

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

May 16, 2013

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 November 27, 2012, to each and every member of said Board, said date being at least five days prior to this May 16, 2013 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins (by phone), Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, and Mr. C.D. Smith. The meeting was called to order by Mr. Bob Owens, President, and opened with prayer by Trustee Hal Parker.

INTRODUCTION OF GUESTS

- President Owens welcomed the Student Government Association officers: Avery Ford, President at Alcorn State University; Syndy Hodnett, President at Delta State University; Alanna Ferguson, Outgoing President at Delta State University; Michael Hogan, President at Mississippi State University; Derrick Jones, President at Mississippi Valley State University; Gregory Alston, President at the University of Mississippi; and Ann Marie Chilcutt, President at the University of Southern Mississippi.
- Commissioner Hank Bounds welcomed Dr. Tim Letzring, Chair and professor of leadership and counselor education at the University of Mississippi, and a group of doctoral students who are here to observe the meeting.

APPROVAL OF THE MINUTES

On motion by Trustee Hooper, seconded by Trustee Pickering, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on April 18, 2013 and April 30, 2013.

CONSENT AGENDA

On motion by Trustee Smith, seconded by Trustee Rouse, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

FINANCE

1. **JSU** - Approved the request to enter into an agreement with Ellucian Company L.P. for a broad range of management information services in support of the Banner (Enterprise Resource Planning system) functions as well as the management and operation of JSU's Office of Information Technology. The proposed five-year agreement is expected to begin on June 1, 2013 and continue through May 30, 2018. The total costs related to this agreement are estimated not to exceed \$7.5 million for the five (5) year term. The agreement will consist of both fixed and variable cost components. The fixed cost component equals \$6,875,001 and includes all out-of-pocket expenses (including travel and living expenses) incurred by the contractor in providing the services. The

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variable cost component consists of price escalations which may be triggered during the course of the agreement depending upon certain variables such as bandwidth usage and disk storage, both of which will be driven by JSU's usage of these services. The variable costs are estimated not to exceed \$624,999 in total. Beginning June 1, 2014 and on each anniversary thereafter, the amounts referenced above will be increased cumulatively by an amount equal to the amount by which the Consumer Price Index (CPI) increased in the immediately preceding twelve (12) month period. The term CPI means the index published by the US Department of Labor's Bureau of Labor Statistics: All Urban Consumers, U.S. City Average. The CPI pricing increase is incorporated into the estimated variable cost component noted above. The agreement will be funded from Education and General Funds. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

2. **MSU** - Approved the request to amend an existing services agreement with MetroCast Communications of Mississippi, LLC (MetroCast) to include cable services for faculty housing. In the past, MSU has allowed residents in faculty housing to choose their own cable services. However, this has resulted in a number of different satellite dishes and cables being run to the various houses. When MSU issued an RFP in January 2010 to provide cable services to residence halls, MSU requested and MetroCast identified the process they would use to provide similar services to other locations on campus. Allowing MetroCast to provide cable services to all residential housing including faculty housing, which will be reimbursed by the residents of those houses for the cost of the services, will allow MSU to provide better services while keeping maintenance costs in check. The amendment will begin upon approval of all parties and will terminate at the same time as the original agreement which is June 30, 2020. The agreement, and therefore, the amendment, can be renewed for up to two (2) additional five (5) year terms. Although MSU will be charged for the provision of these services, the charges will be passed along to the residents of faculty housing. Therefore, there is no additional net cost to MSU as a result of the amendment. The total approved contract cost remains \$3,193,518 as approved by the Board of Trustees in May 2010. Funds are available from rental payments from residents of faculty housing. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
3. **MSU** - Approved the request to enter into a lease agreement with New Cingular Wireless PCS, LLC (NCW) for space in Simrall Electrical Engineering Building that will be used for the placement of communications equipment. The agreement is twenty-five (25) years beginning approximately on June 1, 2013 through May 31, 2038. The agreement includes an initial five-year term and four (4) five-year extension terms. Each extension term will begin automatically on the expiration of the prior term unless either party provides the other party written notice of its intention not to enter an extension term. Such notice must be delivered not later than ninety (90) days prior to the end of the then-current term. The total revenue generated by the agreement will be approximately \$1,799,103.24. MSU will receive a monthly rental payment of \$3,600 for the first year of the agreement. For each succeeding year of the agreement, the monthly rental payment will increase by four (4) percent over the monthly rental payment for the preceding year. Estimated monthly rental payments and yearly rental payments for each year of the agreement are provided in the bound *May 16, 2013 Board Working File*. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

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4. **MSU** - Approved the request to escalate the budget for the Mississippi Alcohol Safety Education Program (MASEP). MASEP is the education and research component of the *Driving Under the Influence* control system for the state of Mississippi. The budget is funded by special funds including fees for services and a portion of assessments for violations of implied consent laws. The budget escalation is requested to accommodate increased class size. The escalation will be funded by class participation fees.

| Categories | Original FY 2013 Operating Budget | Revisions/ Escalations | Revised FY 2013 Operating Budget |
|---|--------------------------------------|---------------------------|-------------------------------------|
| Salaries | \$855,616 | \$247,914 | \$1,103,530 |
| Fringe Benefits | \$226,738 | \$43,749 | \$270,487 |
| Total Salaries & Fringe Benefits | \$1,082,354 | \$291,663 | \$1,374,017 |
| Travel & Subsistence | \$69,000 | | \$69,000 |
| Contractual Services | \$188,131 | \$23,804 | \$211,936 |
| Commodities | \$48,509 | | \$48,509 |
| Capital Outlay | | | |
| Non-Equipment | \$11,000 | | \$11,000 |
| Equipment | \$44,298 | | \$44,298 |
| Total Capital Outlay | \$55,298 | | \$55,298 |
| Mandatory Transfers | | | |
| Debt Service | | | |
| Matching | | | |
| Other | | | |
| Total Mandatory Transfers | | | |
| Non-Mandatory Transfers | | | |
| Auxiliary Support | | | |
| Building Projects | | | |
| Other | \$40,564 | \$240,000 | \$280,564 |
| Total Non-Mandatory Transfers | \$40,564 | \$240,000 | \$280,564 |
| Increase in Fund Balance | | | |
| TOTALS | \$1,483,856 | \$555,467 | \$2,039,323 |

5. **USM** - Approved the request to enter into a three-party long-term Golf Facilities Agreement with the Hattiesburg Country Club (HCC) and the University of Southern Mississippi Athletic Foundation (Foundation). The Board also approved the request to enter into a lease agreement with

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the Foundation to use those golf facilities that will be constructed by the foundation on the premises of HCC. This project was originally submitted to, and approved by the IHL Board in October 2012. In the original submission, the HCC was ground leasing property to the Foundation, who would then lease certain facilities to USM. Since the Board's approval, HCC's lender did not agree to certain terms and conditions in the Ground Lease and the parties have now renegotiated the transaction. The property originally to be ground leased to the Foundation will now be donated to the Foundation. In the new property Deed, HCC will reserve the rights to use the Phase 1 (Outdoor Practice Facility) and Phase 2 (Indoor Practice Facility) facilities. The initial terms of both agreements are twenty (20) years each. The agreements will begin upon full execution of all documents and will end in twenty (20) years. Each agreement may be renewed for six (6) additional terms of five (5) years each by written notice from USM and the Foundation to HCC. The maximum contractual period for each of these agreements is fifty (50) years. The Board also approved the maximum contract period of fifty (50) years and the associated cost for this period of \$3,022,420. This includes \$1,822,420 for the usage of the golf course and associated costs plus the final construction cost of the new facilities, estimated to equal between \$1.0 and \$1.2 million. A breakdown of the payments by USM is included in the bound *May 16, 2013 Board Working File*. The amount USM would repay the Foundation for the facilities are unknown at this time although professional estimates put construction costs in the range of \$1.0 to \$1.2 million for all three structures. The final cost will depend upon the actual construction costs for the three new golf facilities. Upon the substantial completion of those facilities USM will annually pay approximately 2% of the final construction costs. Over the fifty (50) year term the University will have essentially reimbursed the Foundation for its investment. Funds are available from auxiliary funds. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

6. **USM** - Approved the request enter into an agreement with Ocean Exploration Trust, Inc. for the use of the vessel, *R/V Nautilus*. The purpose of the agreement is for USM's use of the research vessel, *R/V Nautilus*, to collect data and information related to the ecosystem effects of natural oil and gas seepage to the Gulf of Mexico. Portions of the research expedition will be conducted alongside the *R/V Endeavor*. The term of the agreement is 16 days – June 21, 2013 through July 5, 2013. The total estimated contract cost for the use of the vessel is \$580,600. Costs are based on a daily rate of \$35,000 for vessel time; \$15,600 for estimated costs associated with coral sample processing; and \$5,000 for costs associated with technical equipment. As with the agreement between USM and the University of Rhode Island for use of the vessel, the *R/V Endeavor*, the cost for vessel time may be adjusted for actual fuel costs and overall vessel utilization; however, based on past history this is not expected to occur. The agreement will be funded by an externally-funded grant from BP Oil, entitled "Gulf Coast Research Initiative from BP Oil." The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
7. **USM** - Approved the request to enter into an agreement with the Pass Christian School District to lease the facility known as the Pass Christian Early Childhood Center located at 205 Leovy Avenue, Pass Christian, Mississippi. USM intends to use the facility to operate its Center for Child Development which provides a full-day child care program designed to enhance the development of children ages 8 weeks to 5 years of age through the implementation of an experimental, comprehensive, child-centered curriculum. In addition, the Center's operation will support USM faculty, students, and staff in their research, service and teaching pursuits. The total lease term is for a five (5) year period - July 1, 2013 through June 30, 2018. The agreement may be extended by

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USM for an additional five (5) year term (through June 30, 2023) upon six (6) months written notice to Landlord prior to the end of the initial contract term and upon receiving Board approval. In lieu of standard lease payments under the agreement, USM will reimburse the Landlord for a portion of the operational costs for the facility through payment of all utilities, pro-rated share of janitorial service costs and cost of lunch meals provided to the Center which are catered through the facility's cafeteria. Year 1 actual costs will be \$91,460 with years 2 through 5 estimated at \$56,461 per year. Total costs for the five year period are estimated to be \$317,304. The agreement will be funded by student tuition received by the Center and by E&G Funds received from USM's Gulf Coast campus. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

8. **USM** - Approved the request to enter into an agreement with the University of Rhode Island (URI) for the use of the vessel, *R/V Endeavor*. The purpose of the agreement is for USM's use of the vessel, *R/V Endeavor*, which is owned by the National Science Foundation and is operated and managed by URI. The vessel will be used by USM for conducting federally-funded marine research projects. The term of the agreement is for 39 days, June 13, 2013 through July 25, 2013. The total estimated contract cost is \$783,237. Costs are based on a daily rate of \$17,131 for vessel time and a daily rate of \$2,952 for marine technology support. The cost for vessel time may be adjusted for actual fuel costs and overall vessel utilization; however, based on last year's usage, this is not expected to occur. The agreement will be funded by an externally-funded grant from BP Oil, entitled "Gulf Coast Research Initiative from BP Oil." The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
9. **UMMC** - Contingent upon UMMC's submission to the Attorney General's Office of a copy of the Mississippi Department of Finance and Administration's certification of sole source within ten (10) days of receipt, the Board approved the request to enter into an agreement with St. Jude Medical S.C., Inc. d/b/a/ St. Jude Medical, U.S. Division for the purchase of structural heart products for use in the pediatric and adult cardiac catheterization laboratories. The purpose of this agreement is for the purchase of occluders, a device used in heart repair procedures, at a locked-in rate of pricing equivalent to 2012 pricing. The term of the agreement is for two (2) years beginning on or about June 1, 2013 through May 31, 2015. The total estimated contract cost for the two (2) year contract term is \$465,356 which is based on amounts spent in 2012 for the products plus a contingency to cover up to a 10% cost increase which UMMC *may* incur due to increases in patient volume. The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget. The agreement has been reviewed by Attorney General's Office and a copy is on file in the Board Office.
10. **MSU** - Exhibit 1 attached hereto represents the agenda item submission prepared by the Mississippi Information Technology Services' (MS-ITS) executive staff for its April 19, 2013 Board meeting. The Attorney General's staff assigned to the MS-ITS will review the contractual agreement prior to its execution. The resulting contractual agreement will be between the chosen vendor and MS-ITS on behalf of the requesting university. An information item will be submitted to the IHL Board of Trustees identifying the vendor selected and contract specifications at a subsequent meeting. (**See Exhibit 1.**)

REAL ESTATE

11. **MVSU** - Approved the request to increase the project budget for **GS 106-230 – Stadium Seating Replacement Phase II**, from \$6,400,000 to \$6,540,944 for an increase of \$140,944. The Board also

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- approved the request to add S.B. 1641, Laws of 2008 as a funding source to the project to allow for the increase in project budget. The project is currently in the construction phase. This is the third budget escalation request made for this project by the university. The purpose of this request is to add additional ADA seating to the East Grandstand area of the Rice-Totten Stadium. Value engineering efforts reduced the original construction amount by eliminating the accessible ramps to the mid-level concourse, replacing the ramps with stairs. To maintain diversity in the location of accessible viewing lost at mid-level concourse, these ramps will be in the same vocabulary of the materials provided for the entire grandstand area. Funds are available from HB 1701, Laws of 2010 (\$6,000,000); BOB Discretionary Funds (\$400,000); and SB 1641, Laws of 2008 (\$140,944).
12. **MVSU** - Approved the request to increase the project budget for **GS 106-237 – R.W. Harrison Renovation Expansion Phase I**, from \$6,238,525 to \$17,500,000 for an increase of \$11,261,475. The Board also approved the request to add S.B. 3100, Laws of 2011; S.B. 2913, Laws of 2013; and SB 2851, Laws of 2013 as funding sources to the project to allow for the increase in project budget. The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The purpose of this request is to increase funding toward the completion of renovation and expansion to the existing Harrison (HPER) building. This project proposes to provide space and facilities for academic instruction, co-curricular activities, and athletic performance with adequate seating capacity meeting ADA compliance guideline for attending students and audiences. The Board initially approved a Phase I schematic project budget that totaled \$6,238,525, with an understanding that the balance would be funded by upcoming appropriations. Funds are available from SB 2988, Laws of 2003 (\$138,525.03); SB 2010, Laws of 2004 (\$6,100,000); SB 3100, Laws of 2011 (\$5,000,000); SB 2913, Laws of 2013 (\$6,000,000); and SB 2851, Laws of 2013 (\$261,474.97).
13. **MUW** - Approved the request to grant an installation and maintenance of utilities easement to American Towers, LLC. American Tower will be permitted to use the site for the purpose of constructing, maintaining, removing, replacing, securing, and operating a communications facility, including but not limited to, the construction or installation and maintenance of a telecommunications tower. A copy of the property description is included in the bound *May 16, 2013 Board Working File*. The initial term of the contract is for ten years, commencing on the Commencement Date and continuing until midnight of the day immediately prior to the tenth anniversary of the Commencement Date. The renewal term is for each of the 8 successive periods of five (5) years each, with the first renewal term commencing upon the expiration of the initial term and each subsequent renewal term commencing upon the expiration of the immediately preceding renewal term. The monthly rent is \$700 and will increase at the commencement of the first renewal term by an amount equal to 20% of rent for the Initial Term. For each subsequent five (5) year renewal term thereafter the rent will increase at the commencement of the renewal term by an amount equal to 10% of rent for the previous five year period. The Attorney General's Office has reviewed and approved this item.
14. **UM** - Approved the request to purchase from John Leslie Spence in the amount of \$128,000 approximately 41.36 acres of property located in Lafayette County, Mississippi which adjoins the University of Mississippi Field Station (UMFS) along a portion of its east side. Increasing the UMFS footprint will act as a buffer against development encroachment and maintain not only the natural setting, but also the water table, natural workings, and quality of the watershed, all of which are vital to the research activities undertaken at the site. Acquiring this property will also assure future space to add a test pool or expand other related or support facilities. The university intends

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to close as soon as possible after receiving IHL approval and to that end has a tentative closing date of on or before June 7, 2013 or on or before an earlier or later date as agreed upon by both parties. A Phase I Environmental Site Assessment (ESA) has been conducted on the property. No recognized environmental conditions are evident at the subject property that would warrant further investigation. The assessment was conducted in accordance with requirements of the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM Standard E 1527-05. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The Attorney General's Office has reviewed and approved this item.

15. **UM** - Approved the request to sole source the energy control system with Andover Controls Systems for **IHL 207-357 – Interior Heating Modification – Thad Cochran National Center for Natural Products Research**. The Natural Products Center is in the process of upgrading and modifying the mechanical equipment located in the north and south mechanical rooms. Currently Andover Controls is utilized in the Natural Products Center which is supplied by Mechanical Automated Control Systems, Inc. The work in this building will be an extension of the Andover Controls System. The new controls will be direct digital control (DDC) type which is the standard now in place at the University of Mississippi. It will be to the university's advantage to operate & maintain one energy management/control system in this facility. The proposed project budget is \$2.5 million. Funds are available from Internal R&R (\$2.5 million). The Attorney General's Office has reviewed and approved this item.
16. **USM** - Approved the request sell a house and property located at 322 Barbara Street, Jackson, Hinds County, Mississippi to Christine Minor for the new appraised value of \$80,000 in accordance with H. B. 977, Laws of 2010 Regular Session. In October 2012, the Board approved the request to sell this property. At that time, two independent property appraisals for the property were received by the university. The average of the two appraisals was \$87,500. The university was approved to sell the property to Christine Minor for \$89,000 which was above the property's appraised value of \$87,500. Prior to the closing in November 2012, Hope Community Credit Union had an independent appraisal of the property conducted which revealed a property value of \$80,000 which was a decrease from the original appraisals. Hope Community Credit Union will not lend the borrower, Christine Minor, more than the bank's appraised value of \$80,000. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The Attorney General's Office has reviewed and approved this item. The abovementioned property was purchased by USM with a Subgrant it received from the Mississippi Development Authority on July 13, 2009 in the amount of \$3,566,726 for the purpose of buying foreclosed homes in the City of Jackson, Mississippi, rehabilitating those homes, and then reselling these homes to low income and very low income citizens.

17. **PERSONNEL REPORT**

EMPLOYMENT

Jackson State University

Ricardo A. Brown, Dean of Public Service and Professor of Public Health; College of Public Service; salary of \$150,000 per annum, pro rata; E&G funds; effective July 1, 2013

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Mississippi State University

(Hire with Tenure-also reported under Tenure Section Below)

Theford Keith Hollis, Associate Professor, Chemistry Department, salary of \$85,000 per annum, pro rata; E&G Funds; hired with tenure, effective August 16, 2013

University of Southern Mississippi

Douglas H. Vinzant; Vice President for Finance and Administration; salary of \$210,000 per annum, pro rata; E&G Funds; effective June 17, 2013

CHANGE OF STATUS

Mississippi State University

R. Gregory Dunaway, *from* Interim Dean and Professor, College of Arts and Sciences; salary of \$150,000 per annum, pro rata; E&G Funds; *to* Dean and Professor, College of Arts and Sciences, salary of \$180,000.00 per annum, pro rata, E&G Funds; effective May 17, 2013

University of Southern Mississippi

Gordon Cannon; *from* Vice Provost for Research; salary of \$200,000 per annum, pro rata; E&G Funds; *to* Vice President for Research; no change in salary; effective July 1, 2013 (Title change only)

IHL Executive Office

John Pearce, *from* Director of University Budgets; salary of \$71,766.58 per annum, pro rata; E&G Funds; *to* Interim Associate Commissioner for Finance and Administration; salary of \$131,840 per annum, pro rata; E&G Funds; effective May 17, 2013

TENURE

Delta State University

All on nine-month contracts effective August 19, 2013

- Leslie Fadiga-Stewart, *promotion to* Associate Professor, Department of Political Science
- Douglas Mark, *promotion to* Associate Professor of Music, Department of Music
- Michaela Merrday, *promotion to* Associate Professor of Art, Department of Art Literature
- Don Allan Mitchell, *promotion to* Associate Professor of English
- Debarashmi Mitra, *promotion to* Associate Professor of Community Development and Sociology
- Dianne Thomas, *promotion to* Associate Professor of Teacher Education
- Duane Shuttlesworth, *promotion to* Professor of Psychology

Jackson State University

All on nine-month contracts effective August 15, 2013

- Nicholas Hill, *promotion to* Associate Professor, Department of Economics, Finance and General Business
- Jeton McClinton, *promotion to* Associate Professor, Department of Educational Leadership
- Tony Latiker, *promotion to* Associate Professor, Department of Educational Leadership
- Mark Bernhardt, *promotion to* Associate Professor, Department of History and Philosophy
- Joan Wesley, *promotion to* Associate Professor, Department of Urban and Regional Planning

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- Azad Bhuiyan, *promotion* to Associate Professor, Department of Public Health– Epidemiology and Biostatistics
- Hafiz Ahmad, *promotion* to full Professor, Department of Biology
- Francis Tuluri, *promotion* to full Professor, Department of Technology
- Mohammed Ali, *promotion* to Associate Professor, Department of Technology
- Feng Wang, *promotion* to Associate Professor, Department of Civil and Environmental Engineering
- Jacqueline M. Jackson, *promotion* to Associate Professor, Department of Department of Computer Science

Mississippi State University

Nine-month contracts effective August 16, 2013 and twelve-month contracts effective July 1, 2013. All are nine-month contracts unless otherwise noted.

- Jason Baker, *promotion* to Associate Professor, Department of Music
- Matthew Boggan, Associate Professor, Division of Education, Meridian Campus
- Stephen Brain, *promotion* to Associate Professor, Department of History
- Christopher P. Brooks, *promotion* to Associate Professor, Department of Biological Sciences
- Renee M. Clary, Associate Professor, Department of Geosciences
- Amy E. Crumpton, *promotion* to Associate Professor, Interior Design Program
- Jeremiah D. Davis, *promotion* to Associate Professor, Department of Agricultural and Biological Engineering (*twelve-month contract*)
- Carlos Espinosa Dominguez, *promotion* to Associate Professor, Department of Classical and Modern Languages and Literatures
- Janet R. Donaldson, *promotion* to Associate Professor, Department of Biological Sciences
- Elizabeth Murphey Downey, *promotion* to Associate Professor, MSU Libraries (*twelve-month contract*)
- Zhaofei Fan, *promotion* to Associate Professor, Department of Forestry
- Vicki S. Gier, *promotion* to Associate Professor, Division of Arts and Sciences, Meridian Campus
- Donna M. Gordon, *promotion* to Associate Professor, Department of Biological Sciences
- Mary Ann Jones, *promotion* to Associate Professor, MSU Libraries (*twelve-month contract*)
- Michael Kardos, *promotion* to Associate Professor, Department of English
- Thedford Keith Hollis, Associate Professor, Chemistry Department (*New hire with tenure*)
- Jun Liao, *promotion* to Associate Professor, Department of Agricultural and Biological Engineering
- Gloria J. Liddell, *promotion* to Associate Professor, Department of Marketing, Quantitative Analysis, and Business Law
- Kari V. Lunsford, *promotion* to Associate Professor, Department of Clinical Sciences (*twelve-month contract*)
- Anne Elizabeth Marshall, Associate Professor, Department of History
- Janet F. McCarra, *promotion* to Associate Professor, Division of Education, Meridian Campus
- Karen S. McNeal, Associate Professor, Department of Geosciences
- Catherine Pierce, *promotion* to Associate Professor, Department of English
- Donna M. Pierce, *promotion* to Associate Professor, Department of Physics and Astronomy
- Melinda Walls Pilkinton, *promotion* to Associate Professor, Department of Sociology
- David Ray, *promotion* to Associate Professor, Department of Biochemistry, Molecular Biology, Entomology and Plant Pathology (*twelve-month contract*)
- Kathleen Sherman-Morris, *promotion* to Associate Professor, Department of Geosciences

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- Trent Smith, *promotion* to Associate Professor, Department of Animal and Dairy Sciences (*twelve-month contract*)
- Lesley Strawderman, *promotion* to Associate Professor, Department of Industrial and Systems Engineering
- Clifton D. Taylor, Jr., Associate Professor, Department of Music (*twelve-month contract*)
- John Bradley Vickers, *promotion* to Associate Professor, Department of Kinesiology
- Laura Richardson Walton, *promotion* to Associate Professor, Department of Communication
- Guiming Wang, Associate Professor, Department of Wildlife, Fisheries and Aquaculture (*twelve-month contract*)
- Mark E. Welch, *promotion* to Associate Professor, Department of Biological Sciences
- Carlton Chenault Young, *promotion* to Associate Professor, Division of Business, Meridian Campus

Mississippi University for Women

All on nine-month contracts with an effective date of August 16, 2013

- Kimberly Dorsey, *promotion* to Associate Professor of Management
- Xiaoxia Li, *promotion* to Associate Professor of Chemistry
- Johanna Price, *promotion* to Associate Professor of Speech-Language Pathology
- Irene Pintado, Associate Professor of Health Education
- Scott Tollison, Associate Professor of Management Information Systems and Dean of the College of Business and Professional Studies

Mississippi Valley State University

Nine-month contracts effective August 19, 2013 and twelve-month contracts effective July 1, 2013 . All contracts are nine-month unless otherwise noted.

- Catherine Singleton-Walker, *promotion* to Associate Professor, Department of Social Work (*twelve-month*)
- Jongchai Kim, Associate Professor, Department of Business Education (*twelve-month*)
- Lidong Wang, Assistant Professor, Department of Applied Technology
- Quiang He, Assistant Professor, Department of Mathematics, Computer and Information Science

University of Mississippi

Nine-month contracts effective August 22, 2013 and twelve-month contracts effective July 1, 2013. All contracts are nine-month unless otherwise noted.

- Michael A. Barnett, *promotion* to Associate Professor of Lighting Design
- Dennis A. Bunch, *promotion* to Associate Professor of Leadership and Counselor Education,
- Allison Paige Burkette, *promotion* to Associate Professor of Modern Languages
- Benjamin P. Cooper, *promotion* to Associate Professor of Law, School of Law (also tenure)
- Ellen Joan Foster, *promotion* to Associate Professor of Curriculum and Instruction
- Tommy G. Franklin, *promotion* to Associate Professor of Fiction Writing
- John C. Garner, *promotion* to Associate Professor of Exercise Science
- Judy K. Greenwood, *promotion* to Associate Professor and Head of Interlibrary Loan (*twelve-month contract*)
- Nathan I. Hammer, *promotion* to Associate Professor of Chemistry and Biochemistry
- Jason Dale Hoeksema, *promotion* to Associate Professor of Biology
- Philip R. Jackson, *promotion* to Associate Professor of Art

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- Carl Julius Jensen III, *promotion* to Associate Professor of Criminal Justice and Director of the Center for Intelligence and Security Studies (*twelve-month contract*)
- Linda Denise Keena, *promotion* to Associate Professor of Criminal Justice
- Robert E. Mongue, *promotion* to Associate Professor of Legal Studies
- Albert Benson Nylander III, Professor in the College of Liberal Arts and Director – McLean Institute for Partnerships and Community Engagement
- Christopher John Offutt, *promotion* to Associate Professor of English
- Peter P. Reed, *promotion* to Associate Professor of English
- Daniel M. Riche, *promotion* to Associate Professor of Pharmacy Practice (*twelve-month contract*)
- David J. Rutherford, *promotion* to Associate Professor of Public Policy Leadership
- Sandra M. Spiroff, *promotion* to Associate Professor of Mathematics
- Cristiane Januzzi Queiroz Surbeck, *promotion* to Associate Professor of Civil Engineering
- Melinda Wells Valliant, *promotion* to Associate Professor and Director of Nutrition and Hospitality Management's Coordinated Programs
- Tamara J. Warhol, *promotion* to Associate Professor of Modern Languages
- Eric T. Weber, *promotion* to Associate Professor of Public Policy Leadership
- Jonathan Cole Winburn, *promotion* to Associate Professor of Political Science and Director of Social Science Research Laboratory

University of Southern Mississippi

Nine-month contracts effective August 19, 2013 and twelve-month contracts effective July 1, 2013. All contracts are nine-month unless otherwise noted.

- Nell Adkins, Associate Professor, School of Accountancy, College of Business
- Wendy Atkins-Sayre, Associate Professor, Department of Communication Studies
- Kuppareddi Balamurugan, *promotion* to Associate Professor, School of Criminal Justice
- Bikramjit Banerjee, *promotion* to Associate Professor, School of Computing
- J. Bret Becton, Associate Professor, Department of Management and International Business
- Anita Boykins, *promotion* to Associate Professor, Department of Systems Leadership and Health Outcomes
- Nicholas Ciraldo, *promotion* to Associate Professor, School of Music
- Westley Follett, Associate Professor, Department of History
- Linda Ginn, Associate Professor, University Libraries
- Max Grivno, Associate Professor, Department of History
- Susan Hrostowski, *promotion* to Associate Professor
- Shahid Karim, Associate Professor, Department of Biological Sciences
- James Lambers, *promotion* to Associate Professor, Department of Mathematics
- John Lambert, *promotion* to Associate Professor, Department of Management and International Business
- Paul Linden, *promotion* to Associate Professor, School of Mass Communication and Journalism
- Heidi Lucas, *promotion* to Associate Professor, School of Music
- Chad Miller, *promotion* to Associate Professor, Department of Economic and Workforce Development
- Scott Milroy, *promotion* to Associate Professor, Department of Marine Science
- Richard Mohn, *promotion* to Associate Professor, Department of Educational Studies and Research
- Timothy Morse, Associate Professor, Department of Curriculum, Instruction and Special Education

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- Vanessa Murphree, Associate Professor, School of Mass Communication and Journalism
- MD Sarder, Associate Professor, School of Construction
- Mohamad Schuman, *promotion* to Associate Professor, School of Music (*twelve-month contract*)
- Jeremy Wiggert, *promotion* to Associate Professor, Department of Marine Science
- Wei Wu, *promotion* to Associate Professor, Department of Coastal Sciences
- Gallayanee Yaoyuneyong, *promotion* to Associate Professor, Department of Marketing and Fashion Merchandising
- Xinyu Yu, *promotion* to Associate Professor, School of Library and Information Science

University of Mississippi Medical Center

All on twelve-month contracts with an effective date of July 1, 2013

- Charles Bishop, Assistant Professor of Otolaryngology and Communicative Sciences
- Alejandro Chade, Associate Professor of Physiology and Biophysics
- Lique Coolen, Professor of Physiology and Biophysics
- Christian Koch, Professor of Medicine
- Michael Lehman, Professor of Neurobiology and Anatomical Sciences
- Michelle Owens, Associate Professor of Obstetrics and Gynecology
- Mary Elizabeth Morton, Associate Professor, School of Health Related Professions
- La'Toya Richards Moore, Associate Professor, School of Health Related Professions
- Amol Janorkar, *promotion* to Associate Professor of Biomedical Materials Science

EMERITUS STATUS

Jackson State University

Mark G. Hardy, Professor of Biology Emeritus, College of Science, Engineering, and Technology; effective May 6, 2013

University of Mississippi Medical Center

Harry V. Precheur, Professor Emeritus of Oral and Maxillofacial Surgery and Pathology in the School of Dentistry, effective July 1, 2013

ADMINISTRATION/POLICY

18. **System** - Approved the appointment of Dr. Rodney Bennett, President of the University of Southern Mississippi, to the Education Achievement Council. The Education Achievement Council was established by the Mississippi Legislature for the purpose of sustaining attention to the goal of increasing the educational attainment and skill level of the state's working population to the national average by 2025. The EAC includes twenty-three members who represent education stakeholders from K-12, community colleges, universities, Legislators, state agencies and the business community. The statute (37-163-1) calls for the Board of Trustees to appoint three University Presidents, one of whom must be from an HBU, to serve on the Council. Currently Dr. Jim Borsig, President of the Mississippi University for Women, and Dr. Al Rankins, Acting President of Mississippi Valley State University, serve on the Council. The appointment of Dr. Rodney Bennett will fill the vacancy left by the resignation of Dr. Martha Saunders. There is no length of term in the statute.

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19. **System** - Approved the appointment of Dr. Tulio Sulbaran, Director, Center for Logistics Trade and Transportation at the University of Southern Mississippi, to the Highway & Transportation Task Force. Senate Resolution No. 7 as signed by the Governor during the 2013 Legislative Session creates a study committee to consider revenue and expenditures necessary to develop and maintain an adequate highway transportation system in Mississippi. The task force is composed of 19 members; one member designated by the IHL Board of Trustees. Upon presentation of the report of its findings to the Legislature during the 2014 Regular Legislative Session, the task force will be dissolved.

ACADEMIC AFFAIRS

Presented by Trustee Robin Robinson, Chair

On motion by Trustee Dye, seconded by Trustee Pickering, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **State** - Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, the Board approved the accreditation of the Mississippi Nursing Degree Programs as shown below.

| SCHOOL OF NURSING | PROGRAM TYPE | ACCREDITATION STATUS |
|-------------------------------------|-------------------|--|
| Alcorn State University | ADN BSN MSN | Continuing Accreditation Continuing Accreditation Continuing Accreditations with Conditions¹ |
| Coahoma Community College | ADN | Initial Accreditation |
| Copiah-Lincoln Community College | ADN | Continuing Accreditation with Conditions² |
| Delta State University | BSN MSN DNP | Continuing Accreditation Continuing Accreditation Initial Accreditation |
| East Central Community College | ADN | Continuing Accreditation |
| East Mississippi Community College | ADN | Full Accreditation |
| Hinds Community College | ADN | Continuing Accreditation |
| Holmes Community College | ADN | Continuing Accreditation |
| Itawamba Community College | ADN | Continuing Accreditations with Conditions³ |
| Jones County Junior College | ADN | Continuing Accreditation |
| Meridian Community College | ADN | Continuing Accreditation |
| Mississippi College | BSN | Continuing Accreditation |
| Mississippi Delta Community College | ADN | Continuing Accreditation |

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| SCHOOL OF NURSING | PROGRAM TYPE | ACCREDITATION STATUS |
|---|---|---|
| Mississippi Educational Consortium for Specialized Advanced Practice Nursing (MECSAPN) - ASU, DSU, MUW, UMMC, & USM | MSN Gerontological & Psychiatric Mental Health Nurse Practitioner | Full Accreditation |
| Mississippi Gulf Coast Community College | ADN | Continuing Accreditation |
| Mississippi University for Women | ADN BSN MSN DNP | Continuing Accreditation Continuing Accreditation Continuing Accreditation Initial Accreditation |
| Northeast Mississippi Community College | ADN | Continuing Accreditation |
| Northwest Mississippi Community College | ADN | Continuing Accreditation with Conditions⁴ |
| Pearl River Community College | ADN | Continuing Accreditation with Conditions⁵ |
| Southwest Mississippi Community College | ADN | Continuing Accreditation with Conditions⁶ |
| University of Mississippi Medical Center | BSN MSN DNP | Continuing Accreditation Continuing Accreditation Full Accreditation |
| University of Southern Mississippi | BSN MSN DNP | Continuing Accreditation Continuing Accreditation Full Accreditation |
| William Carey University | BSN MSN | Continuing Accreditation Continuing Accreditation |

¹**Alcorn State University**

- REASON: MSN program non-compliant with one out of six NLNAC Accreditation Standards: Standard 4. Curriculum
- **CONDITION: must submit a follow-up report to NLNAC in spring 2015**

²**Copiah-Lincoln Community College**

- REASON: program non-compliant with IHL Standard VI. Outcomes. 2.b. Degree Completion Rate (**58%**) for Three Year Period (CLCC rate **57%**)
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan progress report by 06/30/13**

³**Itawamba Community College**

- REASON: program non-compliant with one out of six NLNAC Accreditation Standards: Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to NLNAC in fall 2014**

⁴**Northwest Mississippi Community College**

- REASON: program non-compliant with IHL Standard VI. Outcomes. 2.b. Degree Completion Rate (**72%**) for Three Year Period (NWMCC rate **65%**)
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan progress report by 06/30/13**

⁵**Pearl River Community College**

- REASON: program non-compliant with two out of six NLNAC Accreditation Standards: Standard 4. Curriculum and Standard 6. Outcomes
- **CONDITION: must submit a follow-up report to NLNAC in fall 2013**

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Southwest Mississippi Community College

- REASON: program non-compliant with two out of six NLNAC Accreditation Standards: Standard 4. Curriculum and Standard 6. Outcomes
- CONDITION: must submit a follow-up report to NLNAC in fall 2014

FINANCE AGENDA

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee Parker, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #4 and #5.

1. **System** - Approved the request to renew the property insurance coverage with Affiliated FM Insurance Company. This renewal year, the total insured value is \$9.12 billion. The premium for this year reflects an increase in the rate per \$100 value of 6.0% on all universities except USM, which is 13%. Again, catastrophic losses to the insurance industry and increased exposure were contributing factors to this increase as well as the addition of buildings with insufficient protection of combustible attic space, non-FM approved roof assemblies regarding wind specifications, and the estimated \$17 million tornado loss at USM. The initial premium is \$6,400,852. The property insurance premium may increase or decrease through the term of the policy as universities add or delete coverage. A schedule reflecting distribution of the premium on a per institution basis is on file at the Board Office.
2. **System** - Approved the FY2015 proposed funding priorities as required for the FY 2015 Legislative Budget Request. The Board also authorized the Commissioner to separately address the line items for Center for Advanced Vehicular Services (CAVS) at MSU, Center for Manufacturing Excellence (CME) at UM, and the Gulf Coast Research Center (GCRL) at USM. **(See Exhibit 2.)**
3. **Office of Student Financial Aid** - Pending completion of the Administrative Procedures Act process, the Board approved the Teacher Education Scholars Loan/Scholarship (TES) Rules and Regulations. State law requires the Board to promulgate Rules and Regulations for administering the state-supported Student Financial Aid (SFA) programs. During the 2013 Legislative Session, the Teacher Education Scholars Loan/Scholarship Program was created as part of the Governor's Education Works agenda. Funding was appropriated to begin making awards during the 2013-2014 Aid Year. The SFA is working to update the online application to begin accepting applications immediately. The TES Program awards \$15,000 annually to students with a 28 ACT and 3.5 GPA who commit to become teachers. Loans will be forgiven for recipients who graduate, become licensed, and teach in the public school system for five years. Funding, in the amount of \$1.5 million was provided in HB 1648. A copy of the rules and regulations which have been reviewed by the Attorney General's Office are included in the bound *May 16, 2013 Board Working File*.

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4. **Office of Student Financial Aid** - Pending completion of the Administrative Procedures Act process, the Board approved the Nursing Teacher Stipend Loan/Scholarship (NTSP) Rules and Regulations to allow for part-time/adjunct repayment. State law requires the Board to promulgate Rules and Regulations for administering the state-supported Student Financial Aid programs. The NTSP Program awards \$1,000/month stipend to master's and doctoral degree seeking students who commit to teach in Mississippi nursing education programs for two years in exchange for each year of funding. A copy of the rules and regulations which have been reviewed by the Attorney General's Office are included in the bound *May 16, 2013 Board Working File*.
5. **Office of Student Financial Aid** - Pending completion of the Administrative Procedures Act process, the Board approved the General Administration Rules and Regulations. State law requires the Board to promulgate Rules and Regulations for administering the state-supported Student Financial Aid programs. Program-specific rules exist for each and every program currently funded and active. However, some rules and regulations affect all programs and guide the Office's general administration of aid. These rules and regulations are submitted in an effort to be more transparent and fully compliant with state law. Changes to the General Administration Rules and Regulations will be brought to the Board for consideration as needed to ensure that all rules and regulations comply with changes to state and federal regulations and to allow for procedural changes resulting from technological innovations. A copy of the rules and regulations which have been reviewed by the Attorney General's Office are included in the bound *May 16, 2013 Board Working File*. The Mississippi Post-Secondary Education Financial Assistance Board has also approved pending completion of the Administrative Procedures Act process.

LEGAL AGENDA

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Robinson, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to move agenda item #1 to the Executive Session Agenda. On motion by Trustee Rouse, seconded by Trustee Pickering, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2 as submitted on the following Legal Agenda.

1. **UMMC - Settlement of IHL Self-Insured Workers' Compensation Program Claim Nos. 55-11089-1 and 55-9039-1. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
2. System - Approved for first reading the proposed new Board Policy 1102.04 Emergency Approval of Outside Counsel in Between Board Meetings as follows:
1102.04 EMERGENCY APPROVAL OF OUTSIDE COUNSEL IN BETWEEN BOARD MEETINGS

The Chair of the Board's Legal Committee is delegated the authority to act on behalf of the Board in between Board meetings as to the approval of requests to hire outside counsel when such requests require immediate attention prior to the next Board meeting. Any such institutional request for interim approval is to be forwarded to the Commissioner's office with an explanation of the emergency nature of the request. The Commissioner and Board's staff shall then review same and make a recommendation to the Chair of the Legal Committee for his/her consideration. Any interim approvals of outside counsel approved by the Chair of the Legal Committee shall be reported to the Board as an information item at the following Board meeting.

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ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Hank M. Bounds

On motion by Trustee Robinson, seconded by Trustee Perry, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Administration/Policy Agenda.

1. **System** - Approved the selection of the search firm Ayers & Associates, Inc. to assist with the presidential search at Mississippi Valley State University.

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

REAL ESTATE

1. **SYSTEM** - The Board received the Real Estate items that were approved by the Board staff subsequent to the April 18, 2013 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 3.)

LEGAL

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

ADMINISTRATION/POLICY

3. **SYSTEM** - The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.
 - a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 15, 2013, the Commissioner approved the request by Mississippi State University on behalf of its Department of Forestry to enter into a new lease agreement with Fratesi Planting Company (Lessor). The agreement is for the lease of one agricultural field totaling 20 acres in Washington County, MS. The acreage will be used by MSU’s Department of Forestry for tree cultivation and genetic research purposes. The lease term will commence upon execution by both parties and run through March 31, 2018. MSU will pay \$16,000 annually for the lease of the acreage. The total cost for the five (5) year lease term is \$80,000. In addition to rent costs, MSU will return the acreage to its prior condition at the conclusion of the lease term. Lessor will provide a working irrigation well for the field. This agreement is funded externally by a private grant which is entitled “Poplar Breeding” and is sponsored by FuturaGene, Inc. The Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents will be maintained in the IHL Department of Finance and Administration.
 - b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 24, 2013, the Commissioner approved the request by Mississippi State University on behalf of its Northern Gulf Institute (NGI) to enter into a lease agreement with Mississippi State University Research & Technology

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Corporation (RTC). This agreement is for the lease of approximately 4,601 square feet to be used by NGI as office, meeting, classroom and storage space at the Stennis Space Center. As background, MSU's Northern Gulf Institute is a cooperative institute led by MSU that is made up of five academic institutions and the National Oceanic and Atmospheric Administration (NOAA). The institute conducts research of natural and human impacts on the ecosystem of the northern Gulf of Mexico. The lease term will run for approximately five (5) and one-half months, ending September 30, 2013. MSU will pay \$6,073.32 per month, or a prorated amount thereof, for the lease of the space. The total estimated cost for the lease term is \$33,403.26. In addition to rent costs, MSU will be responsible for telephone and internet services. RTC, as Lessor, will provide utilities and janitorial services. This agreement is funded in part by federal USDA grant funds and in part by university funds. The Executive Office legal staff have reviewed and approved these contract documents. A copy of the documents will be maintained in the IHL Department of Finance and Administration.

- c. **UM** - 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 April 16, 2013, the Commissioner approved the request for budget revisions to the State court Education Program, Mississippi Mineral Resources Institute, Small Business Development Center, and the Mississippi Center for Supercomputing Research. The Executive Office financial staff have reviewed and approved these revisions. The budget revisions contain no increases in total budgets but rather reallocations among individual expense categories. The Executive Office financial staff have reviewed and approved these revisions. A copy of the documents will be maintained in the IHL Department of Finance and Administration.
- d. **System** – On April 15, 2013, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning January 1, 2013 and ending March 31, 2013. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff have reviewed the institutions' second quarter submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.

OTHER BUSINESS/ANNOUNCEMENTS

- President Bob Owens appointed the members of the Mississippi Valley State University Board Search Committee as follows: Mr. Shane Hooper (Chair), Dr. Ford Dye, Mr. Hal Parker, Ms. Robin Robinson, and Mr. C.D. Smith. On motion by Trustee Pickering, seconded by Trustee Rouse, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve the appointments to the Board Search Committee for the Mississippi Valley State University presidential search.
- Commissioner Hank Bounds introduced and welcomed a new IHL employee Ms. Ashlee Reid, Assistant to the Chief Administrative Officer at IHL.
- Commissioner Bounds announced that Mr. John Pearce will serve as the Interim Associate Commissioner of Finance and Administration and thanked Ms. Cheryl Mowdy, IHL Assistant

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Commissioner of Finance and Administration, for her hard work. Ms. Mowdy is retiring after nine years of service in the system office.

- Commissioner Bounds informed the Board that the Smart Business Act was passed during the 2013 Legislative Session. It is an incentive program to bring in additional privately funded research. It provides a rebate to those persons or entities who invest in research up to an amount of \$5 million. The Vice Presidents for Research at the four research institutions are working with Mr. Paul Sumrall, IHL Director of Business and University Relations, and Mr. Pete Walley, IHL Director of Economic Development Planning Bureau, to create the rules and regulations which require IHL Board approval. Trustee Pickering will provide some leadership on this initiative.
- President Owens reminded the Trustees that the June Board meeting will be held at the Mississippi University for Women in Columbus, MS.
- Trustee Shane Hooper shared his thoughts regarding the speech by Ms. Myrlie Evers-Williams at the May 11, 2013 commencement ceremony for the University of Mississippi. Ms. Evers is a current scholar and resident at Alcorn State University and widow of Civil Rights Leader Mr. Medgar Evers.

**ACADEMIC AFFAIRS
COMMITTEE REPORT**

Thursday, May 16, 2013

The Committee was brought to order by Chairman Robin Robinson at approximately 8:45 a.m. The following items were discussed.

On motion by Trustee Blakeslee, seconded by Trustee Hooper, all Committee members present and participating authorized the requests to plan for the following new degrees:

1. MSU - Bachelor of Science in Environmental Science in Agricultural Systems degree;
2. UM - Master of Arts and Master of Science in Interdisciplinary Studies degree;
3. UMMC - Master of Science in Clinical Anatomy degree; and
4. MSU - Bachelor of Science in Natural Resource and Environmental Conservation.

The following Committee members were present: Ms. Robin Robinson (Chair), Mr. Ed Blakeslee, Dr. Ford Dye, Mr. Shane Hooper, and Mr. C.D. Smith. Other Board members attending were Ms. Christy Pickering and Dr. Doug Rouse.

EXECUTIVE SESSION

On motion by Trustee Perry, with Trustee Cummins participating by phone and with Trustee Patterson 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 Rouse, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of litigation matters at one of the public universities;

Discussion of a prospective real estate transaction at one of the public universities; and

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Discussion of three personnel matters, one at the Board Office and two at the public universities.

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

The Board discussed a personnel matter at one of the public universities. No action was taken.

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Cummins participating by phone and with Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of the IHL Self Insured Workers' Compensation Claims Nos. 55-11089-1 and 55-9039-1 styled as *Nita Davis Wates vs. UMMC*, as recommended by counsel.

The Board discussed a prospective real estate transaction at one of the public universities. No action was taken.

The Board discussed a personnel matter at one of the public universities. No action was taken.

The Board discussed a personnel matter at the Board Office. No action was taken.

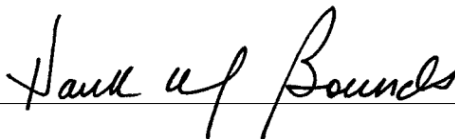
On motion by Trustee Dye, seconded by Trustee Smith, with Trustee Cummins participating by phone and Trustee Patterson absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Cummins participating by phone and Trustee Patterson 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

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EXHIBITS

- | | |
|-----------|--|
| Exhibit 1 | Agenda item submission prepared by the Mississippi Information Technology Services' (MS-ITS) executive staff for its April 19, 2013 Board meeting. |
| Exhibit 2 | FY2015 proposed funding priorities as required for the FY 2015 Legislative Budget Request. |
| Exhibit 3 | Real Estate items that were approved by the IHL Board staff subsequent to the April 18, 2013 Board meeting. |
| Exhibit 4 | Report of the payment of legal fees to outside counsel. |

Memorandum

To: Craig P. Orgeron, Ph.D.

Date: April 19, 2013

Re: Project No. 40161, the evaluation and recommendation of proposals received in response to Letter of Configuration Number 40161 issued January 31, 2013, based on General RFP No. 3670, for the acquisition of an Oracle Software License and Services Agreement for the **MISSISSIPPI STATE UNIVERSITY (MSU)**

I. BACKGROUND

MSU has had a Software License and Services Agreement (SLSA) with Oracle since 1998 that has been renewed annually. Oracle is the database used by Mississippi State University for its Enterprise Information Systems, including Banner and Blackboard. Over the years, MSU has acquired licenses for an increasing number of Oracle components. Licenses acquired are perpetual for the life of the agreement, with maintenance and support renewed on an annual basis.

Due to MSU's long history of use of these Oracle components, the original agreement does not reflect Oracle's current branding of components in place at MSU. Oracle informed MSU via email on August 28, 2012, that the 1998 SLSA that expires on June 30, 2013, would not be renewed and that MSU must migrate to a newer SLSA.

Letter of Configuration (LOC) Number 40161 based on General RFP No. 3670 was released on January 31, 2013, for the acquisition of an Oracle Software License and Services Agreement. In the LOC Vendors were requested to contact Oracle and give them MSU's Service Contract Numbers listed in the LOC to obtain the software license and quantities that MSU currently owns and migrate them to Oracle's current product name/version. Vendors were also instructed to quote annual pricing for three years and list any new licenses that must be obtained to handle MSU's current needs.

MSU reported a total of 25,010 users to the Integrated Postsecondary Education Data System (IPEDS). Below is a breakdown:

- 20,365 Full-time/part-time students;
- 1,269 Full-time/part-time faculty; and
- 3,376 Full-time/part-time staff.

II. PROPOSAL RESULTS

The proposal opening date was originally set for March 5, 2013, but was moved to March 18, 2013 to give Vendors more time to prepare responses.

ITS received proposals from two Vendors: Mythics, Inc. and Oracle America, Inc. Proposals were evaluated using cost only. The table below shows the scoring of the two Vendor's costs:

| Vendor | Cost | Cost Score (100) | Added Value (\$) | Total Score (105) |
|----------------------|----------------|-----------------------------|-----------------------------|------------------------------|
| Oracle America, Inc. | \$2,020,739.48 | 100.00 | 0 | 100.00 |
| Mythics, Inc. | \$2,357,031.00 | 83.36 | 0 | 83.36 |

III. RECOMMENDATION

The staffs of ITS and MSU jointly recommend the selection of Oracle America, Inc. as lowest vendor responding to this LOC to provide an Oracle Software Licenses and Services Agreement at a total 3-year lifecycle cost of \$2,020,739.48. Due to the pending expiration of licenses and support, time is of the essence. Therefore, the staffs also request approval to negotiate with the next lowest vendor, Mythics, Inc., at a total 3-year lifecycle cost of \$2,357,031.00, should the State be unable to negotiate a contract with Oracle in a reasonable timeframe.

IV. SOURCE OF FUNDS

Funding will come from the MSU Education and General Fund.


Tangela Harrion, Technology Consultant

MISSISSIPPI INSTITUTIONS OF HIGHER LEARNING

Detail of Summary of Appropriations Request for FY 2015 Compared to Appropriation for FY 2014

EXHIBIT 2
May 16, 2013

| | FY 2015 Budget Request | | | |
|--|---------------------------|--------------------|-------------------------|-------------------|
| | FY 2014 Appropriations | Budget Request | Appropriation Change | Percent Change |
| <u>EDUCATION & GENERAL (excludes Ayers)</u> | | | | |
| ASU | \$ 18,998,876 | \$ 20,626,822 | \$ 1,627,946 | 8.6% |
| DSU | 21,523,970 | 21,717,523 | 193,553 | 0.9% |
| JSU | 36,907,116 | 39,324,337 | 2,417,221 | 6.5% |
| MSU | 89,025,753 | 96,137,255 | 7,111,502 | 8.0% |
| MUW | 15,004,023 | 16,403,006 | 1,398,983 | 9.3% |
| MVSU | 14,029,872 | 14,428,339 | 398,467 | 2.8% |
| UM | 77,336,821 | 84,092,363 | 6,755,542 | 8.7% |
| USM | 79,392,068 | 79,488,854 | 96,786 | 0.1% |
| Subtotal - Available for Campuses | 352,218,499 | 372,218,499 | 20,000,000 | 5.7% |
| Capital Appropriations | 13,200,000 | 13,200,000 | - | 0.0% |
| Geospatial Licenses | - | - | - | #DIV/0! |
| Total E&G Excluding Ayers | 365,418,499 | 385,418,499 | 20,000,000 | 5.5% |
| <u>SYSTEM ADMINISTRATION</u> | | | | |
| Executive Office | 7,412,934 | 7,561,193 | 148,259 | 2.0% |
| Student Financial Aid | 36,285,077 | 37,736,481 | 1,451,404 | 4.0% |
| <u>ALCORN STATE UNIVERSITY</u> | | | | |
| Agricultural Units | 5,819,110 | 6,110,066 | 290,956 | 5.0% |
| <u>JACKSON STATE UNIVERSITY</u> | | | | |
| Urban Research Center | 520,372 | 530,780 | 10,408 | 2.0% |
| <u>MISSISSIPPI STATE UNIVERSITY</u> | | | | |
| Advanced Vehicular Studies | 3,328,126 | 3,394,689 | 66,563 | 2.0% |
| State Chemical Laboratory | 2,062,803 | 2,104,060 | 41,257 | 2.0% |
| Water Resources Research Institute | 240,531 | 245,342 | 4,811 | 2.0% |
| Stennis Institute | 909,550 | 927,741 | 18,191 | 2.0% |
| Agricultural & Forestry Experiment Station | 22,650,355 | 23,782,873 | 1,132,518 | 5.0% |
| Mississippi Cooperative Extension | 29,139,390 | 30,596,360 | 1,456,970 | 5.0% |
| Forest & Wildlife Research Center | 5,972,870 | 6,271,514 | 298,644 | 5.0% |
| College of Veterinary Medicine | 17,291,269 | 18,155,833 | 864,564 | 5.0% |
| Alcohol Safety Education Program (S. F.) | 1,485,371 | 1,515,079 | 29,708 | 2.0% |
| <u>UNIVERSITY OF MISSISSIPPI</u> | | | | |
| Center for Manufacturing Excellence | 1,310,311 | 1,336,518 | 26,207 | 2.0% |
| Law Research Institute | 823,015 | 839,476 | 16,461 | 2.0% |
| Mineral Resources Institute | 413,650 | 421,923 | 8,273 | 2.0% |
| Research Inst. of Pharmaceutical Sciences | 3,291,936 | 3,357,775 | 65,839 | 2.0% |
| Supercomputer | 695,804 | 709,721 | 13,917 | 2.0% |
| Small Business Center | 290,329 | 296,136 | 5,807 | 2.0% |
| University Medical Center | 191,968,612 | 195,807,985 | 3,839,373 | 2.0% |
| State Court Education Program (S. F.) | 1,499,288 | 1,529,274 | 29,986 | 2.0% |
| <u>UNIVERSITY OF SOUTHERN MISSISSIPPI</u> | | | | |
| Mississippi Polymer Institute | 675,869 | 689,387 | 13,518 | 2.0% |
| Gulf Coast Research Laboratory | 3,517,645 | 3,587,998 | 70,353 | 2.0% |
| Stennis Center | 439,724 | 448,519 | 8,795 | 2.0% |
| Ayers Program Funding | 13,467,000 | 13,467,000 | - | |
| Ayers Endowment | 5,000,000 | 5,000,000 | - | 0.0% |
| Ayers Summer Program Funding | 750,000 | 750,000 | - | 0.0% |
| Ayers Reappropriations | 1,196,372 | 1,196,372 | - | 0.0% |
| Total State Appropriation Ayers | 20,413,372 | 20,413,372 | - | 0.0% |
| Ayers Interest (S.F.) | - | - | - | N/A |
| TOTAL AYERS FUNDING: | 20,413,372 | 20,413,372 | - | 0.0% |
| Total Including Special Fund Agencies | 723,875,812 | 753,788,594 | 29,912,782 | 4.1% |
| State Appropriation-EXCLUDING S.F. Agencies | 720,891,153 | 750,744,241 | 29,853,088 | 4.1% |

EXHIBIT 3

May 16, 2013

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE APRIL 18, 2013 BOARD MEETING SUBMISSION DEADLINE

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

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

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

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the **credit amount** of \$90,480.72 and sixteen (16) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 16, 2013

Change Order Justification: **Change Order #3** is necessary to deduct for changing the three elevators hoistway entrance heights and the finish, to change the HVAC supply to the corridor as needed to work with the basement ceiling revisions, to change the chilled water piping from the auditorium HVAC unit to the new work from a 2 ½” to 4” lines, to relocated the fire pump test header and fire department connection to the location approved by the fire department, to change the ceiling type and lower it to correct the HVAC & electrical conflicts, to add electrical & data for the IT equipment, to add lighting to rooms 4005 & 4006, to deduct omitting the millwork in office 4304, to change the light fixtures & adjust the ceiling heights, to deduct for omitting the acoustical plaster from the gypsum & plaster ceilings and changing the plaster ceilings from traditional to veneer plaster over gypsum, to change the interior office doors to have vision panels instead of sidelights, and to deduct for omitting the wall covering in the conference room 4004.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$80,908.08.

Project Initiation Date: June 16, 2011

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

General Contractor: West Brothers Construction, Inc.

Project Budget: \$20,700,000.00

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

EXHIBIT 3

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2. MSU– GS 105-345 (GC02) – Classroom Building with Parking (Mechanical)

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

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.** Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 9, 2013

Project Initiation Date: August 19, 2010

General Contractor: TBA

Project Budget: \$37,509,471.00

Funding Source(s): SB 3100, L'11 (\$9,712,400.00); HB 246, L'07 (\$2,300,000.00); EBC Bonds and University Funds (\$25,497,071.00)

3. MSU – IHL 205-267 Phase One – Sawyer Tennis Courts (Fresh Food Company Dining Facility)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Weathers Construction, Inc., the lower of four (4) bidders, for a total contract amount of \$1,251,000.00.

Staff Approval Date: April 9, 2013

Project Initiation Date: September 11, 2012

Design Professional: JH&H Architects/Planners/Interiors, P.A.

General Contractor: Weathers Construction, Inc.

Project Budget: \$12,500,000.00

Funding Source(s): EBC Bonds (\$12,500,000.00)

4. MSU– IHL 205-267 Phase Two – MSU Fresh Food Company

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by JH&H Architects/Planners/Interiors, P.A.

Staff Approval Date: April 9, 2013

Project Initiation Date: September 11, 2012

Design Professional: JH&H Architect/Planners/Interiors, P.A.

General Contractor: TBA

Project Budget: \$12,500,000.00

Funding Source(s): EBC Bonds (\$12,500,000.00)

5. MVSU– GS 106-218 – New President's Home

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

Staff Approval Date: April 17, 2013

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Project Initiation Date: March 20, 2009

Design Professional: Shafer & Associates Architects

General Contractor: TBA

Project Budget: \$993,696.00

Funding Source(s): SB 2010, L'04/HB 1722 (\$900,000.00); Bureau Discretionary Funds (\$93,696.00)

6. UM– GS 107-302 – Lamar Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the **credit amount** of \$9,572.84 and zero (0) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 9, 2013

Change Order Justification: **Change Order #7** is necessary to add for additional waterproofing, for replacing a defective electrical panel, to credit for all mini blinds omitted, and to omit finishes.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$436,567.86.

Project Initiation Date: August 20, 2009

Design Professional: Barlow Eddy Jenkins Architects, P.A.

General Contractor: Evan Johnson & Sons Construction, Inc.

Project Budget: \$7,800,000.00

Funding Source(s): HB 1722, L'09 (\$3,170,846.50); HB 1701, L'10 (\$2,000,000.00); Internal R&R (\$2,629,153.50)

7. UM– GS 107-305 – Central Mechanical Plant

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$200,690.17 and seventy-eight (78) additional days to the contract of Tri Star Mechanical Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 11, 2013

Change Order Justification: **Change Order #4** is necessary to enlarge the concrete structure/transformer pad for additional electrical equipment, to add manhole hardware, to add valves & tees in the underground chilled water mains, to add small sections of concrete sidewalks, to remove a stump at the southwest corner of the building and to add seventy-eight days to the contract time due to rain delays.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$422,753.04.

Project Initiation Date: November 21, 2008

Design Professional: Eley Guild Hardy Architects, P.A.

General Contractor: Tri Star Mechanical Contractors, Inc.

Project Budget: \$13,200,000.00

Funding Source(s): HB 1701, L'10 (\$8,000,000.00); SB 3100, L'11 (\$5,200,000.00)

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8. UM – IHL 207-361 – Lamar Hall Phase IIB

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to D. Carroll Construction, LLC, the lower of six (6) bidders, for a total contract amount of \$5,134,400.00.

Staff Approval Date: April 4, 2013

Project Initiation Date: August 16, 2012

Design Professional: Barlow Eddy Jenkins Architects, P.A.

General Contractor: D. Carroll Construction, LLC

Project Budget: \$7,500,000.00

Funding Source(s): Internal R&R (\$7,500,000.00)

9. UM– IHL 207-366 – Music Hall Mechanical Upgrade & West Wing Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by CGM Group, Inc.

Staff Approval Date: April 12, 2013

Project Initiation Date: November 15, 2012

Design Professional: Shafer & Associates, Office of Architecture

General Contractor: TBA

Project Budget: \$4,000,000.00

Funding Source(s): Internal R&R (\$4,000,000.00)

10. UM – IHL 207-367 – East Stadium Drive Extension & Parking Lot

Staff Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on April 04, 2013 **approving a budget increase** for the East Stadium Drive Extension & Parking Lot and to award the construction project to A.S. Fornea Construction, LLC. The budget increase was increased from \$1,900,000 to \$2,575,000 for an increase in the amount of \$675,000.

Staff Approval Date: April 4, 2013

Project Initiation Date: November 15, 2012

Design Professional: Precision Engineering Corporation

General Contractor: A.S. Fornea Construction, LLC

Project Budget: \$2,575,000

Funding Source(s): Internal R&R (\$2,575,000.00)

11. UM– IHL 207-367 – East Stadium Drive Extension and Parking Lot

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to A.S. Fornea Construction, LLC, the lower of five (5) bidders, for a total contract amount of \$2,191,361.36.

Staff Approval Date: April 4, 2013

Project Initiation Date: November 15, 2012

Design Professional: Precision Engineering Corporation

General Contractor: A.S. Fornea Construction, LLC

Project Budget: \$2,575,000.00

Funding Source(s): Internal R&R (\$2,575,000.00)

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12. UMMC– IHL 209-532 – Cardiovascular Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$7,027.00 and seven (7) additional days to the contract of Fountain Construction Company.

Staff Approval Date: April 17, 2013

Change Order Justification: **Change Order #6** is necessary to improve the breaker circuits following a study and recommendations, to install a line with a valve on each end that will re-connect the supply and recirculation line temporarily as the current hot water supply is decoupled from the recirculation system, and discovery during demolition of some steam pipes that were wrapped in asbestos to be abated & the pipes that are still active to be re-insulated, and to add seven days to the contract to accomplish this work that could only be done during nights & weekends.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$137,414.00.

Project Initiation Date: February 18, 2010

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, PA

General Contractor: Fountain Construction Company

Project Budget: \$20,182,526.00

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

13. UMMC– IHL 209-534C – Contract 3 – Parking, Roadways, and Infrastructure Renovations

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

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

Staff Approval Date: April 4, 2013

Project Initiation Date: April 15, 2010

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, PA

General Contractor: TBA

Project Budget: \$13,750,000.00

Funding Source(s): Interest Income (\$625,000.00); EBC Bonds 2010 (5,500,000.00) 2012 (6,125,000.00); EDA #04-01-06658 (\$1,500,000.00)

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

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the **credit amount** of \$57,977.56 and seventy (70) additional days to the contract of Hanco Corporation, General Contractors. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 4, 2013

Change Order Justification: **Change Order #2** is necessary for work related to relocating the dumpster yard, work related to grade beam revisions, rerouting the communications ductbank, revising the grades along the south end of the building, credit

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for the difference between the controls allowance and the actual low bidder, and twenty additional days added for adverse weather delays.

Total Project Change Orders and Amount: Two (2) change orders for a total **credit amount** of \$14,864.04.

Project Initiation Date: March 2, 2005

Design Professional: Eley Guild Hardy Architects-Jackson, P.A./Studio South Architects, PLLC – A Joint Venture

General Contractor: Hanco Corporation, General Contractors

Project Budget: \$34,000,000.00

Funding Source(s): SB 3100, L'04 (\$340,247.95); HB 1701, L'10 (\$11,259,752.05); SB 3100, L'11 (\$15,200,000.00); USM Foundation/Donations (\$7,200,000.00)

15. ERC– GS 111-044 – Mechanical Modification Program

Staff Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on April 30, 2013 **approving a budget increase** for the Mechanical Modifications Program. The budget increase was increased from \$3,520,000 to \$3,555,100 for an increase in the amount of \$35,100.

Staff Approval Date: April 30, 2013

Project Initiation Date: July 27, 2004

Design Professional: Atherton consulting Engineers, Inc.

General Contractor: Upchurch Plumbing, Inc.

Project Budget: \$3,555,100

Funding Source(s): HB 246, L'07 (\$2,500,000); HB 1641, L'08 (\$500,000); HB 1722, L'09 (\$520,000); HB 1701, L'10 (\$31,000); 2011 BOB Discretionary Funds (\$4,100).

EXHIBIT 4

May 6, 2013

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 Ware/Gasparian (statement dated 4/11/13) from the funds of Mississippi State University. (This statement, in the amount of \$2,500.00, represents services and expenses in connection with labor certification.)

TOTAL DUE.....\$ 2,500.00

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statement dated 3/25/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$11,439.40, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 11,439.40

Payment of legal fees for professional services rendered by Bradley, Arant, Boult and Cummings (statement dated 3/13/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$3,246.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,246.50

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Canada (statement dated 2/22/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$50.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 50.00

Payment of legal fees for professional services rendered by Kitchens, Hardwick & Ray (statement dated 4/2/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,986.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,986.50

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 4/9/13) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,310.00, represents services and expenses in connection with general advice.)

TOTAL DUE.....\$ 2,310.00

EXHIBIT 4

May 6, 2013

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

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 3/12/13 and 3/13/13) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Preparation of the Pre-Coated RP-Rotors and Universal Chromatorotors, Chromatographic Spearation Devices and Methods for Centrifugal Preparative Chromotography" - \$1,452.50 and "Method of Preparing Delta-9-Tetrahydrocannabinol" - \$311.52, respectively.)

TOTAL DUE.....\$ 1,764.02

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/18/13) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Highly Purified Amphotericin-B" - \$164.50; "Delivery of Medicaments to the Nail" - \$231.68; "Methods for Detecting Humans" - \$426.00; "Particle Feeder" - \$1,674.00; "Stabilized Formulation of Triamcinolone Acetonide" - \$426.00; "Stabilized Formulation of Triamcinolone Acetonide" - \$426.00; "Stabilized Formulation of Triamcinolone Acetonide" - \$625.00 and "A Stable Plasmonic Cluster of Molecular Definition" - \$305.50.)

TOTAL DUE.....\$ 4,579.18

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 2/22/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$558.00 represents services and expenses in connection with intellectual property advice.)

TOTAL DUE.....\$ 558.00

Payment of legal fees for professional services rendered by Jones, Walker, Waechter, Poitevent, Carrère & Denègre (statement dated 10/17/12) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,123.50 represents services and expenses in connection with intellectual property advice.)

TOTAL DUE.....\$ 2,123.52

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/18/13, 1/18/13, 1/18/13, 1/18/13, 2/18/13, 2/18/13, 2/18/13, 2/18/13, 2/18/13, 2/18/13, 3/18/13, 3/18/13, 3/18/13 and 3/18/13) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$308.00, \$248.00, \$1,523.50, \$106.00, \$2,636.00, 28.50, \$918.00, \$586.70, \$606.80, \$3,507.60, \$237.50, \$1,817.00, \$2,670.50 and \$75.00, respectively, represent services and expenses in connection with intellectual property advice.)

TOTAL DUE.....\$ 15,269.10