

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

**May 19, 2022**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 14, 2021, to each and every member of said Board said date being at least five days prior to this May 19, 2022 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings, Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Mr. Tom Duff, President. Trustee Rader introduced his son, Pastor Bryce Rader, Associate Pastor of Christ Fellowship Church of Williamsburg, Virginia, who provided the invocation.

**INTRODUCTION OF GUESTS**

President Bill LaForge introduced two new employees at Delta State University: Dr. Andrew Novobilski, Provost & Vice President for Academic Affairs, and his wife Mary, and Dr. Eddie Lovin, Vice President for Student Affairs. President Duff welcomed Dr. and Mrs. Novobilski and Dr. Lovin to Mississippi.

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Rader, with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on April 21, 2022.

**CONSENT AGENDAS**

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

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Approved the following non-substantive changes to the Mississippi Nursing Degree Programs Accreditation Standards Procedure Manual.

<b>Technical Edits</b>	<b>Rationale</b>
Standard I. Mission and Administrative Organization Standard II. Faculty and Staff State Specific Requirements All – unencumbered current license to practice in Mississippi <u>or hold</u> <u>a multistate license from another NLC state.</u>	MS became a Nursing Licensure Compact (NLC) state 01/19/2018 so this language was added for clarification.

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Technical Edits	Rationale
STANDARD IV. Curriculum Required Documentation 5. <u>Clinical Affiliation Agreements</u>	Added clinical affiliation agreements which are reviewed during accreditation visits for signatures, currency, and provisions for students.
C. TYPES OF ACCREDITATION 1. Continuing Accreditation Performance Improvement Plan & Progress Report <u>The PIP is available in electronic format on the secure IHL Nursing Education website.</u>	Clarification.
D. ACCREDITATION PROCESS 1. State Accreditation. <u>IHL Nursing Education does not require a separate self-study report specific to IHL Nursing Accreditation and Standards. However, the expectation is that all state specific standards and criteria will be addressed in the self-study report with the corresponding national standards and criteria under a separate heading or included as an addendum.</u>	Clarification.

**FINANCE**

2. **DSU** – Approved the request to enter a purchasing agreement with L3 Commercial Training Solutions Limited for a L3CTS CRJ700 training package, including Flight Training Device, Virtual Flight Deck software for instructor and ETHOS Systems, and Flight Management System Trainer for students. TL3 Commercial Training Solutions Limited will agree to Delta State University's contract terms and conditions addendum. The total cost of the agreement is \$650,000 and will be funded by Educational Enhancement 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 Second Amendment to Lease Agreement with North Mississippi Health Services Property Holdings, LLC (“NMHS”) to extend the term of an existing lease agreement at the Imaging Center of Excellence in Starkville, MS. The extended three-year term begins June 1, 2022 and ends May 31, 2025. MSU will continue to pay annual rent of \$187,200.00 for year 1 of the new three-year term. The annual rent will increase to \$195,840 for years 2 and 3 of the term. The amendment will be funded by institutional funds – service center revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **MSU** – Approved the request for the University, for and on behalf of its National Strategic Planning & Analysis Center (NSPARC), to enter a new five-year lease agreement with the Mississippi State University Research & Technology Corporation (RTC) for up to 9,137 square feet of office space at RTC’s Innovation Hub (Hub) at 301 Main Street in Starkville, Mississippi at a rate of \$16.00 per square feet annually. NSPARC is currently occupying space MSU subleases at the Mill Conference Center. In the event the Mill is purchased by

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the MSU Foundation, MSU's sublease at the Mill will terminate. MSU has identified office space at RTC's Hub to house NSPARC. MSU does not intend to enter into this lease agreement with RTC unless and until the MSU Foundation has acquired the Mill. The lease agreement is for a five-year term commencing upon the date of full execution of the lease agreement. Depending on the amount of space leased, MSU could pay annual rent up to \$146,192 for a total of up to \$730,960 over the five-year term of the lease agreement. MSU will also be responsible for its pro rata share of the cost of utility and janitorial services. The amendment will be funded by NSPARC service center revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **MSU** – Approved the request to enter a new 5-year agreement to license SirsiDynix Library Automation System software and services for the Mississippi State University Libraries and the members of the Mississippi Library Partnership. Member institutions include Mississippi State University (lead institution), Columbus-Lowndes Public Library System, East Mississippi Community College Library System, First Regional Library System, Hinds Community College, Lee-Itawamba Library System, Mid-Mississippi Regional Library System, Mississippi Delta Community College, Mississippi University for Women, Starkville-Oktibbeha County Public Library System and Tombigbee Regional Library System. As a part of this renewal, Delta State University will join the consortium. This Automation System is the software used by the libraries to manage their collections including providing an online catalog, and the modules required to manage the collections (i.e. circulation, cataloging, acquisitions, serials control, analytics, etc.). The term of the contract is July 1, 2022 through June 30, 2027. The total cost of the 5-year agreement is \$1,509,238.43. This amount is within our MS Dept of ITS CP1 approved budget for the project. A breakdown of associated costs for the 5-year agreement and the addition of Delta State University is included in the bound *May 19, 2022 Board Working File*. Each member of the Mississippi Library Partnership pays the Mississippi State University Library for a portion of their overall contract fee. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **UM** – Approved the request to enter a contract with CWM, LLC to provide services for collection and disposal of solid waste, bulk trash, construction and demolition debris generated by the University in a timely manner when deemed necessary. The term is for one year, renewable annually not to exceed sixty (60) months in total. The total contract cost will be approximately \$188,000 per year. If renewed each year up to the total possible contract term of the five years, the contract amount will be approximately \$940,000. The funding will be provided within the budgets of the University of Mississippi Landscape Services, Athletics, Student Housing, and as needed/requested by other departmental budgets within the University. 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. **UM** – Approved the request for the University's Department of Facilities Planning to amend the Master Services Agreement with Hoar Program Management, LLC (HPM) for the new Jim and Thomas Duff Center for Science and Technology Innovation (CSTI). This

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Amended Master Services Agreement adjusts the Owner's Representative responsibilities in the scope of work to change the Senior Project Manager's services to full-time and extend the Senior Project Manager's full-time services and the Senior Field Coordinator's full-time services to be throughout the duration of construction closeout (November 30, 2023) and increase the fees. The previously amended agreement was based on the Senior Project Manager being full-time for 9 months and the Senior Field Coordinator being full-time for 24 months. This Amended Master Services Agreement maintains the original agreement start date of February 16, 2018 and maintains the current duration of the Agreement to the anticipated completion of construction and close-out date of November 30, 2023. The contract amount per the current agreement is \$1,831,658.57. The additional fee for the adjusted responsibilities and services reflected in this amended agreement is \$589,921.80. The new contract total is \$2,421,580.37. The funding source for this contract is HB1729 Laws of 2016; HB1649 Laws of 2018; Internal R&R funds, External UMEBC financing, and other sources. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

8. **UM** – Approved the request to enter a contract with Huron Consulting Group Inc. DBA Huron Consulting Services LLC to conduct a Comprehensive Staff Classification and Compensation Study of its classified, professional, administrative (staff) positions and a plan for implementation utilizing best practices in its management and design. The primary objectives are: 1) to attract and retain qualified employees who will be paid equitable salaries; 2) to provide fair salaries for all workers at the University; and 3) to provide a salary structure to enable the University to maintain a competitive position with other entities within the university's geographical area and industry. This Agreement shall commence on the Effective Date and will remain in effect for a period of two (2) years unless terminated as permitted. The University will pay the fees and allowable incurred expenses as outlined in the Statement of Work not to exceed \$350,100 plus out-of-pocket expenses to be capped at \$20,000. This contract will be funded using Educational 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.
9. **UMMC** – Approved the request to waive the annual audit requirement applicable to the IHL approved affiliation agreement with UMMC Research Development Foundation (RDF) for the fiscal year ending June 30, 2021. As per requirements stipulated in Board Policy 301.0806 University Foundation/Affiliated Entity Activities Subsection D. 9. General Requirements of Affiliation Agreements, staff have considered and reviewed the source documents for the following. 1) Both activities and assets of the RDF continue to remain low (approximately \$12,013 as of February 2022); 2) Contracting for an external audit would represent a significant expense that, at this time, does not make sound financial or business sense, as the FY2019 audit cost \$8,268 to complete; and 3) The RDF does not anticipate that the year-end financial statements for the current year will differ substantially from the financial statements as of the end of the most recently completed fiscal year.

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**UMMC** – Approved the request to enter a Purchase Agreement with B. Braun Medical Inc. (B. Braun) to purchase solutions and disposables required to perform dialysis on the B. Braun Dialog® hemodialysis systems. The Board also approved the request for the institution to substitute, add, or remove products covered by the agreement without requiring prior submission for Board approval, as long as it does not increase the approved expenditure level. The term of the agreement is five (5) years, from June 1, 2022, through May 31, 2027. The total estimated cost of the agreement over the five (5) year term is \$1,200,000. Beginning in year two (2), UMMC has calculated a fifteen percent (15%) annual increase for patient volume growth. Beginning in year three (3), UMMC has included a three percent (3%) annual increase for price increases. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

10. **UMMC** – Approved the request to enter a Building Lease with BYB Leasing, LLC (BYB) to lease the property located at 2601 North State Street, Jackson, MS to BYB for a restaurant and retail establishment. The term of this agreement is ten (10) years, from May 29, 2022, through May 28, 2032. The ten (10) year Building Lease will provide UMMC a total revenue of \$1,302,131.49. BYB will pay a monthly base rent in the amount of \$9,750. The base rent will increase by nine percent (9%) in years four (4), seven (7) and ten (10). 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 the Second Amendment to its Services Agreement with Comprehensive CV Services LLC for cardiac surgery support staffing, in order to include provide greater flexibility in the number of full time cardiac thoracic first assistants (FA) for floor rounding, consultation visits, and operating room coverage during normal operating hours on an as-needed basis. The term of the amended Agreement remains three (3) years, from July 1, 2021, through June 30, 2024. After the initial term of one (1) year, the Agreement shall automatically renew for two (2) successive one (1) year terms. The Second Amendment will become effective May 20, 2022 and remain in effect until the Agreement’s expiration. The total cost of the amended Agreement is \$2,250,000. The fee for each full-time equivalent is \$12,500 per month. The contract will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

12. **UMMC** – Approved the request to enter a Service Agreement with Elekta Inc. (Elekta) for hardware maintenance, support service, and reload of the cobalt supply for UMMC’s Leksell Gamma Knife® Icon™ (Gamma Knife). The Gamma Knife is used to treat brain disorders using a non-invasive method of delivering a single, high dose of irradiation to a small and critically located intracranial volume through the intact skull. The initial term of the Agreement is one (1) year, from June 1, 2022, through May 31, 2023. Thereafter, the agreement will renew annually for up to four (4) additional years. The total term, including the initial and all renewal terms, is five (5) years, from June 1, 2022, through May 31, 2027. The total estimated cost over the five (5) year term is \$2,750,000. The annual fee for the platinum service package is \$508,000. UMMC also has factored in an additional \$40,000 per year for unforeseen emergency support services outside normal working hours, including travel. Pursuant to Board Policy 707.03 Approval of Prepayment

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for Goods or Services, the Board approved the request to allow prepayment of the annual support fee. 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.

13. **UMMC** – Approved the request to enter a Service Agreement with Elekta Inc. (Elekta) for hardware maintenance and support service for UMMC’s Synergy® S linear accelerator (E3). The linear accelerator provides radiation therapy with 3D image guidance to help clinicians visualize tumor targets and normal tissue both before and during treatment fractions. The term of the agreement is two (2) years, from June 1, 2022, through May 31, 2024. The total estimated cost over the two (2) year term is \$550,000. The fixed annual fee for the gold service package is \$226,175.07. UMMC has factored in an additional \$40,000 per year for unforeseen emergency support services outside normal working hours, including travel. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to allow prepayment of the annual support fee. 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.
14. **UMMC** – Approved the request to enter Amendment Four 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 three (3) years, remove two (2) agency interfaces, and change the tier status for Grenada patient accounting to a tier 2. The Mediquant system provides data storage and access management services to UMMC for its legacy clinical and financial data. The total amended term of the Agreement, which includes all associated service orders, is ten (10) years, from June 1, 2015, through May 31, 2025. The total cost of Amendment Four is \$284,724.00. The total cost of the Agreement, including all associated service orders, is \$2,368,712.07. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or 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.
15. **UMMC** – Approved the request to amend the Rehabilitation Services Agreement (Agreement) with MidSouth Rehab Services, Inc. (MidSouth) to extend the term of the Agreement and to revise the payment structure for services provided to swing bed and skilled nursing unit patients to reflect the new Centers for Medicare and Medicaid Services (“CMS”) payment model. Under the Agreement, MidSouth provides a full range of therapy services for UMMC Grenada. MidSouth provides all employees and management oversight of the inpatient, outpatient, and home health functions of UMMC Grenada’s Rehab service line. MidSouth is responsible for volume growth, oversight of quality, and oversight of billing practices to ensure appropriate coding of Rehab claims and appropriate collections of those claims. The term of the amended Agreement is five (5) years, from July 1, 2019, through June 30, 2024. The original agreement was for a term of three (3) years, beginning July 1, 2019. The amendment extends the term for an additional two (2) years through June 30, 2024. The total estimated cost over the extended term of the

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Agreement is \$6,525,000. The total estimated cost of the original agreement was \$3,950,061. The first amendment will add approximately \$2,574,939 to the total amended cost. 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.

16. **UMMC** – Approved the request to amend the Master Apheresis Agreement (MAA), Quality Assurance Agreement (QAA), and Outcomes Based Agreement (OBA) (collectively, the Agreement) with Novartis Pharmaceuticals Corporation (Novartis) to extend the date of all three (3) agreements, to update the terms of the QAA to reflect changes in the scope to include clinical trials, and to add Information Security language to the MAA. The Agreement provides the Chimeric Antigen Receptor T cell (CAR-T) therapy, Kymriah, to UMMC patients. CAR-T is an immunological therapy that utilizes a patient’s immune system to destroy their cancer cells. CAR-T therapy is utilized in patients who have not responded to standard therapy or who have relapsed. Kymriah is approved for patients up to 25 years of age with relapsed or refractory B-cell acute lymphoblastic leukemia (ALL) and in adult patients with relapsed or refractory diffuse large B cell lymphoma (DLBCL). The term of the original Agreement was three (3) years, with each document beginning on the date it was executed. The amendments to each document extend the term approximately three (3) years, so that each will expire on July 31, 2025. The amended term of the MAA is six (6) years and twenty-eight (28) days, from July 3, 2019, through July 31, 2025. The amended term of the OBA is six (6) years and twenty-two (22) days, from July 9, 2019, through July 31, 2025. The amended term of the QAA is six (6) years and twenty-nine (29) days, from July 2, 2019, through July 31, 2025. The total cost of the amended agreement remains unchanged at \$12,720,000. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
17. **UMMC** – Approved the request to enter a Quotation 1-21M7NHR and Amendment Number 1 to Quotation No. 1-21M7NHR (collectively the “Purchase Agreement”) with Philips Healthcare, a division of Philips North America, LLC (Philips) to purchase the Azurion 7 M20 catheterization laboratory procedural equipment and related components to upgrade UMMC’s Electrophysiology (EP) Lab 2. The Purchase Agreement shall be in effect for approximately one (1) year, eight (8) months, from May 24, 2022, through January 23, 2024. The term of the Purchase Agreement will begin upon the last date of signature, which is expected to be on or about May 24, 2022, and will end twelve (12) months from the date of installation. The term of the agreement will begin on May 24, 2022, and end twelve months (12) months from the date of installation, which is expected to be on or about January 24, 2023. The total cost of the agreement is \$817,496.00, not including the trade-in allowance of \$12,500 to be applied to the cost of labor to de-install the old system. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow the institution to prepay eighty percent (80%) of the purchase price upon shipment of the equipment. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for

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

18. **UMMC** – Approved the request to enter a Quotation No. 1-2HFQYMA, Rev 4 and Amendment Number 1 to Quotation No. 1-2HFQYMA, Rev 4 (collectively the “Purchase Agreement”) with Philips Healthcare, a division of Philips North America, LLC (Philips) to purchase six (6) new EPIQ CVx ultrasound systems (EPIQ Systems) for use on pediatric and adult cardiology patients. The ultrasounds are used to perform diagnostic testing and cardiac imaging to diagnose various conditions that affect circulation, heart function, birth defects, and other life-threatening disorders. The Purchase Agreement includes six (6) EPIQ ultrasounds systems, each with a specific software bundle configuration, transducers, an eighteen (18) month warranty, and installation services. The Purchase Agreement shall be in effect for approximately one (1) year, eight (8) months and six (6) days, from May 24, 2022, through January 10, 2024. The term of the Purchase Agreement will begin upon the last date of signature, which is expected to be on or about May 24, 2022, and will end eighteen (18) months from the installation date, which is expected to be on or about July 11, 2022. The total estimated cost of the Purchase Agreement is \$1,250,000.00. UMMC will trade-in the six (6) end of life ultrasounds in exchange for a \$168,006.00 discount off the purchase price of the new EPIQ Systems. UMMC has included additional funds to cover costs UMMC may incur for the removal of data from the six (6) trade-in units. This 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.
19. **UMMC** – Approved the request to enter a Service Agreement with Pileum Corporation (Pileum) for body worn cameras, video management system, training, and support for use by UMMC’s Police and Public Safety Department. The term of the Service Agreement is five (5) years, from May 25, 2022, through May 24, 2027. The total estimated cost of the Service Agreement is \$615,000.00, which includes up to \$16,000 for optional equipment and services to be purchased as needed. 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.
20. **UMMC** – Approved the request to enter a Resuscitation Quality Improvement Program Master Services Agreement with RQI Partners, LLC (RQI) to purchase the American Heart Association (AHA) Advanced Cardiac Life Support (ACLS) online/hybrid resuscitation licenses for Basic Life Support (BLS), Advanced Life Support (ALS), Neonatal Resuscitation Program (NPR) and Pediatric Advanced Life Support (PALS) certifications. Clinical personnel are required to have and maintain certification for lifesaving skills. This Agreement is for a term of three (3) years, from June 1, 2022, through May 31, 2025. The total estimated cost of the Agreement is \$750,000.00, which includes an increase of approximately twenty percent (20%) in years two (2) and three (3) for potential increases in the quantity of licenses needed for UMMC learners. This Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.



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21. **USM** – Approved the First Amendment to the License Agreement with Cellular South Real Estate, Inc. to extend the term for up to ten years for the placement of telecommunications equipment including antennas atop the University’s Wilbur Hall. The contract provides cellular capability in and around campus. This Amendment shall be effective as of June 17, 2022 and shall extend the term of the Agreement for a period of five years. After that term, it shall automatically renew for one (1) consecutive renewal period of five years upon the same terms unless Licensee provides written notice to Licensor of its election not to renew the Term at least sixty (60) days prior to the end of the then-current five-year term. In the final year of the existing term, the Agreement provided \$2,609.55 in monthly revenue to the University. The Amendment will increase the monthly rent to \$2,790.84 in the first year of the extension term and escalate 3% per year in each year of the extension term and available renewal term. Total revenue for the extension term and available renewal provided for by the Amendment is \$383,925.75. 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.

**REAL ESTATE**

22. **ASU** – Approved the initiation of IHL 201-257, Greenhouse Renovations, and the appointment of Duplantis Design Group as the design professional. This project will include the renovation of 3,153 GSF of greenhouse facilities on the grounds of the Morris Boykin Agriculture Building which includes two brick buildings and seven greenhouse zones. The project will also include renovations of the restroom facilities, improvements to interior door hardware, and replacement of all glass on the greenhouses with a polycarbonate retrofit framing/window system, installation of new heating and cooling systems, new irrigation systems, new LED lighting, environmental control systems, shading systems, autoclave equipment, and renovated office/work area. The proposed project budget is \$1.7 million. Funds are available from the National Institute for Food and Agriculture Funds (NIFA) of the United States Department of Agriculture (\$1,700,000).
23. **ASU** – Approved the initiation of IHL 201-258, Mushroom Facility Renovations, and the appointment of PryorMorrow PC as the design professional. This project will include the renovation of 2,452 GSF in the Biology Lab Building on the Lorman Campus into a comprehensive Mushroom Research Facility. The facility, built in 1976, will include research lab space to include mushroom cultivation laboratory with specialized equipment, new building finishes, new roof and envelope repairs, and ADA accessibility modifications. The proposed project budget is \$1,542,362. Funds are available from the Federal McIntyre Stennis Grant Funds through the United States Department of Agriculture (\$1,542,362).
24. **ASU** – Approved the initiation of IHL 201-259, Poultry Processing Facility Renovations & New Composting/Incinerator Building, and the appointment of Vernell Barnes Architects, PLLC as the design professional. This project will include the renovation of the offline 2,450 GSF Poultry Processing Facility on the Lorman Campus into a comprehensive poultry processing facility and will include the construction of a new building adjacent to it that is a pre-engineered composting / incinerator building. The new

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- building will be 1,500 GSF in area. The proposed project budget is \$1,980,888. Funds are available from the National Institute for Food and Agriculture Funds (NIFA) of the United States Department of Agriculture (\$1,980,888).
25. **MSU** – Approved the initiation of IHL 205-319, 20-Inch Sewer Force Main Phase II, and the appointment of Graver Engineering as the design professional. This project will replace over 5,000 feet of 20-inch force main. The sewer piping is beyond its useful life and at risk of failure. The proposed project budget is \$2.5 million. Funds are available from University Designated Funds (\$2,500,000).
  26. **UM** – Approved the initiation of IHL 207-479, Conner/Holman Roof Replacement, and the appointment Shafer Zahner Zahner, PLLC as the design professional. This project will remove the existing 24-year-old, ballasted membrane and metal roof system and replace it with a new 2-ply modified and standing seam metal, twenty-year roof system. The proposed project budget is \$2 million. Funds are available from Capital Appropriations & Internal R&R (\$2,000,000).
  27. **UM** – Approved the initiation of IHL 207-480, Gertrude Ford Center Roof Replacement, and the appointment of Shafer Zahner Zahner, PLLC as the design professional. This project will remove the existing 20-year-old, single ply membrane roof and replace it with a new 2-ply modified, twenty-year roof system. The proposed project budget is \$2.15 million. Funds are available from Capital Appropriations & Internal R&R (\$2,150,000).
  28. **UM** – Approved the initiation of IHL 207-481, Martindale-Cole Roof Replacement, and the appointment of Shafer Zahner Zahner, PLLC as the design professional. This project will remove the existing 25-year-old, single ply membrane and metal roof system and replace it with a new 2-ply modified and standing seam metal, twenty-year roof system. The proposed project budget is \$1.4 million. Funds are available from Capital Appropriations & Internal R&R (\$1,400,000).
  29. **UM** – Approved the initiation of IHL 207-482, Faser Hall Roof Replacement, and the appointment of Shafer Zahner Zahner, PLLC as the design professional. This project will remove the existing 18-year-old, 2-ply modified roof and replace it with a new 2-ply modified, twenty-year roof system. The proposed project budget is \$1.45 million. Funds are available from Capital Appropriations & Internal R&R (\$1,450,000).
  30. **MSU** – Approved the request to increase the budget for IHL 205-312, Lakeview Drive Relocation, from \$2,900,000 to \$3,700,000 for an increase of \$800,000 and to add University Designated Funds as a funding source to allow for the budget increase. 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 includes paving, hardscape, and landscape improvements. Funds are available from MSU Athletic Department Funds (\$2,500,000) and Designated University Funds (\$1,200,000).
  31. **MSU** – Approved the request to increase the budget for IHL 405-004, High Performance Computing and Data Center (formerly IHL #205-310), from \$30,000,000 to \$38,000,000 for an increase of \$8,000,000 and to add SB 3002, Laws of 2022, and University Designated Funds as a funding source to allow for the budget increase. The scope of this project is to design and construct the facility to house state-of-the-art high-performance computing systems and associated equipment. The facility will be in the Thad Cochran

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Research, Technology and Economic Development Park adjacent to the campus. Funds are available from HB 1730, Laws of 2020, (\$30,000,000); dispersed funds from MDA to MSU; SB 3002, Laws of 2022, (\$4,000,000); and Designated University Funds (\$4,000,000).

32. **UM** – Approved the request to increase the budget for IHL 207-474, South Oxford Center, 2<sup>nd</sup> Floor Costume and Craft Suite, from \$1,178,790 to \$1,378,790 for an increase of \$200,000. This project will renovate 8,900 square feet of the 2nd Floor of the South Oxford Center, formerly the Baptist Hospital Heart Center, to provide a new expanded costume shop, craft shop, classroom, and support areas (offices, laundry, storage, etc.) for the Theatre Department. Once the spaces are adequately modified, the existing costume and craft shops will be relocated to the SOC from the main campus. Funds are available from Internal R&R (\$403,790) and a Provost/Department Donor Gift (\$975,000).
33. **MSU** – Approved the exterior design for IHL 405-004, High Performance Computing and Data Center, on the MSU campus. A copy of the rendering is included in the bound *May 19, 2022 Board Working File*.
34. **MSU** – Approved the exterior design for the MSU Softball Fieldhouse. This is a MSU Bulldog Club project that will include the construction of a new softball fieldhouse. A copy of the rendering is included in the bound *May 19, 2022 Board Working File*.
35. **MSU** – Approved the request to delete Building #2237 Women’s Softball Practice Facility from inventory. The building will be demolished to prepare for future construction of upgraded facilities. The approval letter has been received from the Mississippi Department of Archives and History stating Building #2237 (Women’s Softball Practice Facility) is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
36. **MSU** – Approved the request to purchase a 1.28-acre residential property located at 1520 Blackjack Road, Starkville, MS which is adjacent to the MSU campus in Oktibbeha County, Mississippi from the estate of Elizabeth M. Hillen for a sales price of \$450,000. The University received two independent property appraisals in the amounts of \$475,000 and \$500,000. The average of the two appraisals is \$487,500, which is below the purchase price. The subject property, as referenced above, is located along the south side of Blackjack Road within Starkville, Oktibbeha County, Mississippi and is further identified as tax parcel number 101-12-002.00. The subject site is a 1.28 acre or 55,757 square foot parcel. The site is currently improved with a +/- 3,365 square foot single family dwelling that is vacant and in poor condition, as well as a dilapidated shed. The closing date shall be on or before, July 31, 2022, or as otherwise mutually agreed upon in writing by the parties involved. All special assessments, taxes, and other like governmental fees which are assessed for the calendar year of the closing date shall be paid in full by the Seller. Seller shall furnish the Warranty Deed from a reputable attorney with a property description and a Certificate of Title to the date and time of closing. As required, the Phase I Environmental Site Assessment (ESA) was performed on the subject property, as referenced above, and no recognized environmental conditions were identified in connection with the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney

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General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

37. **MSU** – Approved the request to sell the Cooley Building located at 600 Russell Street, Starkville, MS to the MSU Foundation in exchange for the MSU Foundation releasing the University of its obligation to sublease 38,114 square feet of the Cooley Center. The Board also approved the request to sell the furniture located in the Cooley Building as part of the transaction. This sale is contingent upon the Foundation obtaining the rights to the long-term lease of the Cooley Building from Cooley Center, LLC as described below. The Cooley Building will serve as the new Foundation and Alumni Center. The University received two independent property appraisals for the property in the amounts of \$17,950,000 and \$17,900,000. The average of the two appraisals is \$17,925,000. The first appraisal leasehold interest was in the amount of \$16,720,000. The second appraisal leasehold interest was in the amount of \$16,700,000. The average of the two leasehold interest appraisals was \$16,710,000, leaving a residual value of \$1,215,000, which is the difference in the fee simple average and the leasehold interest average. The University is selling the property with the residual value of \$1,215,000 and the furniture with a value of approximately \$1,000,000 for a total of \$2,215,000 in exchange for the MSU Foundation releasing MSU from the remaining \$8,382,793.16 base rent that would be due. This would allow MSU to receive a \$6.2 million benefit for selling the Mill and the furniture to the Foundation. The subject property, as referenced above, is located at 600 Russell Street, Starkville, Mississippi on a parcel of land containing 3.33 acres, more or less, and is on Lot 1 of the Mill at MSU. The property is a 2-story building with a basement containing approximately 107,558 +/- square feet. The University will deed the Cooley Building to the Foundation in exchange for a release of the University's sublease. MSU has subleased 38,114 square feet of the Cooley Building from Cooley Center, LLC. Pursuant to the Sublease, MSU is obligated to lease this space for approximately 8 more years for a minimum total base rent of \$8,382,793.16. The closing date shall be on or before July 31, 2022, but the parties will have the right to extend the closing date for up to one year. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
38. **MSU** – Approved the request to purchase the Hunter Henry Center from the MSU Foundation for a sales price of \$16,500,000 and waived the requirement to obtain a Phase I environmental report as required by Board Policy 905(B) Real Estate management because the property being acquired was constructed by the MSU Foundation, the MSU Foundation conducted appropriate due diligence on the site prior to construction, and the property has been owned by the MSU Foundation since that time. The building will become the new home to the College of Architecture, Art and Design. The University received two independent property appraisals for the property in the amounts of \$17,800,000 and \$16,000,000. The average of the two appraisals was \$16,900,000. The purchase price is \$16,500,000 which is below the average of the two appraisals. The closing date shall be on or before July 31, 2022, but the parties will have the right to extend the closing date for up to one year. The subject property, as referenced above, is located

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at 1 Hunter Henry Blvd on the campus of MSU. The property is in part of Section 2, Township 18 North, Range 14 West, Oktibbeha County, Mississippi. The property is located on 2.97 acres +/- and consist of a special use facility containing approximately 46,953 square feet. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

39. **UM** – Approved the request to enter a lease contract with Northwest Mississippi Community College to provide classroom and office space for academic programs offered at the University of Mississippi-DeSoto campus located at 5197 W.E. Ross Parkway, Southaven, Mississippi. The term of the lease agreement will be for thirty-six (36) months from July 1, 2022, to June 30, 2025, with a total rental amount of \$1,148,000. From July 1, 2022, to June 30, 2023, the rental rate will be \$371,000. From July 1, 2023, to June 30, 2024, the rental rate will be \$382,500. From July 1, 2024, to June 30, 2025, the rental rate will be \$394,500. The lease will be funded by a portion of the operations budget for the University of Mississippi-DeSoto. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
40. **UM** – Approved the request to use the Construction Manager at Risk (CMAR) project delivery method for the IHL 207-472, Vaught-Hemingway Stadium West Side Additions & Renovations as outlined in the IHL CMAR Approval Process. The project will demolish a portion of the existing west side grandstand and press box structure to construct new spaces as site and budget permit. New programmatic needs include Service Areas (Commissary, Loading Dock, Stadium Storage, and Kitchen), Premium Areas (Field Club/Seating, Ledge Seating, Loge Boxes, and Clubs/Suites of varying size), and Press Box for north/south functions. This project will be the most expensive and most complex and logistically challenging construction project built on campus. The project budget is expected to be \$306,000,000. The University requested the use of the CMAR project delivery to enable the University to select a Construction Management firm with a proven record of controlling the progression of successful projects of similar type and complexity in a team environment. The proposed project budget is \$1.5 million. Funds are available from the UM Athletics/OMAF Foundation (\$1,500,000). The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

**LEGAL**

41. **MSU** – Approved the request to modify a contract with the law firm of Stites & Harbison, PLLC to perform services necessary for obtaining patents for designs, processes, products, and other patentable materials developed in connection with the University. This Modification #2 will extend the term of the contract for one year or through June 30, 2023. The hourly rate range remains \$260 to \$360 for attorneys and \$95 for paralegal services, with a \$75,000 maximum amount payable under this one-year term. This firm carries professional liability insurance coverage in the amount of \$30,000,000 per claim occurrence with an annual aggregate of \$60,000,000. This request has been approved by the Office of the Attorney General.

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42. **MSU** – Approved the request to modify a contract with the law firm of Stites & Harbison, PLLC to perform services necessary for obtaining patents for designs, processes, products, and other patentable materials developed in connection with the University. This Modification #3 will add attorney Sam Raque to the list of attorneys who may perform work under this agreement. The hourly rate for this attorney is \$250. All other provisions of the agreement originally dated July 1, 2021 with Modifications #1 and #2 remain in effect. This request has been approved by the Office of the Attorney General.
43. **UMMC** – Contingent upon approval by the Attorney General, the Board approved the request to contract with the law firm of King and Spalding LLP to advise and assist UMMC and UMMC’s local outside counsel on the dispute with Blue Cross Blue Shield of Mississippi. The hourly rate would be \$840 for attorneys with a maximum amount payable under the contract of \$2,000,000. This firm carries professional liability insurance coverage in the amount of \$40,000,000 per claim with an annual aggregate of \$40,000,000. This request is contingent upon approval by the Attorney General.
44. **SYSTEM** – Approved the request make any needed final edits to any of the Board’s policies and bylaws to make them consistent with the policy changes approved by the Board during the April 2022 meeting. This is merely a housekeeping measure to make all the Board’s policies and bylaws consistent with the changes approved at the last Board meeting.

**PERSONNEL REPORT**

45. **Employment**

**University of Mississippi**

Andrea Hickerson; Dean of the School of Journalism and New Media and Professor of Journalism; School of Journalism and New Media; salary of \$255,000 per annum, pro rata; E&G Funds; twelve-month contract; effective July 1, 2022

46. **Sabbatical**

**Jackson State University**

Byron Orey, Professor of Political Science; *from* \$91,415 per annum, pro rata; funds; 9-month contract; *to* salary \$91,415 for sabbatical period; E&G funds; effective August 1, 2022 to December 30, 2022; professional development.

**Mississippi State University**

**FROM:** Christopher A. Snyder; Professor of Shackouls Honors College; *from* salary of \$124,608.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$62,304.00 for sabbatical period; E&G Funds; effective August 16, 2022 to May 15, 2023; professional development

*[Originally approved by IHL Board February 17, 2022]*

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CORRECTED: Christopher A. Snyder; Professor of Shackouls Honors College; *from* salary of \$124,608.00 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 16, 2023 to December 31, 2023; professional development

**University of Mississippi**

FROM: Stephen Fafulas; Assistant Professor of Modern Languages; salary \$58,210 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 23, 2023 to May 13, 2023; professional development (Contingent on being awarded tenure by July 1.)

*[Originally approved by IHL Board February 17, 2022]*

TO: Stephen Fafulas; Assistant Professor of Modern Languages; salary \$58,210 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 18, 2022 to December 31, 2022; professional development (Contingent on being awarded tenure by July 1.)

**ADMINISTRATION/POLICY**

47. **USM** – Approved the request to bestow one honorary degree at a December 2022 commencement ceremony. Supporting documents are on file at the Board Office.

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Presented by Trustee Steven Cunningham, Chair

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

1. **SYSTEM** – 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 <b>Continuing Accreditation With Conditions<sup>1</sup></b> Full Accreditation
Belhaven University	BSN	Continuing Accreditation
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

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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
Mississippi College	BSN MSN	<b>Continuing Accreditation With Conditions<sup>2</sup></b> Initial Accreditation
Mississippi Delta Community College	ADN	Continuing Accreditation
Mississippi Gulf Coast Community College	ADN	Continuing Accreditation
Mississippi University for Women	ADN BSN MSN DNP	Continuing Accreditation Continuing Accreditation Continuing Accreditation 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 MSN DNP	<b>Continuing Accreditation With Conditions<sup>3</sup></b> <b>Continuing Accreditation With Conditions<sup>4</sup></b> Continuing Accreditation
University of Southern Mississippi	BSN DNP	<b>Continuing Accreditation With Conditions<sup>5</sup></b> Continuing Accreditation
William Carey University	BSN MSN	Continuing Accreditation Continuing Accreditation

<sup>1</sup>**Alcorn State University**

- **REASON:** MSN/Post-Masters Certification 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.

<sup>2</sup>**Mississippi College**

- **REASON:** BSN program non-compliant with IHL Standard I. Mission and Administrative Organization. State Specific Requirements 2.c. All must satisfy a criminal history background check; Standard II: Faculty and Staff. State Specific Requirements 2.e. All nursing faculty (full-time, part-time, and adjunct) must satisfy a criminal history background check; 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 06/30/2022.

<sup>3</sup>**University of Mississippi Medical Center**

- **REASON:** BSN program is non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2.g. Preceptors (e.g. mentors, guides, coaches) shall be academically/experientially prepared at or beyond the level for which the preceptor service is rendered and shall have a minimum of one year of experience.
- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 06/30/2022.

<sup>4</sup>**University of Mississippi Medical Center**

- **REASON:** MSN program is non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2.g. Preceptors (e.g. mentors, guides, coaches) shall be academically/experientially



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prepared at or beyond the level for which the preceptor service is rendered and shall have a minimum of one year of experience.

- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 06/30/2022.

**<sup>5</sup>University of Southern Mississippi**

- **REASON:** BSN program is non-compliant with IHL Standard III. Students.2.b.5. criminal history background check with fingerprinting and Standard IV. Curriculum. 2.a.3. No more than 15 to 1 for those courses that do not require direct supervision (i.e. precepted experiences).
- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 06/30/2022.

**FINANCE AGENDA**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Starr, seconded by Trustee Parker, with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #1 and #2 as submitted on the Finance Agenda. Trustee Gee Ogletree recused himself from discussing or voting on items #3 through #8 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. Trustee Bruce Martin recused himself from discussing or voting on item #3 on the Finance Agenda and was placed in the Zoom waiting room before there was any discussion or vote regarding the same. On motion by Trustee McNair, seconded by Trustee Starr, with Trustees Martin and Ogletree absent and not voting and with Trustees Cunningham and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3. Trustee Martin was readmitted to the Zoom meeting following the discussion and vote on item #3 on the Finance Agenda. On motion by Trustee Rader, seconded by Trustee Cummings, with Trustee Ogletree absent and not voting and with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #4 through #8. Trustee Ogletree returned to the room following the discussion and vote on items #4 through #8 on the Finance Agenda.

1. **UMMC** – Approved the request to enter a Professional Staffing Services Agreement with AMN Healthcare, Inc. (AMN) to provide nursing services at UMMC’s facilities through the placement of international registered nurses (RNs). AMN’s international RNs will arrive at UMMC with permanent U.S resident status. Each RN placement will be for a commitment of two (2) years of full-time work. Upon completion of the RN commitment, UMMC may directly hire the registered nurse at that time, if UMMC so chooses. The term of the agreement is six (6) years and three (3) months, from June 1, 2022, through September 30, 2028. The total estimated cost of the agreement over six (6) years is \$38,700,000. UMMC has included a ten percent (10%) contingency each year for variable fees such as on call rates, holiday rates, and other fees. Beginning in year two (2), AMN shall increase the rates equal to the most recently published Medical Care Services National CPI index or three percent (3%), whichever is less. UMMC has included the annual price increase in its total estimation as well. This agreement will be funded by hospital patient

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- 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.
2. **UMMC** – Approved the request to enter a new Services Agreement with Medical Solutions, L.L.C. (Medical Solutions) for augmentation of nursing, nursing assistants, therapists, technologists and technicians to be utilized on an as-needed basis at all UMMC locations. The term of the agreement is three (3) years, from June 1, 2022, through May 31, 2025. The total estimated cost of the agreement over the three (3) year term is \$46,875,000. This agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
  3. **SYSTEM** – Approved the request to renew its property insurance coverage with Affiliated FM Insurance Company (AFM). Additionally, the wind and flood coverage for the gulf coast (referred to as a Difference in Conditions or “DIC” policy) includes a number of markets which share the risk. One of the lead insurers for the shared DIC coverage is Berkshire Hathaway (Berkshire). The purpose of the contract is to insure the system’s properties in the most cost effective manner while meeting each university’s individual coverage needs. This will be a one-year insurance policy running from May 31, 2022, to May 31, 2023. The combined premium is approximately \$10,160,540 (\$8,323,477 for the AFM portion and \$1,837,063 for the DIC wind and flood coverages) for 2022-2023. Premium amounts may increase or decrease through the term of the policy as universities add or decrease their insured values. The above amount would increase to \$10,467,540 if UMMC, MSU, and Ole Miss all select the higher policy coverage limit options. Each university and the Board Office pay its respective share of the premium which is billed and paid directly between the insurance company and the insured. 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. **SYSTEM** – Approved the request to purchase cyber liability and incident response insurance coverage with Lloyds of London – Beazley Syndicate (Beazley). Beazley will provide the cyber coverage and breach response services for the system. Beazley has an A.M. Best Rating of A XV. The purpose of the contract is to protect the IHL system from cyber liability risks and response costs through transferring some of that risk to an insurer. The breach response coverage also provides expert assistance and access to network of contractors with pre-negotiated rates. The contract is a one-year insurance policy beginning May 26, 2022 and terminating May 26, 2023. The cost will be approximately \$750,750 for the one-year policy. The IHL Self-Insured Tort Plan has been paying the premium and allocating an appropriate premium share to each insured participant. If this practice continues, the share for each participant other than UMMC will be built into the annual assessment of the Tort Plan, and the Tort Plan will invoice UMMC for its share. In the alternative, universities can be billed directly for their share of the premium. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
  5. **MSU** – Approved the request to enter a contract with Southwest Airlines Co. for the purpose of air transportation services for the MSU Football team during the 2022 Football season. The contract shall commence the date contract is signed by both parties and

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terminate on the date of the last flight as set forth in the agreement. The total amount for all charters will be \$389,300. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to pay a deposit prior to the flights. Prepayment is very common and most often required in this industry. Funds are available from Athletic Department self-generated funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

6. **UM** – Approved the request for the University of Mississippi Facilities Management Department to enter a contract with MMC Materials, Inc. for various ready-mix concrete products to be ordered and fulfilled on an as-needed basis in support of Facilities Management projects. The first year of the contract ended on June 30, 2021 and was renewed through June 30, 2022. The University may continue to renew this contract on an annual basis for up to a total of sixty (60) months, through June 30, 2025. Renewal of the contract will depend on price, delivery and quality of service, and be mutually agreed by both parties. This contract is estimated at \$150,000 per annum based on purchases made during previous fiscal years. Annual price increases based on the Consumer Price Index will be considered if requested. Using a 5% CPI for annual increases, the total over the remaining three-year term would be estimated at approximately \$500,000. This contract is funded by internal operating funds and designated renewal & replacement (R&R) funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **UM** – Approved the request to enter a contract with T2 Systems, Inc./T2 Systems Canada, Inc. for an integrated parking management system. The system will provide the needed tools to maintain records and manage many aspects related to the department's services including parking permits, citations, customer appeals, and revenue control and collection. This Agreement shall commence on the Effective Date and remain in full force and effect up to a total of three (3) years unless this Agreement or any Addendum is otherwise terminated in accordance with its terms. This Agreement may be renewed for two additional one (1) year terms upon the mutual written consent of both parties within at least sixty (60) days prior to the expiration of the then-current term. The total cost of all services to be provided during the maximum five (5) year period shall not exceed \$547,440.13. University Auxiliary departmental funds are generated exclusively from parking permits and citation fees on the Oxford campus. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. **UMMC** – Approved the request to amend the Hemo-Force Pump Program Agreement with Medline Industries, LP (Medline) to increase the number of pumps, revise quarterly purchase requirements accordingly, and add additional items for purchase. The agreement is for the loan of sequential compression devices (SCD) pumps, the provision of batteries, as well as the purchase of sleeves required for the use of the pumps. These items increase circulation and reduce swelling, the risk of blood clots, and deep vein thrombosis (DVT) in patients. The Board also approved the request to allow the institution to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the amended agreement is unchanged

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and remains five (5) years, from November 1, 2020, through October 31, 2025. The total cost of the amended agreement is \$5,750,000 over the five (5) year term. The original cost of the agreement was \$3,750,000. The additional pumps and anticipated purchases under the amendment will add up to \$2,000,000 to the agreement. 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.

**LEGAL AGENDA**

Presented by Trustee Gee Ogletree, Chair

On motion by Trustee Hubbard, seconded by Trustee Ogletree, with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to move items #1 and #2 to the Executive Session Agenda.

1. **UMMC** – Settlement of IHL Self-Insured Workers’ Compensation Claim No. 55-4467-1. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION FOR CONSIDERATION.)**
2. **USM** – Settlement of IHL Self-Insured Workers’ Compensation Claim No. 55-40912-1. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION FOR CONSIDERATION.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Alfred Rankins, Jr.

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

1. **SYSTEM** – Approved the request to reappoint Trustee Steven Cunningham as the trustee representative to the Mississippi Postsecondary Education Financial Assistance Board for the four-year term July 1, 2022 to June 30, 2026. Currently, Dr. Mark Keenum, President of Mississippi State University, serves as the institutional representative with the term July 1, 2021 – June 30, 2025. By virtue of the position the Director of Financial Aid, Jennifer Rogers, is the Director of the Postsecondary Board.
2. **SYSTEM** – Approved the following committee appointments by President Tom Duff. The President is an Ex-Officio member of all committees. All trustees serve on the standing committees.

**STANDING COMMITTEES**

Academic Affairs Committee – Dr. Steven Cunningham, Chair

Audit Committee – Teresa Hubbard, Chair

Finance Committee – Hal Parker, Chair

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Health Affairs Committee – Dr. Walt Starr, Chair  
Legal Committee – Gee Ogletree, Chair  
Real Estate Committee – Chip Morgan, Chair

**AD HOC COMMITTEES**

**Ayers Endowment Management**

1. Bruce Martin, Chair
2. Tom Duff, Board President
3. Dr. Alfred Rankins, Commissioner
4. Dr. Felecia Nave, ASU President
5. Thomas Hudson, JSU Acting President
6. Dr. Jerryl Briggs, MVSU President
7. Jeanne Luckey, Trustee
8. Dr. Alfred McNair, Jr., Trustee

**Diversity**

1. Dr. Ormella Cummings, Chair
2. Dr. Steven Cunningham
3. Teresa Hubbard

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Intent to Offer Existing Degree Programs by Distance Learning
  - a. **DSU** – Bachelor of Business Administration (BBA) in General Business  
Total credit hours: 120  
CIP Code, Sequence: 52.0201, 5045  
Cost to offer by distance learning: \$0  
Effective date: August 2022
  - b. **MSU** – Master of Public Policy and Administration (MPPA)  
Total credit hours: 42  
CIP Code, Sequence: 44.0401, 4059  
Cost to offer by distance learning: \$24,000  
Effective date: May 2022
  - c. **USM** – Master of Science (MS) in Mathematics  
Total credit hours: 30  
CIP Code, Sequence: 27.0101, 4374  
Cost to offer by distance learning: Offset by online course fee of \$20 per credit hour  
Effective date: August 2022

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- d. **USM** – Master of Science (MS) in Physics  
Total credit hours: 30  
CIP Code, Sequence: 40.0801, 4381  
Cost to offer by distance learning: Offset by online course fee of \$20 per credit hour  
Effective date: August 2022
- 2. **SYSTEM** – Intent to Offer, Modify, or Delete Certificate Programs
  - Offer
    - a. **MSU** – Certificate program title: Data Science Pedagogy  
Responsible academic unit: Division of Academic Affairs, Office of the Provost and Executive Vice President  
Level: post-baccalaureate  
Total credit hours: minimum 12 hours  
CIP code: 30.7001  
Effective date: August 2022
    - b. **UM** – Certificate program title: Early Childhood Public Policy  
Responsible academic unit: School of Education, Department of Teacher Education  
Level: post-baccalaureate  
Total credit hours: 12  
CIP code: 13.1210  
Effective date: August 2022
  - Delete
    - c. **USM** – Certificate program title: Secondary Education and Teaching (Teach Mississippi Institute)  
Responsible academic unit: School of Education  
Level: post-baccalaureate  
Total credit hours: 12  
CIP code: 13.1205, 8057  
Effective date: May 2022

**REAL ESTATE**

- 3. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the April 21, 2022 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

**LEGAL**

- 4. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 2.)
- 5. **DSU** – Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved DSU’s emergency request to hire attorney Jim Griszczak of McDonald Hopkins, LLC as outside counsel to provide legal services related to a cyber incident. The term of the contract is April 27, 2022 through May 1, 2023, unless terminated sooner by

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either party. Services are provided at an hourly rate of \$365 for the lead attorney and \$290 for associates with a maximum amount payable under the contract of \$75,000. DSU is insured for cyber incident response and carries a deductible for legal services related to a covered incident of \$5,000. Therefore, DSU will not be responsible for more than \$5,000 of the \$75,000 maximum amount payable under the agreement. McDonald Hopkins carries professional liability insurance coverage in the amount of \$5,000,000 per claim with an annual aggregate of \$5,000,000. This item has been approved by the Office of the Attorney General.

**ADMINISTRATION/POLICY**

6. **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. **MSU** – On April 28, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University (lessor) and Kendall Garraway – KD Fourteen Mile Farms (lessee) for the use of approximately 207 acres of farmland. The term of the lease would begin April 19, 2022 and ends December 31, 2023 with an option to extend the lease for one year or until December 31, 2024. The Lessee will pay \$112.50 per acre due on November 1<sup>st</sup> of each year. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
  - b. **MSU** – On April 28, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University (lessor) and The Bulldog Club, Inc. (lessee). MSU desires to lease to the Bulldog Club certain real property to allow the Bulldog Club to construct a new softball field house for the MSU Softball team. The term of the lease begins the day the Lessee gives the Lessor written notice of its intent to proceed with the project. The primary term of this lease is for a period of twenty-four (24) months or until completion of the Project, whichever occurs first. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
  - c. **JSU** - 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 26, 2022, Commissioner Alfred Rankins, Jr. approved the budget revisions to the FY 2022 *Ayers* academic programs after conducting a review. It appears that these revisions were necessary to align 2022 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. One of the requested revisions does not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office

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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.

- d. **UMMC** – On April 22, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between the University of Mississippi Medical Center and Mississippi Methodist Hospital and Rehabilitation Center for approximately 1,917 square feet of space in the Methodist Rehabilitation Center building located on UMMC’s main campus for use as office space for medical providers and staff. The term of the Agreement is twenty-four (24) months beginning May 1, 2022 and ending April 30, 2024. The cost is \$3,195 per month for a total of \$76,680 over the term of the Lease. Payment is required in advance at the beginning of each month. The IHL Associate Commissioner for Legal Affairs has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- e. **UMMC** – On April 28, 2022, Commissioner Alfred Rankins, Jr., approved a Timeshare Lease Agreement between the University of Mississippi Medical Center (sublessee) and Copiah County Medical Center (sublessor) for the part-time use of clinic space. The term of the lease would begin May 1, 2022 and end April 30, 2027 including the initial one-year term and four additional one-year renewals. The sublessee will pay \$235 due on the first of each month, totaling \$14,675.30. The IHL Associate Commissioner for Legal Affairs has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
- f. **USM** – On April 25, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between the University of Southern Mississippi and eMBe Formulations, LLC for approximately 313 square feet of lab and equipment space in USM’s Accelerator building. This is a revenue generating lease with an initial term of one year with up to four consecutive one-year renewal periods. The Lessee will pay annual rent in the amount of \$8,870 for the initial term and for each renewal term for a total potential revenue of \$44,350. The IHL Associate Commissioner for Legal Affairs has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property. A copy of the documents is on file in the IHL Board Office.
- g. **USM** – On April 25, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between the University of Southern Mississippi and AJA Labs, Inc. for approximately 456 square feet of lab space in USM’s Accelerator building. This is a revenue generating lease with an initial term of one year with up to four consecutive one-year renewal periods. The Lessee will pay annual rent in the amount of \$13,680 for the initial term and for each renewal term for a total potential revenue of \$68,400. The IHL Associate Commissioner for Legal Affairs has



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

**PERSONNEL**

7. **Sabbatical**

**Mississippi State University**

FROM: H. Colleen Sinclair; Associate Professor of Psychology; salary \$78,340.00 per annum, pro rata; E&G and Designated Funds; 9-month contract; no change in salary during sabbatical period; E&G and Designated Funds; effective January 1, 2022 to May 15, 2022; professional development

*[Originally approved by IHL Board March 18, 2021]*

CORRECTED: This item was rescinded.

**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, May 18, 2022

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

1. The Committee discussed the monthly financial summary/strategic goal dashboard, discussed the FY 2022-23 budget status, received an update on the nursing school project, and discussed alternatives for the dental school project. **No action was taken.**

2. Executive Session

On motion by Trustee Ogletree, with Trustees Cummings, Cunningham, Duff, Morgan, and Parker absent and not voting and with Trustee Martin 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 Ogletree, seconded by Trustee Martin, with Trustees Cummings, Cunningham, Duff, Morgan, and Parker absent and not voting and with Trustee Martin 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 the strategic business plans related to a public hospital.

**During Executive Session, the following matters were discussed:**

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

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

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

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

### **ANNOUNCEMENTS**

- President Duff announced the next meeting of the IHL Board is scheduled for June 16, 2022.

### **EXECUTIVE SESSION**

On motion by Trustee Parker, with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Ogletree, seconded by Trustee Starr, with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reason\* 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 litigation matter at the University of Southern Mississippi.

Discussion of a personnel matter at Delta State University.

Discussion of a personnel matter at the University of Southern Mississippi.

Discussion of a personnel matter at the University of Mississippi.

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

On motion by Trustee Hubbard, seconded by Trustee Cummings, with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-4467-1 styled as *Samuel Jones vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

On motion by Trustee Ogletree, seconded by Trustee Cummings, with Trustees Cunningham, Martin, and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-40912-1 styled as *William Dempster vs. the University of Southern Mississippi, et al.*, as recommended by counsel.

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The Board discussed a personnel matter at the University of Southern Mississippi. **No action was taken.**

The Board discussed a personnel matter at Delta State University. **No action was taken.**

The Board discussed a personnel matter at the University of Mississippi. **No action was taken.**

**On motion by Trustee Cummings, seconded by Trustee Morgan, with Trustee Cunningham absent and not voting and with Trustees Martin and McNair participating via Zoom, 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 McNair, seconded by Trustee Morgan, with Trustee Cunningham absent and not voting and with Trustees Martin and McNair participating via Zoom, all Trustees legally present and participating voted unanimously to adjourn the meeting.



\_\_\_\_\_  
President, Board of Trustees of State Institutions of Higher Learning



\_\_\_\_\_  
Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

Exhibit 1      Real Estate items that were approved by the IHL Board staff subsequent to the April 19, 2022 Board meeting.

Exhibit 2      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

May 19, 2022

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE APRIL 21, 2022 BOARD MEETING SUBMISSION DEADLINE**

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

**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 101-324 – CAMPUS LIGHTING AND SECURITY IMPROVEMENTS**

**Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Schultz & Wynne, P.A.

Approval Status & Date: APPROVED, April 27, 2022

Project Initiation Date: January 21, 2021

Design Professional: Schultz & Wynne, P.A.

General Contractor: TBD

Total Project Budget: \$2,260,000.00

### **JACKSON STATE UNIVERSITY**

2. **JSU- GS 103-315 – CAMPUS MECHANICAL IMPROVEMENTS PHASE III**

**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 14, 2022 to approve the initiation and design professional for the Campus Mechanical Improvements Phase III project.

Interim Approval Status & Date: APPROVED, April 14, 2022

Project Initiation Date: April 14, 2022

Design Professional: Engineering Resource Group

General Contractor: TBD

Total Project Budget: \$5,000,000.00

3. **JSU- GS 103-220 – C.F. MOORE DEMOLITION**

**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

# EXHIBIT 1

May 19, 2022

Estate and Facilities Committee on April 21, 2022 to approve the demolition and deletion of the C.F. Moore Building.

Interim Approval Status & Date: APPROVED, April 21, 2022

Project Initiation Date: April 21, 2022

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

General Contractor: TBD

Total Project Budget: \$750,000.00

## MISSISSIPPI STATE UNIVERSITY

### 4. **MSU- IHL 405-001– MUSIC BUILDING RE-BID**

#### **Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$144,940.00 and one hundred sixty-seven (167) additional days to the contract of Mac’s Construction Company, Inc.

Approval Status & Date: APPROVED, April 8, 2022

Change Order Description: Change Order #6 includes the following items: added concrete paving and stairs/railing at South Hardy Road; provided additional site lighting along Hardy Road; added a sink to the millwork and plumbing/electrical provisions to a work room; and one hundred sixty-seven (167) days to the contract.

Change Order Justification: These changes were due to user/owner requested modifications and weather- related delays as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$424,930.09.

Project Initiation Date: May 18, 2017

Design Professional: Allred Stolarski Architects, P.A.

General Contractor: Mac’s Construction Company, Inc.

Total Project Budget: \$21,000,000.00

### 5. **MSU- IHL 413-003 – DORMAN HALL RENOVATION**

#### **Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by JH&H Architects.

Approval Status & Date: APPROVED, May 2, 2022

Project Initiation Date: February 18, 2021

Design Professional: JH&H Architects

General Contractor: TBD

Total Project Budget: \$31,000,000.00

# EXHIBIT 1

May 19, 2022

## MISSISSIPPI UNIVERSITY FOR WOMEN

### 6. MUW- IHL 204-134 – CAMPUS HVAC IMPROVEMENTS

**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 9, 2022 to approve the initiation and design professional for the Campus HVAC Improvements.

Interim Approval Status & Date: APPROVED, April 9, 2022

#### **Approval Request #2: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,675,000.00 to the apparent low bidder, Brislin, Inc.

Approval Status & Date: APPROVED, April 20, 2022

Project Initiation Date: April 9, 2022

Design Professional: Dewberry/ Edmonds Engineers, Inc.

General Contractor: Brislin, Inc.

Total Project Budget: \$1,872,000.00

## UNIVERSITY OF MISSISSIPPI

### 7. UM- IHL 207-470 – OXFORD-UNIVERSITY STADIUM (SWAYZE FIELD) – ADA RAMP

#### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by A2H, PLLC.

Approval Status & Date: APPROVED, May 2, 2022

#### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, May 2, 2022

Project Initiation Date: December 7, 2021

Design Professional: A2H, PLLC

General Contractor: TBD

Total Project Budget: \$1,000,000.00

### 8. UM- IHL 407-002 – DATA CENTER FACILITY RENOVATION

#### **Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Duvall Decker Architects, P.A.

Approval Status & Date: APPROVED, April 8, 2022

Project Initiation Date: June 20, 2019

Design Professional: Duvall Decker Architects, P.A.

General Contractor: TBD

Total Project Budget: \$1,000,000.00

# EXHIBIT 1

May 19, 2022

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 9. UMMC- IHL 409-001 – RESEARCH AHU REPLACEMENT

#### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,356,000.00 to the apparent low bidder, Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, April 21, 2022

Project Initiation Date: August 16, 2018

Design Professional: Dean and Dean Architects

General Contractor: Fountain Construction Company, Inc.

Total Project Budget: \$2,122,624.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### 10. USM- GS 108-300 – HICKMAN HALL RENOVATION

#### **Approval Request #1: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Burris/Wagnon Architects, P.A.

Approval Status & Date: APPROVED, April 13, 2022

Project Initiation Date: May 20, 2021

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

General Contractor: TBD

Total Project Budget: \$500,000.00

### 11. USM- GS 114-023 – SCIENCE BUILDING INFILTRATION REPAIRS

#### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$65,754.00 and twenty-one (21) additional days to the contract of Century Construction Group, LLC.

Approval Status & Date: APPROVED, May 3, 2022

Change Order Description: Change Order #1 includes the following items: added additional LVT, CPT, and rubber base; added two (2) dumpsters for kept material for seven (7) days; changed glazing tint color to match the campus standard of gray on clear glazing tint; and twenty-one (21) days to the contract.

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

Project Change Orders and Amount: One (1) change order for a total amount of \$65,754.00.

Project Initiation Date: May 18, 2017

Design Professional: Shafer Zahner/Zahner

General Contractor: Century Construction Group, LLC

Total Project Budget: \$3,604,891.38



# EXHIBIT 2

May 19, 2022

## SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 12/1/21, 1/1/22, 2/1/22, 3/1/22, 4/1/22, 4/1/22, 4/1/22, 4/1/22 and 4/2/11) from the funds of Alcorn State University. (These statements, in the amounts of \$2,250.00, \$2,250.00, \$55.47, \$56.40, \$2,250.00, \$90.62, \$39.09, \$38.92 and \$55.87, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 7,086.37**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/21, 12/1/21, 12/1/21, 12/1/21, 1/1/22, 3/1/22 and 3/31/22) from the funds of Jackson State University. (These statements, in the amounts of \$47.62, \$2,250.00, \$97.82, \$1,500.00, \$2,500.00, \$56.15 and \$533.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 6,984.59**

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 4/19/22) from the funds of Mississippi State University. (This statement, in the amount of \$750.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 750.00**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 2/1/22, 4/1/22, 4/1/22 and 4/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$221.04, \$531.00, \$2,500.00 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 5,752.04**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/31/21, 7/31/21, 3/31/22, 3/31/22, 4/21/22, 4/21/22 and 4/21/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,032.50, \$218.50, \$7,094.02, \$2,861.50, \$585.75, \$206.50 and \$9,941.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 21,940.27**

# EXHIBIT 2

May 19, 2022

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 4/4/22) from the funds of the University of Mississippi. (This statement, in the amount of \$1,950.00, represents services and expenses in connection with general legal advice.)

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

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 2/1/22, 2/1/22, 2/1/22, 3/28/22, 4/1/22, 4/1/22, 4/1/22 and 4/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$144.28, \$8,329.50, \$2,500.00, \$1,500.00, \$45.59, \$2,500.00, \$4,250.00 and \$5,044.44, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 24,313.81**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/23/21, 1/19/22, 2/15/22, 3/14/22, 3/23/22, 3/23/22, 3/23/22, 4/14/22 and 4/14/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$118,777.21, \$52,328.70, \$29,565.00, \$43,228.32, \$20,271.40, \$1,309.00, \$862.00, \$6,747.60 and \$265.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 273,354.23**

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 3/28/22 and 3/28/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$148.50 and \$33.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 181.50**

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 3/16/22, 3/16/22, 3/16/22, 3/16/22, 3/16/22 and 3/16/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$992.70, \$2,332.90, \$2,990.33, \$198.00, \$2,852.80 and \$1,568.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 10,934.73**

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 3/23/22, 3/23/22, 3/23/22, 3/23/22 and 3/30/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,946.00, \$9,333.00, \$2,943.00, \$5,280.00 and \$215.46, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 23,717.46**

# EXHIBIT 2

May 19, 2022

Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 3/21,22, 3/21,22, 3/21,22, 3/21,22, 3/21,22, 3/21,22, 3/21,22, 3/25/22, 3/25/22, 3/25/22 and 3/25/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$412.50, \$135.00, \$669.00, \$189.00, \$175.50, \$1,228.50, \$3,114.08, \$81.00, \$94.50, \$3,892.72 and \$94.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 10,086.30**

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 3/15/22, 3/16/22, 3/18/22, 3/18/22 and 4/8/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,221.00, \$1,533.29, \$1,270.50, \$544.50 and \$2,808.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 11,377.29**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 4/6/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$526.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 526.50**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 4/14/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$20,793.79, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 20,793.79**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 3/1/22, 4/1/22, 4/1/22, 4/1/22, 4/1/22 and 4/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,250.00, \$86.95, \$2.60, \$31.59, \$29.65 and \$16.27, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 2,417.06**

Payment of legal fees for professional services rendered by Nelson Law, PLLC (statement dated 5/2/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,500.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 3,500.00**

# EXHIBIT 2

May 19, 2022

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 3/23/22, 3/23/22, 3/23/22 and 3/23/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Thearapeutics for Breathing Disorders” - \$631.00; “Systems and Methods for Pest Reduction” - \$47.50; “Imaging Probe Adapter CIP Utility Patent Application” - \$1,111.00; and “IP and Regulatory Matters” - \$1,150.50.)

**TOTAL DUE.....\$ 2,940.00**

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings, LLP (statement dated 4/11/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Wound and Infection Care Bath System” - \$6,289.50.)

**TOTAL DUE.....\$ 6,289.50**

Payment of legal fees for professional services rendered by Conley Rose (statements dated 4/6/22, 4/6/22 and 4/6/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “System to Control an Actuator” - \$2,218.50; “Smart Outlet” - \$870.00; and “Wearable Flexible Sensor Motion Capture System” - \$1,885.00.)

**TOTAL DUE.....\$ 4,973.50**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 4/5/22 and 4/5/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$175.00; and “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$4,157.50.)

**TOTAL DUE.....\$ 4,332.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 4/21/22, 4/21/22, 4/21/22 and 4/21/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following intellectual property matters: “Infrared Detection with Intrinsically Conductive” - \$88.50; “Transition of Patent Files” - \$236.00; “Oral Suction Device” - \$952.00; and “Lidar for Underwater” - \$324.50).

**TOTAL DUE.....\$ 1,601.00**