

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
May 20, 2021**

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 January 6, 2021, to each and every member of said Board said date being at least five days prior to this May 20, 2021 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings (via Zoom), Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker (via Zoom), Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Walt Starr, President, with Trustee Ogletree providing the invocation.

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting in person or via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Board.**

ANNOUNCEMENT

On Tuesday, May 18, 2021, Governor Tate Reeves appointed three new trustees and reappointed one trustee. Dr. Ormella Cummings represents the Third Supreme Court District. Ms. Teresa Hubbard represents the Third Supreme Court District. Mr. Gregg Rader represents the Third Supreme Court District. Mr. Hal Parker represents the First Supreme Court District and was first appointed to the Board in 2012. President Walt Starr congratulated and welcomed the appointees to the IHL Board.

APPROVAL OF THE MINUTES

On motion by Trustee Morgan, seconded by Trustee Duff, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on April 15, 2021 and May 7, 2021.

CONSENT AGENDAS

On motion by Trustee Morgan, seconded by Trustee Martin, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

ACADEMIC AFFAIRS

1. **USM** – Approved the following modifications to existing academic programs.

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Suspend

- a. Program Title: Master of Science (MS) in History
CIP Code, Sequence: 54.0101, 4395
Total credit hours: 30-33
Effective date: August 2021

Delete

- b. Program Title: Bachelor of Arts (BA) in Sociology
CIP Code, Sequence: 45.1101, 5724
Total credit hours: 30-33
Effective date: August 2021
- c. Program Title: Master of Science in Nursing (MSN)
CIP Code, Sequence: 51.3899, 4357
Total credit hours: 44
Effective date: December 2020

FINANCE

2. **DSU** – Approved the request to extend an information technology services agreement with Ellucian Company, LLC for three months. This project will include the management and campus services for all three of the University technology services areas: Information Technology Services, Instructional Technology, and Telecommunications. Ellucian will provide planning, guidance, and execution in the development of information resources strategies and information technology initiatives to promote designs, management and utilization of staff, software, and equipment consistent with the University priorities and strategic goals. The cost of the 3-month extension is \$432,930. The funding source will be E&G Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
3. **MSU** – Approved the request to enter a new contract with Watermark Insight, LLC to provide Digital Measures Workflow and Digital Measures Activity Insights to track faculty activity. This web-based application system will enable the university community to log their activities in terms of teaching, research, and service. This will streamline the reporting efforts for annual evaluation, promotion and tenure, profile of scholarly outcomes, reports for specialized accreditation, and other similar university uses. The term of the contract is three years. The contract amount is \$480,856.07 and will be funded with MSU general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **UM** – Approved the request to enter a contract with 3-D Pine Straw LLC to provide the University of Mississippi Landscape Services Department pine straw bales when deemed necessary. The initial term of this contract shall be from June 1, 2021 through May 31, 2022. The University can renew this contract on an annual basis up to a total of sixty months ending on May 31, 2026. Renewal of the contract will depend on price, delivery, quality of service, and be mutually agreed upon by both parties. Price increases will be considered based on the CPI index. The total cost of the contract will be approximately

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\$464,750 for the first year. For purposes of estimating the maximum amount for the initial term and four renewal years, renewal years are assumed at the initial price plus 3% per annum for each renewal year following the first year. If all renewals are exercised, this contract would be estimated at a total of \$2,467,420.89 (initial term = \$464,750, 2nd year = \$478,692.50, 3rd year = \$493,053.28, 4th year = \$507,844.88, and the 5th and final year = \$523,080.23). The funding source for this contract will be Educational and General funds (E&G). Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **UMMC** – Approved the request to enter a Purchase Agreement with B. Braun Interventional Systems Inc. (B. Braun) to purchase balloons, stents, catheters, and sheaths used in procedures for the treatment of congenital heart defects in adult and pediatric patients. The Board also approved the request for the university to add or remove products as needed without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the agreement is two (2) years, from June 1, 2021, through May 31, 2023. The total estimated cost of the agreement over two (2) years is \$350,000. UMMC has included a fifteen percent (15%) increase in year two to allow for price increases and patient volume change. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **UMMC** – Approved the request to enter a purchase agreement for Watchman/Watchman FLX Left Atrial Appendage Closure (LAAC) Technology (Agreement) with Boston Scientific Corporation (Boston Scientific) to secure discounted pricing from Boston Scientific for consumable commodities and equipment used specifically with the Watchman device. The device is used in cardiac procedures to reduce the risk of thromboembolism from the left atrial appendage in patients who are at increased risk for stroke and systemic embolism. The Board approved the request for the university to add or remove products covered by the Agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the Agreement is three (3) years, from June 1, 2021, through May 31, 2024. The total cost of the Agreement over the three (3) year term \$1,975,000. UMMC has include a twenty percent (20%) increase beginning in year two (2) for potential volume growth. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **UMMC** – Approved the request to enter Amendment No. 24 to the License and Support Agreement with Epic Systems Corporation (Epic) to remove the Point of Sale System (Resolute) Interface from the licensed program property. The term of Amendment No. 24 will begin upon execution and end coterminous with the current agreement term ending August 22, 2024. Under Amendment No. 24 UMMC will receive a credit of \$2,500.00 to be applied towards any future invoices. The license fee for the single interface will be removed from the yearly license fees. The total estimated cost of the Agreement remains \$105,083,182.99. This agreement will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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8. **UMMC** – Approved the request to enter Amendment No. 25 to the License and Support Agreement with Epic Systems Corporation (Epic) to add Cloud Foundation and Cognitive Computing Cloud modules. The additional platform and services will allow UMMC to enhance its predictive analytics/machine learning capabilities and integrate the predictive models into Epic workflows to show trends and provide transparency into predictions and risk factors. Previously, under Amendment No. 17, UMMC licensed Healthy Planet for up to ten (10) predictive analytic modules which uses UMMC’s current processing power to generate the data. Epic has now moved processing power to a cloud based model allowing for the processing of many terabytes of data. This will enable UMMC to use more predictive analytics modules without effecting the normal record response rate. The term of Amendment No. 25 will begin upon execution and end coterminous with the current agreement term ending August 22, 2024. The estimated cost for Amendment No. 25 is \$291,000.00. The previously approved cost of the entire Agreement included projections for this type of additional license. The total estimated cost of the Agreement remains \$105,083,182.99. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of license fees for the Cognitive Computing Developer Platform set at fifty percent (50%) of the total license fee. This agreement will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
9. **UMMC** – Approved the request to enter Statement of Work No. 2 (SOW2) to the Master Services Agreement with Kaufman, Hall & Associates, LLC (Kaufman Hall) for network development and financial planning consulting services. The purpose of the agreement is to seek outside financial and capital planning guidance for UMMC. The engagement will define opportunities for clinical expansion relative to UMMC’s existing assets, local market conditions, and strategies pursued by academic medical centers across the country. Potential capital and operating costs of proposed investments will be identified along with the sources of funds to support these investments. This agreement will define a major component of UMMC’s five (5) year strategic plan and will result in a high level five (5) year financial plan. The total anticipated term of the Master Services Agreement, including SOW1 and SOW2, is six (6) months, from March 3, 2021, through approximately August 31, 2021. The term of the Master Services Agreement extends through the last expiration date of any attached statement of work. The term of SOW1 was March 3, 2021, through approximately April 30, 2021. The actual expiration date of SOW2 is upon the completion of the work, which is anticipated to be on or before August 31, 2021. The total cost of the Master Services Agreement, including SOW1 and SOW2, is \$507,000.00. There is no cost to the Master Services Agreement. The estimated cost of SOW1 was \$187,875, including professional fees and potential travel and other expenses. The estimated cost of SOW2 is \$319,125, including professional fees and potential travel and other expenses. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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10. **UMMC** – Approved the request to enter Amendment Three to its Standard Terms and Conditions (Agreement) with MediQuant, LLC (Mediquant) (successor in interest to MediQuant, Inc.) to extend the term of the agreement for a period of one (1) year and to continue providing services under Service Order 4 (SO4). The Mediquant system provides data storage and access management services to UMMC for its legacy clinical and financial data. Amendment Three extends the total term of the Agreement by one (1) additional year. The total amended term of the Agreement, which includes all associated service orders, is seven (7) years, from June 1, 2015, through May 31, 2022. The total estimated cost of Amendment Three is \$102,264.00. The total cost of the Agreement, including all associated service orders, is \$2,083,988.07. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of the monthly access fees in advance each month. The agreement will be funded by patient care revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
11. **UMMC** – Approved the request to enter a Purchase Agreement with QuVa Pharma, Inc. (QuVa) to purchase compounded medications used with critical care patients for sedation, pain control, and cardiovascular support. The purpose of the agreement is to provide 503b sterile compounding of medications used with critical care patients for sedation, pain control, and cardiovascular support. The term of the agreement is two (2) years, from June 1, 2021, through May 31, 2023. The total estimated cost of the agreement over the two (2) year term is \$1,675,000. UMMC has included a twenty percent (20%) increase in purchases in the second year and a twenty-five percent (25%) increase in the third year. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **UMMC** – Approved the request to enter a MRI Service Agreement with Scott Medical Imaging, LLC (Scott Medical) to provide a mobile magnetic resonance imaging (MRI) machine and technician to provide services at UMMC Holmes County. The term of the agreement is five (5) years from, June 1, 2021, through May 31, 2026. The estimated total cost of the agreement over the five (5) year term is \$1,280,000. UMMC has include a three percent (3%) increase beginning in year two (2) to allow for potential volume change. This agreement will be funded through hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
13. **UMMC** – Approved the request to enter the Seventh Amendment to the Standard License Agreement with UpToDate, Inc. (UpToDate) (successor-in-interest to Wolters Kluwer Clinical Drug Information, Inc.) for the Medi-Span drug databases. The Seventh Amendment will extend the current license term for one (1) additional year and assign interest to UpToDate, thereby aligning UMMC’s agreement with the company’s reorganization. Under the amended agreement, UpToDate will continue to provide access to the Knowledge Bases used within the Epic Enterprise clinical application for both UMMC and UMMC’s ECC clients. The total term of the amended Agreement is ten (10) years, from June 1, 2012, through May 31, 2022. The Seventh Amendment extends the

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Agreement by one (1) year. The Board also approved the request to enter subsequent amendments to extend the term of the agreement or for the purpose of reassignment, so long as the amendment does not change any material term in the agreement and as long as adequate funds are available. By the funding requested herein, UMMC estimates inclusion of three (3) additional years. The cost of the Seventh Amendment is \$118,416 with up to \$432,000.00 for potential subsequent amendments. The total estimated cost of the amended agreement, including up to three (3) additional years, is \$1,400,865.00. The agreement will be funded through hospital patient revenue for licenses utilized by UMMC, but for licenses for Epic Community Connect clients, the cost will be reimbursed to UMMC by the client. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

14. **USM** – Approved the request to contract with Watermark Insights, LLC for its Digital Measures faculty credentials software system. The purpose of the contract is to purchase a license for software to be used to build, display, and report on faculty using a variety of information such as their demographics, biography, teaching activity, publications, creative activities, areas of expertise, professional memberships, etc. The software provides a cloud-based solution for building faculty profiles that are used on the university's website. The term of this contract is five (5) years starting June 1, 2021 and ending May 31, 2026. The total amount of the contract for the five (5) year period will be \$556,922.79. This will include all product licenses, hosting, and support costs. The licensing, hosting, and support fees will be paid annually on the anniversary date of the contract, as well as at the beginning of the contract, as is customary with software licensing. The contract will be funded by Education and General funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
15. **JSU** – Approved the request to enter a ground lease with The JSU Tiger Fund Athletic Foundation, a not-for-profit corporation duly chartered pursuant to the laws of the State of Mississippi and an affiliated entity of Jackson State University ("The Tiger Fund"), for the purpose of renovating and resurfacing the JSU Track Field and Practice Facility. The track and field site work improvements will include installation of new drainage system, turf installation, track demolition and resurfacing, etc. This is a six (6) month ground lease, or until completion of improvements, whichever occurs first, beginning May 1, 2021 with the option of one (1) additional six (6) month renewal term, provided that notice is given to the Lessor at least fifteen (15) days before the expiration date of this lease and upon mutual written agreement signed by the Parties. The Tiger Fund shall pay to JSU good and valuable consideration which includes, but is not limited to, a lease payment of ten dollars (\$10.00) per month and the construction of improvements on the premises by The Tiger Fund at no cost or other expense to JSU. Upon completion of the work and improvements on the premises, all improvements to premises will be donated by The Tiger Fund to JSU and shall be owned "free and clear" in fee simple by JSU on the date this lease terminates. The value of the work and improvements to the premises shall exceed \$100,000. This is a revenue lease agreement. Legal Staff has reviewed the proposed agreement for compliance

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with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

16. **UM** – Approve the request to escalate the Auxiliary Enterprises Budget, as follows.

**University of Mississippi
FY 2021 Auxiliary Enterprises Budget by Major Object**

Category	Original FY 2021 Operating Budget	Revision/Escalation	Revised FY 2021 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 46,312,828	\$ 1,101,477	\$ 47,414,305
Travel and Subsistence	7,132,876	-	7,132,876
Contractual Services	49,200,690	50,000	49,250,690
Commodities	14,639,504	50,000	14,689,504
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	1,828,446	151,000	1,979,446
Mandatory Transfers	21,442,778	-	21,442,778
Non-Mandatory Transfers	7,761,037	-	7,761,037
Increase in Fund Balance	-	-	-
Total	\$ 148,318,159	\$ 1,352,477	\$ 149,670,636

A budget escalation is being requested to realign major objects and to provide spending authority for additional revenues in Athletics and the Golf Course.

REAL ESTATE

17. **USM** – Approved the initiation of GS 108-300, Hickman Hall Renovation, and the appointment of Burriss Wagnon Architects, P.A. as the design professional. The project will renovate the building to serve as department and office spaces. This will include code upgrades, a new elevator, updated bathroom facilities, along with new mechanical and electrical infrastructure. The estimated project budget is \$500,000. Funds are available from HB 1730, Laws of 2020 (\$500,000).
18. **USM** – Approved the initiation of GS 114-027, Gulf Park Executive Education and Conference Center, and the appointment of Unabridged Architecture as the design professional. The project scope includes the construction of conference and meeting space, classroom and training space, a large gathering area with breakout rooms, offices, kitchen, and a reception area. The estimated project budget is \$200,000. Funds are available from HB 1730, Laws of 2020 (\$200,000).
19. **MSU** – Approved the initiation of IHL 205-311, Transportation Alternatives Project Collegeview Connector, and the appointment of Neel Schaffer, Inc. as the design professional. The project scope will include the construction of a multi-use path, connecting Collegeview Drive to Highway 182. The connection will provide a needed bike and pedestrian connection from the northwest sector of the campus of MSU to the improved City of Starkville bike and pedestrian corridor along Highway 182. The estimated project budget is \$1,750,000. Funds are available from the Mississippi Department of Transportation Alternatives Program (\$1,750,000).

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20. **MSU** – Approved the initiation of IHL 205-312, Lakeview Drive Relocation, and the appointment of Smithers Engineering as the design professional. The project scope will include the design and construction for the relocation of Lakeview Drive on the east side of the existing Humphrey Coliseum. This project will relocate approximately 0.3 miles of Lakeview Drive to allow for the proper development of the east side of Humphrey Coliseum. The relocation will align the drive with the new parking garage entrance to create safer paths for pedestrians. The scope will include paving, hardscape, and landscape improvements. The estimated project budget is \$2,900,000. Funds are available from the Mississippi State University Athletic Department (\$2,900,000).
21. **MSU** – Approved the initiation of IHL 205-313, Hull Hall Re-Roof, and the appointment of Shafer Zahner Zahner as the design professional. The project scope will include re-roofing and include repair to the corner facias. The estimated project budget is \$1,400,000. Funds are available from Mississippi State University Housing Department (\$1,400,000).
22. **DSU** – Approved the request to delete from inventory a single-family rental house located at 316 Shumate Circle in Cleveland, Mississippi that is no longer needed by the university. The house is uninhabitable due to a deteriorated foundation, rotten window/door sills and frames caused by age, moisture, and termite damage. The approval letter has been received from the Mississippi Department of Archives and History stating 316 Shumate Circle is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

LEGAL

23. **MSU** – Approved the request to contract with the law firm of Brown and Langston, PLLC to perform services necessary in assisting the University with real estate matters. The term of the contract will be for one (1) year effective May 17, 2021 through May 16, 2022. The rate of pay for attorneys will be \$165 per hour with a maximum amount payable under this one-year term of \$10,000. This firm carries professional liability insurance in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000. This contract has been approved by the Office of the Attorney General.
24. **MSU** – Approved the request to contract with the law firm of Mendelsohn Dunleavy, P.C. to perform services necessary in assisting the University with intellectual property matters and specifically concerning the filing and prosecution of patent applications. The term of the contract will be for one (1) year effective May 1, 2021 through April 30, 2022. The firm will provide legal representation at the following rates: Kevin J. Dunleavy \$350/hour, Steve Mendelsohn \$350/hour, Garth Dahlen \$350/hour, Tu Phan-Kerr \$350/hour, Sandra Lex \$250/hour, Kristina Sanchez \$200/hour (U.S. Patent Agent only), and Paralegals \$100/hour. The maximum amount payable under this contract term is \$75,000. This firm carries professional liability insurance in the amount of \$1,000,000 per claim with an annual aggregate of \$3,000,000. This contract has been approved by the Office of the Attorney General.

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PERSONNEL REPORT

25. **Employment**

University of Mississippi Medical Center

Sreenivas Koka, Dean of the School of Dentistry, Department of Care Planning and Restorative Sciences; salary \$365,000 per annum, pro rata; E&G Funds; 4-year contract; effective April 5, 2021

26. **Tenure**

Delta State University

- Stephanie Bell; *promotion* to Associate Professor; Division of Counselor Education and Psychology; effective August 16, 2021
- Lauren Coker-Durso; *promotion* to Associate Professor; Division of Languages and Literature; effective August 16, 2021
- Judith Coleman; *promotion* to Associate Professor; Division of Languages and Literature; effective August 16, 2021
- Chris Riley; *promotion* to Associate Professor; Division of Management, Marketing, and Business Administration; effective August 16, 2021
- Ashley Stewart; *promotion* to Associate Professor; Division of Accountancy, Computer Information Systems, and Finance; effective August 16, 2021
- Julia Thorn; *promotion* to Associate Professor; Department of Music; effective August 16, 2021
- Andrew Wegmann; *promotion* to Associate Professor; Division of Social Sciences and History; effective August 16, 2021

Mississippi University for Women

- Kristi DiClemente; *promotion to* Associate Professor; Department of History; effective August 11, 2021
- Teresa Hamill; *promotion to* Professor; Department of Graduate Nursing; effective August 11, 2021
- Sally Pearson; *promotion to* Professor; Department of Graduate Nursing; effective August 11, 2021
- Shonda Phelon; *promotion to* Professor; Department of Graduate Nursing; effective August 11, 2021
- Donna Williams; *promotion to* Professor; Department of Baccalaureate Nursing; effective August 11, 2021

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Mississippi Valley State University

Swatantra Kethireddy, Assistant Professor, Department of Natural Sciences and Environmental Health; effective August 9, 2021

University of Mississippi

- Gay Marie Barnard; *promotion to* Associate Professor of Pharmacy Administration and Research Associate Professor in the Research Institute of Pharmaceutical Sciences; Department of Pharmacy Administration; effective July 1, 2021
- Ekaterina Berezina; *promotion to* Associate Professor of Nutrition and Hospitality Management; Department of Nutrition and Hospitality Management; effective July 1, 2021
- Eun Kyong Choi; *promotion to* Associate Professor of Nutrition and Hospitality Management; Department of Nutrition and Hospitality Management; effective July 1, 2021
- Jeremy Clark; *promotion to* Associate Professor of Mathematics; Department of Mathematics; effective July 1, 2021
- Ryan Fortenberry; *promotion to* Associate Professor of Chemistry and Biochemistry; Department of Chemistry and Biochemistry; effective July 1, 2021
- Jennifer Noelle Gifford; *promotion to* Associate Professor of Geology and Geological Engineering; Department of Geology and Geological Engineering; effective July 1, 2021
- David Marius Gligor; *promotion to* Professor of Marketing and Yvonne and Clyde Edwards Lecturer; Department of Marketing; effective July 1, 2021
- Jeremy Brian Griffin; *promotion to* Associate Professor of Accountancy; Department of Accountancy; effective July 1, 2021
- Yi Jin Kim; *promotion to* Associate Professor of Social Work; Department of Social Work; effective July 1, 2021
- Hoang Le; *promotion to* Associate Professor of Mathematics; Department of Mathematics; effective July 1, 2021
- Rebecca Marchiel; *promotion to* Associate Professor of History; Department of History; effective July 1, 2021
- Alice Myatt; *promotion to* Associate Professor of Writing and Rhetoric; Department of Writing and Rhetoric; effective July 1, 2021
- Paul Polgar; *promotion to* Associate Professor of History; Department of History; effective July 1, 2021
- Brenda Helen Prager; *promotion to* Associate Professor of Chemical Engineering; Department of Chemical Engineering; effective July 1, 2021

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- Kristin Hughes Rogers; *promotion to* Associate Professor and Electronic Resources and Discovery Librarian; University of Mississippi Libraries; effective July 1, 2021
- Vance Schaefer; *promotion to* Associate Professor of Modern Languages; Department of Modern Languages; effective July 1, 2021
- Lloyd R. Wade; *promotion to* Associate Professor of Integrated Marketing Communications and (Affiliate) Associate Professor of Biomedical Engineering.; Department of Journalism; effective July 1, 2021
- Sara Wellman; *promotion to* Associate Professor of Modern Languages; Department of Modern Languages; effective July 1, 2021
- Julie Wronski; *promotion to* Associate Professor of Political Science; Department of Political Science; effective July 1, 2021
- Zhini Zeng; *promotion to* Associate Professor of Modern Languages; Department of Modern Languages; effective July 1, 2021

University of Southern Mississippi

- Jacquelyn Adams; *promotion to* Associate Professor; School of Music; College of Arts and Sciences; effective August 16, 2021
- Amitava Biswas; *promotion to* Associate Professor; School of Speech and Hearing Sciences; College of Nursing and Health Professions; effective August 16, 2021
- Daniel Capron; Associate Professor; School of Psychology; College of Education and Human Sciences; effective August 16, 2021
- Nora Charles; *promotion to* Associate Professor; School of Psychology; College of Education and Human Sciences; effective August 16, 2021
- Adam Clay; *promotion to* Associate Professor; School of Humanities; College of Arts and Sciences; effective August 16, 2021
- Zachary Darnell; *promotion to* Associate Professor; School of Ocean Science and Engineering; College of Arts and Sciences; effective August 16, 2021
- Srinidhi Kanuri; *promotion to* Associate Professor; School of Finance; College of Business and Economic Development; effective August 16, 2021
- Galit Kaunitz; *promotion to* Associate Professor; School of Music; College of Arts and Sciences; effective August 16, 2021
- Sarah Lee; *promotion to* Professor; School of Computing Sciences and Computer Engineering; College of Arts and Sciences; effective August 16, 2021
- Lindsey Maxwell; Associate Professor; School of Communication; College of Arts and Sciences; effective August 16, 2021
- Vincenzo Mistretta; *promotion to* Associate Professor; School of Communication; College of Arts and Sciences; effective August 16, 2021

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- Nicole Phillips; *promotion* to Associate Professor; School of Biological, Environmental, and Earth Sciences; College of Arts and Sciences; effective August 16, 2021
- Peter Rogers; *promotion* to Professor; School of Construction and Design; College of Arts and Sciences; effective August 16, 2021
- Stephanie Smith; *promotion* to Associate Professor; School of Psychology; College of Education and Human Sciences; effective August 16, 2021
- Laurance Paul Strait; *promotion* to Associate Professor; School of Communication; College of Arts and Sciences; effective August 16, 2021
- Jonathan Yarrington; *promotion* to Associate Professor; School of Music; College of Arts and Sciences; effective August 16, 2021

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Morgan, seconded by Trustee Martin, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to approve 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 indicated below.

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

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SCHOOL OF NURSING	PROGRAM TYPE	ACCREDITATION STATUS
Mississippi College	BSN	Continuing Accreditation
	MSN	Initial Accreditation
Mississippi Delta Community College	ADN	Continuing Accreditation
Mississippi Gulf Coast Community College	ADN	Continuing Accreditation
Mississippi University for Women	ADN	Continuing Accreditation
	BSN	Continuing Accreditation
	MSN	Continuing Accreditation
	DNP	Continuing Accreditation
Northeast Mississippi Community College	ADN	Continuing Accreditation
Northwest Mississippi Community College	ADN	Continuing Accreditation
Pearl River Community College	ADN	Continuing Accreditation
Southwest Mississippi Community College	ADN	Continuing Accreditation
University of Mississippi Medical Center	BSN	Continuing Accreditation
	MSN	Continuing Accreditation
	DNP	Continuing Accreditation
University of Southern Mississippi	BSN	Continuing Accreditation
	MSN	Continuing Accreditation
	DNP	Continuing Accreditation
William Carey University	BSN	Continuing Accreditation
	MSN	Continuing Accreditation

¹**Alcorn State University**

- **REASON:** MSN/Post-Masters Certificate Program non-compliant with ACEN Standard 6. Outcomes. Criterion. 6.2. Nurse practitioner certification examination for first-time test takers during the same 12-month period.
- **CONDITION:** must submit a Follow-Up Report to ACEN by October 15, 2022.

²**Belhaven University**

- **REASON:** BSN program non-compliant with IHL Standard III. Students. State Specific Requirements 2.b.5. All students must satisfy a criminal history background check with fingerprinting.
- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/21.

FINANCE AGENDA

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Morgan, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. On motion by Trustee Duff, seconded by Trustee McNair, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to approve item #2.

1. **MSU** – Approved the request to issue through the Mississippi State University Educational Building Corporation (MSU EBC) revenue bonds in one or more tax-exempt and/or taxable series to refund all or a portion of the outstanding Revenue Bonds, Series 2013 (Refunding and Improvements Project) dated October 11, 2013, Revenue Bonds, Series 2014A (New Facilities and Refinancing Project) dated May 6, 2014, Taxable Revenue Bonds, Series 2014B (New Facilities Project), dated May 6, 2014, and Revenue Bonds, Series 2015

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(Campus Improvements Project) dated April 8, 2015 (collectively, the “Prior Bonds”). The primary purpose of issuing the bonds is to realize interest rate savings for MSU by refunding the Prior Bonds. The Board approved the request to pay the costs of issuance, sale and delivery of the bonds and approval of necessary bond documents. The Board also reviewed and approved the financial advisor’s report provided by Hilltop Securities. The professionals are as follows: Financial Advisor – Hilltop Securities; Bond Counsel – Jones Walker LLP; and Underwriters – Either Raymond James & Associates, Inc., Wells Fargo Bank, National Association and/or Stephens, Inc. and such other underwriters as are named in the Bond Purchase Agreement, will serve as underwriters for the bonds, or placement agents in the event a private placement transaction is utilized. Bond counsel will be compensated at a rate of \$1.15 per \$1,000 in par value of bonds. The estimated fee will be \$161,000. The term of the new bonds will closely match the term of the existing debt which is being refinanced. MSU EBC expects to issue up to \$140 million par value in fixed rate bonds for the purposes set forth above. Revenues currently being used for debt service on the Prior Bonds will fund the reissuance.

2. **JSU** – Approved the request to enter a lease agreement with University Park of Jackson II, LLC (“UPJII”), which is a wholly owned subsidiary of the JSU Development Foundation, a not-for-profit corporation duly chartered pursuant to the laws of the State of Mississippi and an affiliated entity of Jackson State University, for the purpose of leasing twenty-five thousand (25,000) gross square feet of space within a building owned by UPJII located at the corner of J. R. Lynch and Dalton Streets in Jackson, Mississippi, which is adjacent to the main campus of JSU, known as “One University Place”. This Lease Agreement shall commence on July 1, 2021 and shall continue for a period of fifteen (15) months and shall terminate at midnight on September 30, 2022, unless extended pursuant to the renewal provisions. JSU shall have the right to extend the Lease Agreement for an additional six (6) month term. JSU shall also have the right to purchase the Leased Premises at any time during the Lease Term, including the Renewal Term, of this Lease upon giving Purchase notice in writing to UPJII at least sixty (60) days prior to the expiration of the Base Lease Term or the Renewal Term of JSU's intention to purchase the property, One University Place. If JSU occupies the Leased Premises beyond the terms provided in the agreement, JSU will be considered as a “holdover.” During such holdover tenancy, the parties will be bound by all of the terms and conditions of the lease agreement except JSU shall pay UPJII one and one-half (1 ½) times the rents payable to UPJII at the expiration or termination of this Lease Agreement. During the Base Lease Term of fifteen (15) months, JSU shall pay UPJII a total of \$450,000 paid in monthly rent payments of \$30,000. Additionally, should JSU renew the Lease Agreement for the six (6) month renewal term, JSU shall pay to UPJII a total of \$180,000 paid in monthly rent payments of \$30,000. All rental payments shall be paid in advance on the first day of each month. JSU shall be responsible for payment of various additional expenses: 1) JSU shall pay to UPJII as additional rent (a) all maintenance and repair expenses directly attributable only to the Leased Premises and (b) its pro rata share of all maintenance and repair expenses allocable to the entire Building or the Site during in each calendar year during the Lease Term; 2) JSU shall pay to UPJII as additional rent a pro rata share of the total annual premium for fire and extended coverage insurance for the Building and other improvements located on the Site in each calendar year during

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the Lease Term; and 3) JSU shall pay to UPJII as additional rent (a) all Utility Charges directly attributable to the Leased Premises and (b) its pro rata share of all Utility Charges allocable to the entire Building or the Site in each calendar month during the Lease Term. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of the monthly rent in advance each month. The lease will be funded with Education and General Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

LEGAL AGENDA

Presented by Trustee Ann Lamar, Chair

On motion by Trustee Duff, seconded by Trustee Luckey, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to move item #1 to the Executive Session Agenda.

1. **UMMC - Settlement of IHL Self-Insured Workers' Compensation Claim No. 55-43552-1. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Duff, seconded by Trustee Ogletree, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved the following committee appointments by President Walt Starr.

STANDING COMMITTEES

Academic Affairs Committee – Dr. Steven Cunningham, Chair
Audit Committee – Bruce Martin, Chair
Finance Committee – Tom Duff, Chair
Health Affairs Committee – Dr. Alfred McNair, Jr., Chair
Legal Committee – Gee Ogletree, Chair
Real Estate Committee – Chip Morgan, Chair

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AD HOC COMMITTEES

Ayers Endowment Management

1. Dr. Alfred McNair, Jr., Chair
2. Dr. Walt Starr, Board President
3. Dr. Alfred Rankins, Commissioner
4. Dr. Felicia Nave, ASU President
5. Thomas Hudson, JSU President
6. Dr. Jerryl Briggs, MVSU President
7. Trustee Bruce Martin

Diversity

1. Dr. Steven Cunningham, Chair
2. Jeanne Luckey
3. Chip Morgan

Note: The President is an Ex-Officio member of all committees.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **USM – Certificate Programs**

Rename

- a. Current certificate title: Casino Management
Proposed certificate title: Casino Resort Management and Marketing
Responsible academic unit: Casino Resort Management and Marketing
Level: Pre-Baccalaureate (less than 1 year)
Total credit hours: 12
CIP code, sequence: 52.0999, 8038
Effective date: August 2021
- b. Current certificate title: Unmanned Maritime Systems
Proposed certificate title: Uncrewed Maritime Systems
Responsible academic unit: School of Ocean Science and Engineering
Level: Pre-Baccalaureate (less than 1 year)
Total credit hours: 10
CIP code, sequence: 29.0306, 8095
Effective date: August 2021
- c. Current certificate title: Unmanned Maritime Systems Operator
Proposed certificate title: Uncrewed Maritime Systems Operator
Responsible academic unit: School of Ocean Science and Engineering
Level: Pre-Baccalaureate (less than 1 year)
Total credit hours: 12
CIP code, sequence: 29.0306, 8117
Effective date: August 2021

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Delete

- d. Certificate title: Phlebotomy
Responsible academic unit: School of Biological, Environmental, and Earth Sciences
Level: Pre-baccalaureate (less than 1 year)
Total credit hours: 2
CIP code, sequence: 51.1009, 8031
Effective date: August 2021

REAL ESTATE

- 2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the April 15, 2021 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

LEGAL

- 3. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 2.)**
- 4. **SYSTEM** – The Chair of the Legal Committee approved requesting an official Attorney General’s opinion on questions related to newly appointment board members.

ADMINISTRATION/POLICY

- 5. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
 - a. **ASU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On May 6, 2021, Commissioner Alfred Rankins, Jr. approved the revisions to the FY 2021 *Ayers* academic programs budgets after conducting a review of the programs. It appears that these revisions were necessary to align 2021 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The Executive Office financial and academic staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
 - b. **MSU** – On April 19, 2021, Commissioner Alfred Rankins, Jr., approved the Ground Lease Agreement between Mississippi State University and Alpha Chi Omega National House Corporation for Lot #17 of Sorority Hill Subdivision on the Mississippi State Campus. The term of the ground lease is 50 years at a cost of \$50. The IHL Associate Commissioner for Legal Affairs has reviewed the

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agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

- c. **MSU** – On April 29, 2021, Commissioner Alfred Rankins, Jr., approved the Lease between the Mississippi Agriculture and Forestry Station (MAFES)/Mississippi State University and Miles C. Bridgers for use of 117 acres located at the Brown Loam Branch Experiment Station in Raymond, MS, specifically Fields 14 and 12 for crop farming. This is a new revenue-generating lease and will be effective upon approval and execution through no later than October 2022 at a cost of \$8,424 per year. The IHL Associate Commissioner for Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- d. **MVSU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On May 6, 2021, Commissioner Alfred Rankins, Jr. approved the revisions to the FY 2021 *Ayers* academic programs budgets after conducting a review of the programs. It appears that these revisions were necessary to align 2021 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The Executive Office financial and academic staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- e. **UM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On April 19, 2021, Commissioner Alfred Rankins, Jr., approved the University of Mississippi’s Parking and Traffic Rules and Regulations for the 2021-2022 school year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the documents.
- f. **SYSTEM** – On April 19, 2021, Commissioner Alfred Rankins, Jr. reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for FY20 Q3 during the period of January 1, 2020 through March 31, 2020 and for FY20 Q4 during the period of April 1, 2020 through June 30, 2020. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and

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approved the institutions' submissions for both periods. A copy of the reports will be maintained in the IHL Department of Finance and Administration.

**HEALTH AFFAIRS
COMMITTEE REPORT
Wednesday, May 19, 2021**

The meeting was called to order by Chairman Walt Starr at approximately 3:00 p.m. Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via Zoom and in-person. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Health Affairs Committee.** The following items were discussed.

1. The Committee received a report on the quality/patient experience, discussed the monthly financial summary and goal dashboard including COVID-19 statistics, discussed the FY 2022 budget for preliminary review; and received a report on disaster/emergency planning. **No action was taken.**
2. Executive Session
On motion by Trustee Luckey, with Trustees Cummings, Duff, Hubbard, and Parker absent and not voting and Trustees Cunningham, Martin, McNair, Morgan, and Rader participating via Zoom, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Luckey, seconded by Trustee Ogletree, with Trustees Cummings, Duff, Hubbard, and Parker absent and not voting and Trustees Cunningham, Martin, McNair, Morgan, and Rader participating via Zoom, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:
Discussion of strategic business plans related to a public hospital.
During Executive Session, the Committee discussed the strategic business plans related to a public hospital. **No action was taken.**
On motion by Trustee Luckey, seconded by Trustee Ogletree, with Trustees Cummings, Duff, Hubbard, and Parker absent and not voting and Trustees Cunningham, Martin, McNair, Morgan, and Rader participating via Zoom, all Committee members legally present and participating voted unanimously to return to open session.
3. On motion by Trustee Morgan, seconded by Trustee Ogletree, with Trustees Cummings, Duff, Hubbard, and Parker absent and not voting and Trustees Cunningham, Martin, McNair, Morgan, and Rader participating via Zoom, all Committee members legally present and participating voted unanimously to adjourn.

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

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ANNOUNCEMENTS

- President Starr announced the next Board meeting will be held on June 17, 2021 at the Board Office in Jackson.
- President Starr thanked each institutional executive officer for successfully navigating through the worst of the pandemic. With no precedent or historical data to follow, the institutional executive officers worked together as a system to handle an almost impossible job. On behalf of the IHL Board, President Starr expressed his appreciation for a “job well done.”
- The university presidents reported on current activities on their campuses.

EXECUTIVE SESSION

On motion by Trustee Duff, seconded by Trustee Ogletree, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Morgan, seconded by Trustee Martin, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a litigation matter at the University of Mississippi Medical Center.
Discussion of a personnel matter at Mississippi State University.

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

On motion by Trustee McNair, seconded by Trustee Martin, with Trustees Cummings, Hubbard, and Rader abstaining from voting, all other Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers’ Compensation Claim No. 55-43552-1 styled as *Darryl Norwood vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

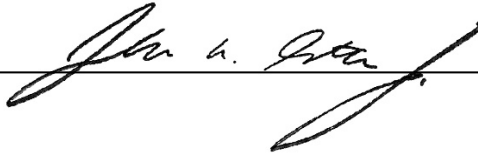
The Board discussed a personnel matter at Mississippi State University. **(No action was taken.)**

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

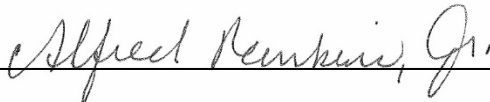
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ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Morgan, seconded by Trustee Duff, 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 Real Estate items that were approved by the IHL Board staff subsequent to the April 15, 2021 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

May 20, 2021

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE APRIL 15, 2021 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 until the budget increase is approved by the Board.

ALCORN STATE UNIVERSITY

1. ASU- GS 101-320– Campus-Wide ADA Improvements

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Canizaro Cawthon Davis, P.A.

Approval Status & Date: APPROVED, April 9, 2021

Project Initiation Date: June 20, 2019

Design Professional: Canizaro Cawthon Davis, P.A.

General Contractor: TBD

Total Project Budget: \$4,120,000.00

DELTA STATE UNIVERSITY

2. DSU- GS 102-267 – Campus Roofing – Phase 2

NOTE: This is a Bureau of Building project

Approval Request #1: (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on April 13, 2021 to increase the project budget from \$1,546,259.00 to \$3,968,456.00, for an increase of \$2,422,197.00.

Interim Approval Status & Date: APPROVED, April 13, 2021

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,164,750.00 to the apparent low bidder, E. Cornell Malone.

Approval Status & Date: APPROVED, April 14, 2021

Project Initiation Date: January 17, 2019

Design Professional: Burriss/Wagnon Architects, P.A.

EXHIBIT 1

May 20, 2021

General Contractor: E. Cornell Malone

Total Phased Budget: \$2,422,198.00

Total Project Budget: \$3,968,456.00

3. **DSU- GS #102-272 – Residence Hall Improvements (Lawler-Harkins)**

UNAPPROVAL Request #1: Schematic Design Documents

Board staff did not approve the Schematic Design Documents as submitted by Burris-Wagnon.

UNAPPROVAL Request #2: Design Development Documents

Board staff did not approve the Design Development Documents as submitted by Burris-Wagnon.

UNAPPROVAL Request #3: Contract Documents

Board staff did not approve the Contract Documents as submitted by Burris-Wagnon.

UNAPPROVAL Request #4: Advertise

Board staff did not approve request to advertise for receipt of bids

Approval Status & Date: NOT APPROVED, April 23, 2021

Approval Request #5: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,475,000.00 to the apparent low bidder, Alliant Construction/Ergon Maint. Serv.

Approval Status & Date: APPROVED, May 2, 2021

Project Initiation Date: February 18, 2021

Design Professional: Burris Wagnon

General Contractor: Alliant Construction

Total Project Budget: \$3,241,188.00

4. **DSU- GS #102-276 – Residence Hall Improvements (Cain, Tatum, Fugler, Hammett, Brumby Castle)**

UNAPPROVAL Request #1: Schematic Design Documents

Board staff did not approve the Schematic Design Documents as submitted by Burris-Wagnon.

UNAPPROVAL Request #2: Design Development Documents

Board staff did not approve the Design Development Documents as submitted by Burris-Wagnon.

UNAPPROVAL Request #3: Contract Documents

Board staff did not approve the Contract Documents as submitted by Burris-Wagnon.

UNAPPROVAL Request #4: Advertise

Board staff did not approve request to advertise for receipt of bids

Approval Status & Date: NOT APPROVED, April 23, 2021

Project Initiation Date: February 18, 2021

Design Professional: Burris Wagnon

General Contractor: Alliant Construction

Total Project Budget: \$2,186,092.77

EXHIBIT 1

May 20, 2021

5. **DSU- GS 102-276 – Residence Hall Improvements (Cain, Tatum, Fugler, Hammett, Brumby Castle)**

NOTE: This is a Bureau of Building project

Approval Request #1: (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on April 30, 2021 to increase the project budget from \$1,521,926.00 to \$2,186,092.77, for an increase of \$664,166.77.

Interim Approval Status & Date: APPROVED, April 30, 2021

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,934,000.00 to the apparent low bidder, Conerly Construction, Inc.

Approval Status & Date: APPROVED, May 3, 2021

Project Initiation Date: January 17, 2019

Design Professional: Burris/Wagnon Architects, P.A.

General Contractor: Conerly Construction, Inc.

Total Project Budget: \$2,186,092.77

MISSISSIPPI STATE UNIVERSITY

6. **MSU- IHL 205-286 – New Parking Stone Blvd. and Morgan Extended**

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$55,505.18 and eighty-six (86) additional days to the contract of Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, April 22, 2021

Change Order Description: Change Order #4 includes the following items: seventy-three (73) adverse weather conditions; substituted thermo markings to paint/cold plastic; Magruder Street intersection revisions were done on the east and west sides with an additional thirteen (13) days to the contract for a total of eighty-six (86) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$128,399.83.

Project Initiation Date: August 17, 2017

Design Professional: Garver, LLC

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$3,300,000.00

7. **MSU- IHL 205-302 – FY 19-CEF Sewer Forcemain Replacement**

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the credit amount of \$5,161.61 and zero (0) additional days to the contract of Eubank Construction Co., Inc.

Approval Status & Date: APPROVED, April 27, 2021

EXHIBIT 1

May 20, 2021

Change Order Description: Change Order #3 includes the following items: this change order was directed by MSU for reimbursement of funds to repair a leak at the connection point of the new force main to the old force main due to defects in the work.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$87,008.01.

Project Initiation Date: December 10, 2019

Design Professional: Garver Engineering

General Contractor: Eubank Construction Co., Inc.

Total Project Budget: \$1,200,000.00

8. **MSU- IHL 205-306 – IED Parking Lot Improvements**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$10,911.20 and four (4) additional days to the contract of Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, April 27, 2021

Change Order Description: Change Order #1 includes the following items: removed an old building pad in the north area of the site and south area of the site; installation of proposed storm inlet for a storm pipe from the adjacent project that will be installed at the completion of the project and four (4) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$10,911.20.

Project Initiation Date: June 18, 2020

Design Professional: Pickering Firm, Inc.

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$2,000,000.00

9. **MSU- IHL #205-309 – MSU Ice Plant Expansion**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Engineering Resource Group, Inc.

Approval Status & Date: APPROVED, April 15, 2021

Project Initiation Date: August 20, 2020

Design Professional: Engineering Resource Group, Inc.

General Contractor: TBD

Total Project Budget: \$6,500,000.00

10. **MSU- IHL 405-001 – Music Building Re-Bid**

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$139,684.00 and zero (0) additional days to the contract of Mac's Construction Company, Inc.

Approval Status & Date: APPROVED, April 22, 2021

EXHIBIT 1

May 20, 2021

Change Order Description: Change Order #3 includes the following items: relocated and rerouted the storm drain box and associated pipe; raised the existing fiber box and electrical vault to a new elevation; changed the door hardware, access controls, and added vision lite kits at select doors.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications and user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$216,095.00.

Project Initiation Date: May 18, 2017

Design Professional: Allred Stolarski Architects

General Contractor: Mac's Construction Company, Inc.

Total Project Budget: \$21,100,000.00

MISSISSIPPI UNIVERSITY FOR WOMEN

11. MUW- GS 104-188– Culinary Arts

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by JBHM

Approval Status & Date: APPROVED, April 21, 2021

Approval Request #4: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 21, 2021

Project Initiation Date: June 18, 2015

Design Professional: JBHM

General Contractor: TBD

Total Project Budget: \$19,555,613.00

EXHIBIT 2

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SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 4/16/21) from the funds of Mississippi State University. (This statement, in the amount of \$137.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 137.50

Payment of legal fees for professional services rendered by Ware Immigration (statement dated 4/1/21) from the funds of Mississippi State University. (This statement, in the amount of \$581.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 581.00

Payment of legal fees for professional services rendered by Brunini (statements dated 2/24/21, 3/11/21 and 4/16/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$11,662.50, \$6,078.75 and \$1,650.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 19,391.25

Payment of legal fees for professional services rendered by Butler Snow (statements dated 8/28/20, 9/17/20, 10/21/20, 4/15/21 and 4/28/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$42,416.67, \$60,624.90, \$6,958.43, \$1,500.00 and \$7,919.85, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 119,419.85

Payment of legal fees for professional services rendered by Evans|Petree PC (statement dated 12/3/20) from the funds of the University of Mississippi. (This statement, in the amount of \$10,621.25, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 10,621.25

Payment of legal fees for professional services rendered by Holland & Knight, LLP (statement dated 12/7/20) from the funds of the University of Mississippi. (This statement, in the amount of \$200.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 200.00

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Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 3/13/20, 3/13/20, 4/9/20, 9/4/20, 9/4/20, 1/13/21, 2/8/21, 3/3/21 and 4/7/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$127.19, \$3,245.00, \$2,360.00, \$860.59, \$2,631.50, \$1,339.62, \$321.60, \$7,466.00 and \$6,162.55, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 24,514.05

Payment of legal fees for professional services rendered by Phelps Dunbar, LLP (statements dated 10/30/20 and 12/8/20) from the funds of the University of Mississippi. (These statements, in the amounts of \$3,432.15 and \$252.60, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,684.75

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 1/1/21, 3/1/21, 3/1/21 and 4/1/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,000.00, \$6,000.00, \$6,000.00 and \$90.05, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 14,090.05

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (statement dated 3/9/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$42,909.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 42,909.00

Payment of legal fees for professional services rendered by Butler Snow, LLP (statements dated 2/25/21, 3/12/21, 3/12/21, 3/12/21, 3/23/21, 4/16/21 and 4/16/21) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of \$29,312.90, \$324.50, \$998.75, \$88.50, \$9,962.90, \$1,032.50 and \$1,622.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 43,342.55

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 3/17/21, 3/23/21 and 3/23/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,953.90, \$1,222.30 and \$9,316.70, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 12,492.90

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Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 2/26/21 and 3/26/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,921.15 and \$2,161.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,082.65

Payment of legal fees for professional services rendered by Hagwood & Tipton, PC (statements dated 3/5/21, 3/15/21 and 4/7/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,655.10, \$2,500.00 and \$2,558.20, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,713.30

Payment of legal fees for professional services rendered by Hogan|Lovells (statement dated 3/18/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$7,618.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,618.00

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 4/1/21 and 4/1/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$379.50 and \$2,145.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,524.50

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace (statements dated 3/16/21, 3/16/21 and 3/16/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,729.00, \$313.50 and \$132.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,174.50

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 3/35/21 and 4/2/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$648.00 and \$2,107.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,755.00

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Payment of legal fees for professional services rendered by Whitfield Law Group (statement dated 2/27/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$20,461.20, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 20,461.20

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 4/13/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,106.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,106.00

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 4/1/21, 4/1/21 and 4/1/21) from the funds of the University of Southern Mississippi. (These statements, in the amount of \$96.56, \$100.00 and \$1,500.00, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 1,696.56

Payment of legal fees for professional services rendered by Wise, Carter, Child & Caraway (statements dated 4/16/21, 4/16/21 and 4/20/21) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$897.00, \$1,228.50 and \$1,307.50, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,433.00

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 (statements dated 3/29/21 and 3/29/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "IP and Regulatory Matters" - \$147.50; and "Therapeutics for Breathing Disorders" - \$1,971.00.)

TOTAL DUE.....\$ 2,118.50

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 4/13/21, 4/23/21, 4/23/21, 4/23/21, 4/23/21, 4/23/21, 4/23/21, 4/23/21 and 4/23/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Occidiofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans - \$597.00"; "Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes" - \$703.50; "Unsymmetrical CCC-NHC Pincer Metal Complexes and Applications (Divisional)" - \$38.00; "Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof" - \$1,170.50; "Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof" - \$1,357.00; "Unsymmetrical Salts,

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CCC-NHC Pincer Metal Complexes and Methods of Making the Same” - \$38.00; “Polymers and Co-Polymers for Polymer Matrix Composites and High Yield Carbon-Carbon-Composite Structures Therefrom” - \$5,454.50; “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$38.00; and “A Transcription Factor for high Protein, Broad Disease Resistance and Faster Growth” - \$38.00.)

TOTAL DUE.....\$ 9,434.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/10/21, 3/10/21, 3/30/21 and 3/30/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes” - \$2,048.00; “Unsymmetrical CCC-NHC Pincer Metal Complexes and Applications (Divisional)” - \$1,435.50; “A Transcription Factor for High Protein, Broad Disease Resistance and Faster Growth” - \$1,934.50; and “Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof” - \$457.00.)

TOTAL DUE.....\$ 5,875.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 3/12/21, 3/12/21, 4/15/21 and 4/29/21) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patents/IP matters: “Trademark Matters” - \$1,032.50; “Emerald Bioscience, Inc.” - \$649.00; “Trademark Matters” - \$1,327.50; and Stuttering Inhibition Method and Device” - \$590.00.

TOTAL DUE.....\$ 3,599.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 3/10/21, 3/10/21, 3/10/21 and 3/18/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Biologically Active Cannabidiol Analogs” - \$275.00; “Biologically Active Cannabidiol Analogs” - \$200.00; “Biologically Active Cannabidiol Analogs” - \$200.00; and “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$600.00, respectively.)

TOTAL DUE.....\$ 1,275.00

Payment of legal fees for professional services rendered by Thomas|Horstemeyer (statements dated 3/29/21 and 3/29/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Vacuum Sweep Dehumidification System” - \$1,255.80 and “IP / Patent Matter – National Stage Application” - \$1,910.00)

TOTAL DUE.....\$ 3,165.80

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Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/25/21, 1/25/21, 1/25/21, 1/25/21, 1/25/21, 1/25/21, 1/25/21, 1/25/21, 1/25/21, 1/25/21, 1/25/21, 2/24/21, 2/24/21, 2/24/21, 2/24/21, 2/24/21, 2/24/21, 2/24/21, 2/24/21, 2/24/21 and 3/23/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,328.00, \$686.00, \$750.00, \$504.30, \$325.00, \$280.50, \$125.00, \$52.00, \$390.00, \$546.00, \$156.00, \$607.50, \$265.00, \$233.00, \$216.00, \$186.00, \$181.00, \$5,726.78, \$3,868.50 and \$1,820.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 20,246.58

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 8/25/20, 1/26/21, 1/26/21, 2/8/21, 3/2/21 and 3/17/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$250.00, \$64.00, \$2,960.00, \$8,320.95, \$400.00 and \$209.50, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 12,204.45