.02

ELECTION OF OFFICERS

The Board of Trustees shall elect its officers at the ~~January~~, meeting of the Board, ~~if held,~~ three months before new officers are to take office, unless no meeting is held during that month. However, the Board may vote, if it so chooses, to hold the election of officers at another meeting of the Board. ~~to take office on the eighth day of May in the same year.~~

(BT Minutes, 9/90; 1/98)

EXHIBIT 4

March 17, 2011

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE FEBRUARY 17, 2011 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.

1. JSU – GS 103-219 – Johnson/Dansby Replacement – Phase I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$56,809.27 and forty-nine (49) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 24, 2011

Change Order Justification: **Change Order #7** is necessary to add work to re-align stone facing on curved lobby stair, install a seal coat finish on the asphalt parking lot, add track lighting in printmaking studio near north pin-up wall surface, add a switch to the fume hood in printmaking studio that came without that option, and to add emergency A/C supply to the Gallery/EOC.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$279,822.38

Project Initiation Date: November 20, 2003

Design Professional: Foil/Wyatt Architects & Planners, PLLC

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: March 30, 2009

Project Budget: \$13,773,590

Funding Source(s): HB 246, Laws of 2007 and SB 2010, Laws of 2004 (\$11,773,590); HB 1641, Laws of 2008 (\$2,000,000)

2. JSU – GS 103-251 – Security Upgrades

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$0.00 and one hundred fifty-three (153) additional days to the contract of Edwards Electric Service, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 15, 2011

EXHIBIT 4

March 17, 2011

Change Order Justification: **Change Order #1** is necessary to add days to the contract to provide the correct number of door exits and door monitor switches as well as to modify position of cameras as indicated on Drawing EC-1R.

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

Project Initiation Date: November 20, 2008

Design Professional: Watkins & O'Gwynn

General Contractor: Edwards Electric Service, LLC

Contract Award Date: N/A

Project Budget: \$1,651,948.97

Funding Source(s): HB 1641, Laws of 2008 (\$950,000); HB 1722, Laws of 2009 (\$701,948.97)

3. MSU – GS 105-310 – Harned Hall Renovations – Phase I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$446,249.00 and one hundred twenty-six (126) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 1, 2011

Change Order Justification: **Change Order #5** is necessary to revise building plaque size, prep doors for future access control hardware, change projection screen to larger size, renovate existing greenhouse, extend overhead for plaster repair and greenhouse renovation, add power switches in laboratories, add gas piping and shut off valves to autoclave, repair existing copper roof, and paint existing brick walls in several corridors to match new gypsum board walls.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$1,053,426.64

Project Initiation Date: May 1, 2007

Design Professional: Eley Associates/Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: April 7, 2009

Project Budget: \$17,000,000

Funding Source(s): SB 2010, Laws of 2004 (\$5,000,000); HB 246, Laws of 2007 (\$12,000,000)

4. MSU – GS 113-117 – Wise Center Storm Repairs

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$100,394.00 and thirty-three (33) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 24, 2011

Change Order Justification: **Change Order #4** is necessary in order to address structural remediation to existing conditions that were not expected to be encountered. These conditions include deteriorating CMU block and un-braced CMU walls, insufficient roof pedestals, and poor flashing.

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Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$119,786.00

Project Initiation Date: October 20, 2006

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

General Contractor: Thrash Commercial Contractors, Inc.

Contract Award Date: January 25, 2010

Project Budget: \$6,790,000

Funding Source(s): HB 1634, Laws of 2006 (\$1,726,000); HB 1641, Laws of 2008 (\$3,000,000); HB 1722, Laws of 2009 (\$2,000,000); MSU CVM (\$64,000)

5. MSU – IHL 205-235B – New Residence Hall Complex

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$68,991.97 and twelve (12) additional days to the contract of Harrell Contracting Group, LLC.

Staff Approval Date: February 3, 2011

Change Order Justification: **Change Order #3** is necessary to in order to add retaining wall, change fire dampers, rework north stairs, asphalt at Ann Arbor Acres, installation of fire rated plywood, landscaping at fountain, brick allowance credit, drainage at McComas, extra Bermuda sod, media wall allowance, acoustical wall panels, McComas Hall drainage, and landscaping at the AT&T box.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$312,595.03

Project Initiation Date: April 16, 2008

Design Professional: LPK Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: June 22, 2009

Project Budget: \$29,960,000

Funding Source(s): MSU Educational Building Corporation Bonds (\$29,960,000)

6. MSU – IHL 205-255 – Arbour Hall

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

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a **waiver of Design Development Documents**

Staff Approval Date: February 3, 2011

Project Initiation Date: November 18, 2010

Design Professional: LPK Architects, P.A.

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$23,653,017

Funding Source(s): MSU EBC (\$23,653,017)

EXHIBIT 4

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7. MUW – GS 104-149 – Poindexter Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$34,582.00 and zero (0) additional days to the contract of West Brothers. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 11, 2011

Change Order Justification: **Change Order #2** is necessary in order to furnish all labor, material, and equipment to relocate 2 temporary outside HVAC units away from the south elevation as described by the architect and engineer. The additional work consists of temporary power to each unit, installed from the existing TCP Panel in the basement to a relocated disconnect at each unit, and additional ductwork as indicated on the revised drawings.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$118,512.58

Project Initiation Date: November 20, 2003

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

General Contractor: West Brothers

Contract Award Date: July 13, 2010

Project Budget: \$9,579,000

Funding Source(s): SB 2010, Laws of 2004 (\$6,930,000); HB 246, Laws of 2007 (\$714,000); HB 1641, Laws of 2008 (\$435,000); HB 1722, Laws of 2009 (\$1,500,000)

8. MVSU – GS 106-230 – Stadium Seating Replacement

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

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

Staff Approval Date: February 15, 2011

Project Initiation Date: September 1, 2010

Design Professional: JBHM Architects

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$4,500,000

Funding Source(s): HB 1701, Laws of 2010 (\$4,500,000)

9. UM– IHL 207-306A – Carrier Hall Addition and Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$56,346.15 and twenty-three (23) additional days to the contract of Panola Construction, Inc.

Staff Approval Date: February 3, 2011

Change Order Justification: **Change Order #9** is necessary to add block filler CMU primer to unprimed existing CMU walls hidden behind existing radiators and chalkboards, patch existing walls where excessive damage occurred during occupancy

EXHIBIT 4

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not discovered until after occupant move, replace concrete sidewalk in front of Smith Hall between Carrier Hall addition and Smith Hall, add gypsum board furr down at existing lobby/corridor intersection because of conflict between new building systems and existing building systems, replace glazing in existing windows exhibiting small cracks, install a smooth “skin” coat to the concrete floor slab, raise the horizontal length of an existing roof drain to accommodate new building system, and add additional electrical circuits, independent light switching and miscellaneous additional electrical connection points.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$222,616.57

Project Initiation Date: August 20, 2009

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction

Contract Award Date: December 16, 2009

Project Budget: \$4,500,000

Funding Source(s): Mississippi Development Authority (\$4,500,000)

10. UMMC – IHL 209-505 – Pediatric Emergency Room Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$148,287.00 and zero (0) additional days to the contract of Evan Johnson and Sons, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$8,157.00 and zero (0) additional days to the contract of Evan Johnson and Sons, Inc.

Staff Approval Date: February 1, 2011

Change Order Justification: **Change Order #1** is necessary to adjust the contract allowance for actual proposal cost of HVAC controls via UMMC Novation Contract pricing through Johnson Controls. This area of UMMC is “Hospital Patient Care” and the existing controls system in place is Johnson Controls. The change order will also include furnishing and installing patient headwall units into the general construction contract. **Change Order #2** is necessary to provide for early completion and acceptance of a portion of the project to allow the owner corridor access to existing Adult and Pediatric Emergency Room. It will provide for the owners to use to shorten the route from Children’s Cancer Center and Children’s Hospital areas to the existing Pediatric Emergency room.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$156,444.00

Project Initiation Date: November 16, 2007

Design Professional: Dale/Morris Architects

General Contractor: Evan Johnson and Sons

Contract Award Date: February 15, 2010

Project Budget: \$5,633,275

Funding Source(s): PED Outpatient Clinic Funds (\$5,304,371); Hospital Patient Revenues (\$328,904)

EXHIBIT 4

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11. UMMC – IHL 209-535 – Learning Resources Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Harrell Contracting Group, Inc, the lower of nine (9) bidders, for a total contract amount of \$2,468,000.00.

Staff Approval Date: February 3, 2011

Project Initiation Date: April 15, 2010

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Harrell Contracting Group, Inc.

Contract Award Date: February 3, 2011

Project Budget: \$2,850,000

Funding Source(s): UMMC Educational Building Corporation (\$2,000,000); Interest Income (\$850,000)

12. USM– GS 108-217 – Science Building and Recreation Building Repair and Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Studio South/Allred Architectural Group, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a **waiver of Design Development Documents**

Staff Approval Date: January 24, 2011

Project Initiation Date: January 21, 2010

Design Professional: Studio South/ Allred Architectural Group

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$10,792,109.24

Funding Source(s): HB 1641, Laws of 2008 (\$249,488.02); SB 2010, Laws of 2004 (\$6,031,955.11); SB 2988, Laws of 2003 (\$1,279,656.30); SB 3197, Laws of 2003 (\$231,009.81); HB 1701, Laws of 2010 (\$3,000,000)

13. USM– GS 108-235 – College Hall Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Dale and Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a **waiver of Design Development Documents**

Staff Approval Date: February 2, 2011

Project Initiation Date: October 21, 2004

Design Professional: Dale and Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$6,252,302.68

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Funding Source(s): HB 1641, Laws of 2008 (\$2,728,381.41); SB 2010, Laws of 2004 (\$25,322.21); SB 2988, Laws of 2003 (\$14,805.88); SB 3197, Laws of 2003 (\$23,745.00); HB 1722, Laws of 2009 (\$493,159.34); HB 246, Laws of 2007 (\$2,957,745.50); HB 1634, Laws of 2006 –IHL R&R (\$9,143.34)

14. USM– IHL 208-267 – Dormitory Replacement, Hattiesburg

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$14,968.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Co.

Staff Approval Date: February 11, 2011

Change Order Justification: **Change Order #9** is necessary to alleviate drainage issues on the north and south elevations of the Learning Center and the area south of the main site entrance to the plaza.

Total Project Change Orders and Amount: Nine (9) change orders for a total **credit** amount of (\$249,021.00)

Project Initiation Date: March 14, 2007

Design Professional: Landry & Lewis Architects, P.A.

General Contractor: W.G. Yates & Sons Construction Co.

Contract Award Date: November 12, 2008

Project Budget: \$45,000,000

Funding Source(s): USM Educational Building Corporation (\$45,000,000)

15. Education & Research Center – GS 111-047 – ECM R&D Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$1,891.00 and zero (0) additional days to the contract of Metro Mechanical, Inc.

Staff Approval Date: February 11, 2011

Change Order Justification: **Change Order #2** is necessary to provide switches and circuits to operate lights in Boiler room and to relocate controls air compressor from pump room to electrical room. Owner requested light switches be added near office door to boiler room. Lights presently turned off at breaker box. Additional space is needed for new fire pump and jockey pump.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$21,878.00

Project Initiation Date: N/A

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Metro Mechanical, Inc.

Contract Award Date: August 18, 2010

Project Budget: \$750,000

Funding Source(s): ARRA (\$750,000)

EXHIBIT 5

March 17, 2011

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

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 1/1/11) from the funds of Mississippi State University. (These statements, in the amounts of \$32.77, \$124.85 and \$2,500.00, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 2,657.62

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 12/28/10) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with *Jackson HMA LLC vs. UMMC* - \$24,072.50.)

TOTAL DUE.....\$ 24,072.50

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statement dated 1/27/11) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$48,497.05, represents services and expenses in connection with the Jackson Medical Mall Lease.)

TOTAL DUE.....\$ 48,497.05

Payment of legal fees for professional services rendered by Bryan Nelson, P.A. (statement dated 2/7/11) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$858.30, represents services and expenses in connection with a personnel issue.)

TOTAL DUE.....\$ 858.30

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, O'Mara, Stevens & Cannada (statements dated 1/18/11, 1/18/11, 1/18/11, 1/18/11, 1/18/11, 1/18/11, 1/18/11, 1/31/11 and 1/31/11) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Steele - Prov. Patent on Anhydrosugar Production" - \$25.50; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$635.17; "Acoustic Inspection of Structures" - \$85.00; "Ventilating Dehumidifying System" - \$170.00; "Optical Sensing Elements for Nitrogen Dioxide (NO2) Gas Detection" - \$17.00; "Alcohol Esterification (Condensor Train)" - \$62.00; "Steele - Solid Heat Carrier

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Pyrolysis Reactor” - \$360.00; “Weed - Pelvic Floor Strength Assessment Device” - \$1,007.50; “Compact Time-of-Flight Mass Spectrometer - United Kingdom” - \$34.00 and “US Patent on Compact Time-of-Flight Mass Spectrometer” - \$541.00, respectively.)

TOTAL DUE.....\$ 2,937.17

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 1/24/11) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “MSU-Declaration/Renewal” - \$423.75; “Mississippi Horse Park Agricenter and Fairgrounds Trademark (Wordmark)” - \$423.75; “Section 8 and 15 Declarations of Use and Incontestability for MSUcares.com Logo” - \$427.50; “Montana State University - Consent Agreement” - \$42.50; “DrainBlocker Trademark C&D Matter” - \$191.25; “Self-Aligned Methods Low Temp Selective” - \$2,316.25; “Temporal Mapping and Analysis” - \$2,062.50; “Change Analyst” - \$3,378.75; “Engine Speed Controller” - \$1,041.25; “Trademark JUVA” - \$298.75; “St. Augustine Grass Plant Named ‘Eclipse’” - \$21.25; “JUVA Trademark Application” - \$320.00; “Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$2,668.50; “Delta Jazz Trademark” - \$1,848.75; “Giant Micanthus Provisional Plant Patent” - \$297.50; “Buckscore” - \$722.50; “Buckscore.com” - \$233.75; “Diethylene Tricarbamide and Diethylene Tricarbamide-Formaldehyde Condensation Resins” - \$361.25; “System and Method for Recharging Batteries” - \$1,596.25; “Buckscore Software Patent” - \$1,636.25; “Occidiofungin, a Unique Anti-fungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$3,342.50; “Remote Sensing Imaging Accuracy Analysis Method and Apparatus Divisional Application” - \$21.25; “A Method to Tutor Using Textbooks” - \$535.00; “Propulse Software Trademark” - \$1,245.00; “System and Method for Cell-Type Specific Comparative Analyses of Different Genotypes to Identify Resistance Genes” - \$683.75 and “Plant Patent - St. Augustine Grass Cultivers” - \$403.75.)

TOTAL DUE.....\$ 26,543.50