

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 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 November 17, 2022 meeting. At the above-named place there were present the following members were present to wit: Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard (via Zoom), Ms. Jeanne Carter Luckey, Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree (via Zoom), Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Mr. Tom Duff, President. Dr. Ormella Cummings was absent. Trustee Starr introduced Reverend Morris Thompson, pastor of the Episcopal Church of the Mediator in Meridian, MS, to provide the invocation.

INTRODUCTION OF GUESTS

- President Tom Duff welcomed Dr. Joseph Paul to his first IHL Board meeting as president of The University of Southern Mississippi.
- President Duff introduced the following Student Government Association presidents attending the meeting: Christopher Epps from Alcorn State University, Lucia Chacon-Habis from Delta State University, Madison Cathey from Jackson State University, Kennedy Guest from Mississippi State University, and Lila Osman from the University of Mississippi.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Starr, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on October 20, 2022.

CONSENT AGENDAS

On motion by Trustee Morgan, seconded by Trustee McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

ACADEMIC AFFAIRS

1. **SYSTEM** – Approved the degrees to be conferred in Fall 2022 provided each candidate has met all requirements for the degree.

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Institution	Degree to be Conferred	Number	Subtotal	Total
Alcorn State University				
	<i>Undergraduate</i>		174	
	Associate of Science in Nursing	1		
	Bachelor of Science	130		
	Bachelor of Arts	22		
	Bachelor of Arts in Music	1		
	Bachelor of Music	1		
	Bachelor of Social Work	19		
	<i>Graduate</i>		71	
	Master of Arts in Teaching	11		
	Master of Business Administration	1		
	Master of Liberal Arts	2		
	Master of Science in Agriculture	9		
	Master of Science in Applied Science and Technology	14		
	Master of Science in Biology	9		
	Master of Science in Biotechnology	1		
	Master of Science in Computer and Information Science	3		
	Master of Science in Elementary Education	2		
	Master of Science in Secondary Education	11		
	Master of Science in Workforce Education Leadership	8		
	<i>Total Undergraduate Degrees</i>		174	
	<i>Total Graduate Degrees</i>		71	
	<i>Total Degrees</i>			245
Delta State University				
	<i>College of Arts and Sciences</i>		55	
	Bachelor of Applied Science	4		
	Bachelor of Arts	3		
	Bachelor of Fine Arts	2		
	Bachelor of Music	2		
	Bachelor of Music Education	3		
	Bachelor of Science	21		
	Bachelor of Science in Education	1		
	Bachelor of Science in Social Justice & Criminology	3		
	Bachelor of Science in Interdisciplinary Studies	10		
	Bachelor of University Studies	6		
	<i>College of Business and Aviation</i>		48	
	Bachelor of Applied Science	1		
	Bachelor of Business Administration	32		
	Bachelor of Commercial Aviation	15		
	<i>College of Education and Human Sciences</i>		61	
	Bachelor of Arts	6		
	Bachelor of Science	32		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Bachelor of Science in Education	23		
	<i>School of Nursing</i>		31	
	Bachelor of Science in Nursing	31		
	<i>School of Graduate Studies</i>		120	
	Master of Applied Science	1		
	Master of Arts in Liberal Studies	5		
	Master of Arts in Teaching	5		
	Master of Business Administration	19		
	Master of Commercial Aviation	7		
	Master of Education	22		
	Master of Professional Accountancy	4		
	Master of Science in Sport and Human Performance	13		
	Master of Science in Social Justice & Criminology	3		
	Master of Science in Natural Sciences	2		
	Educational Specialist	21		
	Doctor of Education	2		
	Doctor of Nursing Practice	15		
	<i>Total Undergraduate Degrees</i>		195	
	<i>Total Graduate Degrees</i>		120	
	<i>Total Degrees</i>			315
Jackson State University				
	<i>Undergraduate</i>		434	
	Bachelor of Arts	12		
	Bachelor of Business Administration	47		
	Bachelor of Music	2		
	Bachelor of Music Education	9		
	Bachelor of Science	297		
	Bachelor of Science Education	25		
	Bachelor of Social Work	42		
	<i>Graduate</i>		148	
	Master of Arts	7		
	Master of Arts in Teaching	9		
	Master of Business Administration	10		
	Master of Music Education	1		
	Master of Professional Accountancy	3		
	Master of Public Health	14		
	Master of Public Policy and Administration	8		
	Master of Science	33		
	Master of Science in Education	14		
	Master of Social Work	4		
	Specialist in Education	19		
	Doctor of Education	3		
	Doctor of Philosophy	22		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Doctor of Public Health	1		
	<i>Total Undergraduate Degrees</i>		434	
	<i>Total Graduate Degrees</i>		148	
	<i>Total Degrees</i>			582
Mississippi State University				
	<i>College of Agriculture and Life Sciences</i>		191	
	Bachelor of Science	139		
	Bachelor of Landscape Architecture	2		
	Master of Agriculture	4		
	Master of Agribusiness Management	3		
	Master of Science	35		
	Doctor of Philosophy	8		
	<i>College of Architecture, Art, and Design</i>		5	
	Bachelor of Fine Arts	4		
	Bachelor of Science	1		
	<i>College of Arts and Sciences</i>		353	
	Bachelor of Arts	107		
	Bachelor of Science	188		
	Bachelor of Applied Technology	1		
	Bachelor of Social Work	10		
	Master of Arts	2		
	Master of Science	29		
	Master of Public Policy and Administration	4		
	Doctor of Philosophy	12		
	<i>College of Business</i>		259	
	Bachelor of Business Administration	191		
	Master of Business Administration	66		
	Master of Science Information Systems	2		
	<i>College of Education</i>		277	
	Bachelor of Music Education	5		
	Bachelor of Science	184		
	Master of Arts in Teaching	1		
	Master of Arts in Teaching Secondary	32		
	Master of Arts in Teaching Special	8		
	Master of Music Education	1		
	Master of Science	29		
	Master of Science in Instructional Technology	2		
	Educational Specialist	10		
	Doctor of Philosophy	5		
	<i>College of Engineering</i>		300	
	Bachelor of Science	234		
	Master of Science	46		
	Master of Engineering	4		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Doctor of Philosophy	16		
	<i>College of Forest Resources</i>		44	
	Bachelor of Science	27		
	Master of Science	12		
	Doctor of Philosophy	5		
	<i>School of Accountancy</i>		32	
	Bachelor of Accountancy	23		
	Master of Professional Accountancy	5		
	Master of Taxation	4		
	<i>College of Veterinary Medicine</i>		6	
	Master of Science	5		
	Doctor of Philosophy	1		
	<i>Academic Affairs</i>		50	
	Bachelor of University Studies – C2C	21		
	Bachelor of Applied Science	27		
	Master of Science	2		
	<i>Total Undergraduate Degrees</i>		1,164	
	<i>Total Graduate Degrees</i>		353	
	<i>Total Degrees</i>			1,517
Mississippi University for Women				
	<i>Undergraduate</i>		146	
	Bachelor of Applied Science	21		
	Bachelor of Arts	4		
	Bachelor of Business Administration	32		
	Bachelor of Fine Arts	5		
	Bachelor of Music	3		
	Bachelor of Professional Studies	5		
	Bachelor of Science	51		
	Bachelor of Science in Nursing	25		
	<i>Graduate</i>		15	
	Master of Arts	2		
	Master of Business Administration	4		
	Master of Fine Arts	7		
	<i>Total Undergraduate Degrees</i>		146	
	<i>Total Graduate Degrees</i>		15	
	<i>Total Degrees</i>			161
Mississippi Valley State University				
	<i>Undergraduate</i>		75	
	Bachelor of Arts	19		
	Bachelor of Science	48		
	Bachelor of Social Work	8		
	<i>Graduate</i>		34	
	Master of Arts	17		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Master of Business Administration	5		
	Master of Science	12		
	Total Undergraduate Degrees		75	
	Total Graduate Degrees		34	
	Total Degrees			109
University of Mississippi				
	College of Liberal Arts		84	
	Bachelor of Arts	79		
	Bachelor of Fine Arts	2		
	Bachelor of Science	3		
	School of Engineering		27	
	Bachelor of Science in Civil Engineering	7		
	Bachelor of Science in Computer Engineering	1		
	Bachelor of Science in Computer Science	14		
	Bachelor of Science in Electrical Engineering	2		
	Bachelor of Science in Mechanical Engineering	2		
	Bachelor of Science in Geology	1		
	School of Education		3	
	Bachelor of Arts in Education	3		
	School of Business		139	
	Bachelor of Business Administration	139		
	School of Accountancy		21	
	Bachelor of Accountancy	21		
	School of Applied Sciences		74	
	Bachelor of Arts in Sport and Recreation Administration	7		
	Bachelor of Science	22		
	Bachelor of Science in Criminal Justice	26		
	Bachelor of Science in Exercise Science	10		
	Bachelor of Science in Law Studies	3		
	Bachelor of Science in Public Health & Health Sciences	4		
	Bachelor of Social Work	2		
	School of Journalism and New Media		38	
	Bachelor of Arts in Journalism	4		
	Bachelor of Science (IMC)	34		
	General Studies		45	
	Bachelor of Multi-Disciplinary Studies	34		
	Bachelor of University Studies	11		
	Graduate School		153	
	Master of Accountancy	8		
	Master of Accountancy and Data Analytics	4		
	Master of Arts	10		
	Master of Arts in Teaching	7		
	Master of Business Administration	21		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Master of Criminal Justice	4		
	Master of Education	17		
	Master of Fine Arts	1		
	Master of Music	4		
	Master of Science	31		
	Master of Taxation and Data Analytics	1		
	Specialist in Education	6		
	Doctor of Education	3		
	Doctor of Philosophy	36		
	<i>Law School</i>		10	
	Juris Doctor	10		
	<i>Total Undergraduate Degrees</i>		431	
	<i>Total Graduate/Professional Degrees</i>		163	
	<i>Total Degrees</i>			594
University of Mississippi Medical Center				
	<i>Undergraduate</i>		83	
	Bachelor of Science in Nursing	82		
	Bachelor of Science in Dental Hygiene	1		
	<i>Graduate/Professional</i>		54	
	Master of Science in Biomedical Sciences	10		
	Master of Science in Population Health Science	1		
	Master of Science in Health Management	1		
	Master of Science in Nursing	25		
	Doctor of Nursing Practice	7		
	Doctor of Medicine	4		
	Doctor of Philosophy	6		
	<i>Total Undergraduate Degrees</i>		83	
	<i>Total Graduate/Professional Degrees</i>		54	
	<i>Total Degrees</i>			137
University of Southern Mississippi				
	<i>College of Arts and Sciences</i>		388	
	Bachelor of Arts	87		
	Bachelor of Fine Arts	6		
	Bachelor of Liberal Studies	27		
	Bachelor of Music	1		
	Bachelor of Music Education	8		
	Bachelor of Science	156		
	Bachelor of University Studies	18		
	Master of Arts	4		
	Master of the Arts in Teaching of Language	5		
	Master of Music	1		
	Master of Music Education	2		
	Master of Science	48		

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Institution	Degree to be Conferred	Number	Subtotal	Total
	Doctor of Musical Arts	4		
	Doctor of Philosophy	21		
	<i>College of Business and Economic Development</i>		273	
	Bachelor of Applied Science	3		
	Bachelor of Science	34		
	Bachelor of Science in Business Administration	158		
	Master of Business Administration	43		
	Master of Professional Accountancy	7		
	Master of Science	21		
	Doctor of Philosophy	7		
	<i>College of Education and Human Sciences</i>		384	
	Bachelor of Arts	2		
	Bachelor of Science	220		
	Bachelor of Social Work	43		
	Master of Arts	2		
	Master of Education	23		
	Master of Library and Information Science	43		
	Master of Science	21		
	Specialist in Education	6		
	Doctor of Education	14		
	Doctor of Philosophy	10		
	<i>College of Nursing and Health Professions</i>		209	
	Bachelor of Arts	21		
	Bachelor of Science	41		
	Bachelor of Science in Nursing	70		
	Master of Public Health	38		
	Doctor of Nursing Practice	39		
	<i>Total Undergraduate Degrees</i>		895	
	<i>Total Graduate Degrees</i>		360	
	<i>Total Degrees</i>			1,255
Total Undergraduate Degrees			3,597	
Total Graduate Degrees			1,318	
System Total				4,915

*Note: System Total for fall 2022 represents an increase of 107 from fall 2021's total of 4,808.

FINANCE

- SYSTEM** – Approved the request to escalate the *Ayers* Endowment Diversity Program Budgets for Alcorn State University, Jackson State University, and Mississippi Valley State University. These escalations are needed to cover increased costs associated with program operating costs. The original budgets were approved at the June 2022 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. Actual funding is now known, and the institutions have requested to revise their budgets to equal actual sources as shown. All funds budgeted within these programs

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were generated from annual interest earnings of the *Ayers* Public and Private Endowment investments.

Alcorn State University

Object of Expenditure	Current Budget FY 2023	Budget Revision	Revised Budget FY 2023
Salaries, Wages & Fringe			
Benefits	\$ -		\$ -
Travel	-		-
Contractual Services	-		-
Commodities	-		-
Capital Outlay:			
Equipment	-		-
Library Resources	-		-
Student Aid	287,813	32,670	320,483
Total	\$ 287,813	\$ 32,670	\$ 320,483

Jackson State University

Object of Expenditure	Current Budget FY 2023	Budget Revision	Revised Budget FY 2023
Salaries, Wages & Fringe			
Benefits	\$ 1,061,533		\$ 1,061,533
Travel	-		-
Contractual Services	825,000		825,000
Commodities	-		-
Capital Outlay:			
Equipment	-		-
Library Resources	-		-
Student Aid	-	2,042,368	2,042,368
Total	\$ 1,886,533	\$ 2,042,368	\$ 3,928,901

Mississippi Valley State University

Object of Expenditure	Current Budget FY 2023	Budget Revision	Revised Budget FY 2023
Salaries, Wages & Fringe			
Benefits	\$ 67,246		\$ 67,246
Travel	6,000		6,000
Contractual Services	189,278		189,278
Commodities	44,000		44,000
Capital Outlay:			
Equipment	-		-
Library Resources	-		-
Student Aid	569,258	13,522	582,780
Total	\$ 875,782	\$ 13,522	\$ 889,304

- SYSTEM** – Approved the request to enter a lease agreement with MS Hardware Master Tenant, LLC (MS Hardware) to lease approximately 2,090 square feet located on the 2nd floor, southeast corner of the MCITY Building located at 1622 Washington Street in Vicksburg, Mississippi. This space will be used by the four research universities for the purpose of technology transfer and entrepreneurial programs which may be connected to the U.S. Department of Defense and related federal research. The term of the Lease

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Agreement is three (3) years, from January 1, 2023 through December 31, 2025. The total estimated cost of the three (3) year term is \$150,000. IHL will pay a base rent of \$1,741.67 per month, with a two percent (2%) annual increase. IHL will also be responsible for additional rent in the amount of \$2,264.17 which is the estimate of the IHL proportional share of the operating cost MS Hardware will incur during the first calendar year. Additional rent shall not increase more than five percent (5%) per year. MS Hardware may include in additional rent payable for any year of this Lease that IHL's proportionate share of actual operating expenses for the preceding year that exceeded the amount of additional rent paid by the IHL during said preceding year. Likewise, if IHL's payments of additional rent during the preceding year exceeded IHL's proportionate share of actual operating expenses incurred by MS Hardware during said year, IHL shall be entitled to a credit in the calculation of the additional rent due in the succeeding year. During the 2022 Legislative Session, the Mississippi Legislature approved SB 3002 which appropriated \$1,000,000 to the research universities for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi. IHL will pay the Lease costs directly to MS Hardware; however, JSU, MSU, UM and USM will reimburse IHL from the funds appropriated by the Legislature for this purpose. 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. **JSU** – Approved the request to enter a Purchase Agreement with Logistics365, Inc. for the purpose of purchasing seven (7) all-terrain vehicles and accessories to be used by Jackson State University's Department of Public Safety for policing purposes. The lease agreement will commence upon execution by the Parties and continue until Logistics365, Inc.'s delivery of the vehicles. The amount of the agreement is \$347,082.33. The agreement will be paid from Education and General funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **MSU** – Approved the request to enter a new contract with 3 Enrollment Marketing to provide digital and email awareness marketing along with new market analysis for prospective students. The contract shall begin on the date signed by the parties and terminate on November 30, 2026. The maximum contract amount is \$2,000,000. The contract will be paid from General Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **MSU** – Approved the request to enter a five-year lease for storage space located at 800 Louisville St, Suite A Starkville, MS 39759. The space will be used for storing library materials that need to be archived in a secure, climate-controlled location. The term of the contract is December 1, 2022 to November 30, 2027. The contract amount is \$175,000 and will be paid by E&G Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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7. **MSU** – Approved the request to enter a contract with Diversified Elevator for the purpose of providing elevator maintenance and repair services for all elevators at the MSU Starkville campus and the College of Architecture in Jackson, MS. The contract will commence on January 1, 2023 and will expire on December 31, 2027. The total anticipated cost per month will be \$37,930 plus necessary hourly rate services and future additional inventory costs. The total costs over the life of the contract are projected to be approximately \$4,075,800. The contract will be paid from General funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. **MSU** – Approved the request to enter an agreement with Innovative Construction Management, LLC (ICM) for construction manager advisor services related to the renovation of the West Lower Bowl of Davis Wade Stadium, IHL Project 205-325 (Project). The Board also approved the request to negotiate and incorporate supplemental and additional services that may become necessary during the Project and make other Project required modifications to the contract if any supplementary or additional services remain within the Project budget approved by the Board. The contract will commence upon execution and will expire one-year from the date of Substantial Completion of the Project. MSU estimates that the cost of ICM services will be approximately \$3,500,000.00, which includes preconstruction fees and construction services fee based on a percentage of the Cost of Work and General Conditions. The agreement will be paid from MSU Athletics Self-Generated Funds and/or EBC Bonds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
9. **MSU** – Approved the request to enter a contract for professional services agreement with Frontier Strategies, LLC, for advertising agency services to MSU’s Office of Nutrition Education for the implementation of the social marketing campaign *HappyHealthy*. The term of the contract begins December 1, 2022 and ends September 30, 2023. This agreement may be renewed in one (1) year increments upon agreement of both parties in writing and the availability of funding, for up to four (4) additional years. Total expenditures shall not to exceed \$5 million and shall be based upon the amount and availability of funding for the project as approved each fiscal year by the U.S. Department of Agriculture and the Mississippi Department of Human Services. The professional services agreement will be funded by a subgrant between the Mississippi Department of Human Services and Mississippi State University. The funding source for the subgrant is the United States Department of Agriculture. 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. **MSU** – Approved the request enter a commissioning agent contract with Sinergi Integrated Building Science, LLC for the design and construction of the Kinesiology and Autism Building (The Jim and Thomas Duff Center). The term of the contract will be November 21, 2022 through the end of applicable warranty period and settlement of any warranty claims. This is a percentage-based contract determined by the cost of project construction. The estimated fees are \$450,000. This contract will be paid out of the following project funds: H.B 1649, Laws of 2018 (\$10,000,000); S.B.3005, Laws of 2019 (\$10,000,000);

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H.B. 1730, Laws of 2020 (\$10,000,000); S.B. 2948, Laws of 2021 (\$5,000,000); Private Funding (\$15,000,000); and University Funds (5,000,000). 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. **MUW** – Approved the request to enter a management agreement with Sodexo Management, Inc. to provide dining and catering management services for its food service operations and to manage and operate vending operations for the university. The 10 month agreement begins January 1, 2023 and ends December 31, 2032. This is a revenue contract. An annual sales commission will be calculated on a net sales basis (before tax) which will vary depending on sales volumes of each of the following:

Guest Meal Sales	8% of Net Sales
Client and Third-Party Functions	5% of Net Sales
Client and Third-Party Conferences	5% of Net Sales
Declining Balance (DCB)	8% of Net Sales
Retail Sales	8% of Net Sales
High School Meal Plan (F)	8% of Net Sales
Vending Sales	12% of Net Sales

Projected revenue from commissions is anticipated to be \$700,000 over the term of the contract. 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. **MVSU** – Approved the request to escalate the E&G Budget to purchase signage for the campus, create full-time Dual Enrollment/Early College Coordinator and a part-time GHEC Coordinator position, and to purchase two vehicles to be used for recruiting.

Major Object Category	Current Budget	Increase/(Decrease)	Revised Budget
Total Salaries, Wages, and Fringe Benefits	\$ 23,653,919	\$ 95,023	\$ 23,748,942
Travel and Subsistence	774,557	-	774,557
Contractual Services	22,789,444	-	22,789,444
Commodities	1,195,108	235,000	1,430,108
Capital Outlay	351,999	57,977	409,976
Mandatory Transfers	160,000	-	160,000
Non-Mandatory Transfers	(365,027)	-	(365,027)
Increase in Fund Balance	-	-	-
Total Uses of Funding	\$ 48,560,000	\$ 388,000	\$ 48,948,000

13. **UM** – Approved the request for the University’s J.D. Williams Library to continue a contract with the American Chemical Society. The purpose of this contract is to secure perpetual access to electronic journal content for an unlimited number of authorized users and to cap the rate of price increase on those journals to 3% each year for life of the contract. With this contract the annual hosting fees associated with the archives perpetual purchase are waived. The term of the contract is January 1, 2023 to December 31, 2025. The contract cost will be \$106,013 in year 2023; \$109,193 in year 2024; and \$112,469 in year 2025. Pursuant to Board Policy 707.03, Approval of Prepayment for Goods and Services, the Board also approved the request to allow prepayment of the annual payment

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each year. The contract will be paid by the library's materials budget which is derived from E&G funds and from specified endowments. 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. **UM** – Approved the request for the University and the Institute of Child Nutrition (ICN) to enter a contractual services agreement with Docebo NA, Inc. The ICN is a national institute providing free training for child nutrition professionals across the country. The Learning Management System (online course system) provided for in this contract is used by these professionals to obtain free professional development and continuing professional education hours. The term of the order form is from December 14, 2022 through December 13, 2025. This order form has a total value of \$485,052. The contract will be funded by federal funds (USDA Administration and Staffing Grant). 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. **UM** – Approved the request to amend a contractual services agreement with Salesforce, Inc. to continue providing access to the Tableau platform which is utilized by UM to publish key statistical data and metrics. The term of the order form is from November 18, 2022 through November 17, 2023. This order form has a total value of \$90,300. The total value under the previous order forms under the Master Services Agreement is \$563,760. The contract will be paid by E&G funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
16. **UM** – Approved the request to enter a contract with STM Charters, Inc. for passenger charter air transportation and related services for the Ole Miss Men's Basketball team for the 2022/2023 men's basketball season. Services will be provided by Hillwood Airways ACMI and Air Charter Express. The contract will begin on November 21, 2022 and end on March 4, 2023. The contract amount is \$387,150 billed in two installments. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
17. **UM** – Approved the request to enter a contract with STM Charters, Inc. for passenger charter air transportation and related services for the Ole Miss Women's Basketball team for the 2022/2023 women's basketball season. Services will be provided by Hillwood Airways ACMI and Air Charter Express. The contract will begin on December 3, 2022 and end on February 16, 2023. The contract amount is \$346,640 billed in two installments. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
18. **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, 2023. As per the requirements stipulated in Board Policy 301.0806 University Foundation/Affiliated Entity Activities, D. General Requirements of Affiliation Agreements, Subsection 9, staff have considered and reviewed the source documents for the following: Both activities and assets of the RDF continue to

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remain low (approximately \$8,567 as of September 2022); Contracting for an external audit would represent a significant expense that, at this time, does not make found financial or business sense, as the audit will cost \$8,750 to complete; and 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.

19. **UMMC** – Approved the request to enter a new Medical Office Building Lease (Lease) with Greenwood Internal Medicine Associates (GIMA) to lease approximately 7,532 square feet of clinical space located at 408 West Market Street, Greenwood, Mississippi, for use as an internal medicine outpatient clinic. The term of the agreement is sixty (60) months, from December 1, 2022, through November 30, 2027. The total anticipated cost of the Lease is \$616,067.17 over the sixty (60) month term. UMMC’s base rent will be \$9,856.21 per month or \$118,382.52 annually with a two percent (2%) increase beginning in year two (2). The agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
20. **USM** – Approved Amendment Two to the Reimbursable Space Act Agreement between The National Aeronautics and Space Administration John C. Stennis Space Center (NASA) and the Board of Trustees of State Institutions of Higher Learning for the Center of Higher Learning and Related University Activities (IHL). Under this Agreement, NASA provides space for IHL through the Center of Higher Learning to facilitate the continued education of the NASA workforce. This Agreement further addresses the terms and conditions for non-academic activities which the IHL has authorized, pursuant to approval by NASA. The Purpose of Amendment Two is to increase the term of the existing Reimbursable Space Act Agreement by one additional year, from the existing five (5) year term to a total of six (6) years, and correspondingly increase the financial obligation on a pro-rata basis for the one (1) additional year. The extension of the Reimbursable Space Act Agreement will likewise extend the term of the Use Permit and Host-Tenant Agreement. The proposed Amendment Two will extend the term of the Reimbursable Space Act Agreement by one additional year, from the existing five (5) year term to a total of six (6) years. The proposed Amendment Two will increase the financial obligation from the existing \$3,648,000.00 as provided in Amendment One to \$4,377,600 for reimbursement to NASA for NASA to carry out its responsibilities the over the term of the Agreement. This estimated total cost is based on the historical costs for the last five years of the Agreement and reflects expenditures by both the Center of Higher Learning and the USM Division of Marine Science. These expenditures are for floor space, utilities, badging and security, telecommunications and other costs associated with being a tenant at the Stennis Space Center. The amendment will be funded by State of Mississippi Appropriations for Center of Higher Learning, Education and general funds for the Department of Marine Sciences. 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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REAL ESTATE

21. **DSU** – Approved the initiation of GS 102-281, ADA Compliance for Bologna Performing Arts Center, and the appointment of Burris-Wagnon Architects as the design professional. The project will include the installation of an elevator, construction of new handicap ramps, and the addition of restrooms. The proposed project budget is \$1,702,500. Funds are available from HB 1353, Laws of 2022 (\$1,702,500).
22. **DSU** – Approved the initiation of GS 102-282, Renovation of Foundation Hall, and the appointment of Burris-Wagnon Architects as the design professional. The scope of the project includes the renovation of Foundation Hall by repainting the interior, replacing flooring, upgrading hot water distribution along with other items. No renovations have occurred since original construction. The proposed project budget is \$177,603.87. Funds are available from HB 1649, Laws of 2018 (\$7,192.00); SB 3065, Laws of 2019 (\$57,658.27); and HB 1730, Laws of 2020 (\$112,753.60).
23. **MVSU** – Approved the initiation of GS 106-265 (B), Campus Roofing Phase II, and the appointment of Shafer-Zahner-Shafer, PLLC as the design professional. The scope of the project includes roof repairs at the following buildings in order of priority: O.P. Lowe Education Building, Business Education Building, F.L. Wright Math and Science Building, Walter Sillers Fine Arts, L.S. Rogers, Aquatic Building, and Industrial Technology. The proposed project budget is \$3 million. Funds are available from SB 3002, Laws of 2022 (\$3,000,000).
24. **MSU** – Approved the initiation of IHL 205-329, Sanderson Center Renovation and Repairs, and the appointment of WBA Architecture, PLLC as the design professional. The project is intended to renovate the Sanderson Center to maximize the use of space by modifying existing exercise spaces to meet current demands, to improve storage, to make necessary building system repairs, and to upgrade interior finishes (flooring, lights, and paint) to provide a modern university recreation center. The proposed project budget is \$2.5 million. Funds are available from University Designated Funds (\$2,500,000).
25. **MSU** – Approved the initiation of IHL 405-006, Bost Drive Extension for CAAD, and the appointment of Neel-Schaffer, Engineers and Planners, Inc., as the design professional. The project will extend Bost Drive to connect at the intersection of College View Drive and Bailey Howell Drive. This connection will improve vehicular circulation around the perimeter of campus and enhance pedestrian and bicycle safety. The proposed project budget is \$2 million. Funds are available from SB 2971, Laws of 2021 (\$2,000,000).
26. **UMMC** – Approved the request to increase the budget for IHL 209-566, Patient Care Units Expansion, from \$12,733,495 to \$15,000,000 for an increase of \$2,266,505, and to modify the scope of the project. The funding source of the project will remain the same. The escalation in the project budget is required based on the revised scope of the project. The Board previously approved the scope to include the build-out of the remaining half of the 7th floor of the Adult Hospital for Medical / Surgical beds while providing design only for future Day Surgery, Psychiatric and ICU buildouts. The new scope of work will include only the following: build-out the south wing of the 6th floor shell space in the Adult Tower for Med/Surg beds and will provide final design only to build-out the 6th floor shell space in the Critical Care Tower for ICU beds. Funds are available from UMMC SSA [Shared Services Account] Building Improvements – Patient Care Revenue (\$15,000,000).

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27. **UMMC** – Approved the request to increase the budget for IHL 209-576, MS Center for Medically Fragile Children, from \$12,500,000 to \$15,900,000 for an increase of \$3,400,000. The Board also approved the request to modify the funding sources to include HB 1730, Laws of 2020, and Children’s of Mississippi Philanthropy to allow for the budget increase. The escalation in the project budget is required based on the design professional’s latest Schematic Design estimate of cost. This project will provide the first pediatric skilled nursing facility in the state of Mississippi and will include patient rooms, support areas and outdoor space. Funds are available from HB 1160, Laws of 2019 (\$12,500,000); HB 1730, Laws of 2020 (\$2,000,000); and Children’s of Mississippi Philanthropy (\$1,400,000).
28. **DSU** – Approved the request to delete from inventory and demolish the Court of Governors which include Building #52A, 52B, 52C, and 52D. Court of governors was built in 1970 to serve as a men's residence hall. It comprises four three-story buildings with the first floors located below ground level with a total of 56,348 square feet. The buildings have been vacant since June 2017 and are in a state of disrepair with copious amounts of mold in the interior. The demolition of this facility will provide for green space and possible future expansion. The approval letter has been received from the Mississippi Department of Archives and History stating Court of Governors 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.
29. **MSU** – Approved the exterior design for the Davis Wade Stadium South End Renovation on the university campus. This project which is funded by the MSU Bulldog Club will include the renovation of the existing M-Club to relocate the media and press from the 200-level located on the west side of Davis Wade Stadium to the M-Club. A copy of the renderings is included in the *November 17, 2022 Board Working File*.
30. **MSU** – Approved the request to delete from inventory Buildings #1474 and #1475 located in Raymond, MS. Both buildings consist of a residence and a garage that were constructed in 1947. These buildings are in poor condition and are not cost effective to repair. The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1474 and #1475 are 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.
31. **UM** – Approved the request to sell 0.067 acres of land located at 100 Depot Street in Oxford, MS to Depot Street Investments, for a sale price of \$8,877.50. The property is directly below and adjacent to the rear of a building recently purchased and now owned by Depot Street Investments. Currently the building encroaches upon land owned by the University of Mississippi and there is no existing buffer between the building footprint and the lands owned by the University along the pedestrian trail (known as Whirlpool Trail or Campus Rail Trail). The sales price of \$8,877.50 is the average of two appraisals which were in the amount of \$9,000.00 and \$8,755.00, respectively. This property is a fraction of the Southeast Quarter of Section 20, Township 8 South, Range 3 West, Lafayette County, Mississippi. This property contains 0.067 acres more or less and is described in more detail as follows: Beginning at a 1/2” iron pin set being located 324.82 feet West of and 1468.77 feet North of an existing 1/2” iron pin being accepted as the Southeast Corner of said Section 20; run thence North 30°42’40” East a distance of 43.96 feet to a 1/2” iron

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pin set; thence South 59°13'57" East a distance of 3.64 feet to a 1/2" iron pin set; 2 thence North 31°08'37" East a distance of 131.30 feet to a 1/2" iron pin set on the South right of way of West Jackson Avenue; thence South 53°51'20" East along said right of way a distance of 15.26 feet to an existing 3/8" iron pin; thence South 30°42'40" West leaving said right of way a distance of 173.79 feet to an existing 3/8" iron pin; thence North 59°21'37" West a distance of 19.82 feet the point of beginning. All bearings are determined by solar observation. In accordance with the terms and conditions of this Agreement, the Seller agrees to sell and convey to the Buyer by quitclaim deed all of the Seller's rights and interest in the Property reflected in the survey attached as Exhibit "A" of the agreement and described above with all the Seller's rights and interests including but not limited to all rights under the soil, and the improvements to the Property including all fixtures and appurtenances not otherwise expressly excluded. The Seller's obligations are contingent upon it having received approval from the IHL Board for the sale of the Property at their meeting on November 17, 2022. A Phase I Environmental Site Assessment 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.

32. **UM** – Approved the request to purchase 44.5 acres of land located off Taylor Road in Oxford, MS from Southeast Ventures, LLC, for a sale price of \$649,000. The property is directly at the end of the S. Campus Rail Trail (Whirlpool Trail) which is owned by the University of Mississippi. The acreage also fronts Old Taylor Rd at several points along the Eastern boundary. This property is valuable to the University in that real estate in close proximity to the University campus is in high demand, low in supply and is generally priced high accordingly. This property, with existing connectivity by the trail, which is owned by UM, offers opportunity for future expansion at an affordable price point, since the land is not already fully developed. The sales price of \$649,000 is less than the average of two independent appraisals which was \$691,250. The first appraisal was \$804,000 and the second appraisal was \$578,500. Following is the property description:

Tract 1: A tract of land being a fraction of the Northwest Quarter (NW 1/4) of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi

Tract 2: A tract of land being a fraction of the Northwest Quarter (NW 1/4) of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi

Tract 3: A tract of land being a fraction of the Northwest Quarter (NW 1/4 J of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi, said tract describing all that part of the original 100.00-foot-wide right-of-way of the Illinois Central Railroad Company's abandoned Jackson District, beginning at the North line of Section 12 extending South to the centerline of Thacker Mountain Road

Tract 4: A fraction of the Northwest Quarter of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi

Tract 5: A fraction of the Northwest Quarter of Section 12, Township 9 South) Range 4 West, Lafayette County, Mississippi

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The terms of sale include purchasing 44.5 acres of land along with an abandoned house for a \$649,000 purchase price. This purchase is supported by the average of 2 independent appraisals, which resulted in a valuation of \$691,250. The purchase is to occur through UM Cash Reserves or equivalents, without external financing terms. A Phase I Environmental Site Assessment (ESA) is required for the acquisition of property. The Phase I report was performed on the 44.5-acre tract of land located at the corner of Old Taylor Road and Thacker Mountain Road. No recognized environmental conditions were identified in connection with the subject property. The property did contain an approximately 2,000 square foot abandoned wooden residential structure on the southern portion of the site. The asbestos and lead paint survey identified the residential structure on the property had four (4) homogenous areas of asbestos containing materials within the building and lead was identified on various paint surfaces in two areas of the building. UM should notify the contractor of findings and follow all local, state, and federal regulations and requirements regarding the removal of such materials. 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.

33. **UM** – Approved the lease between the University of Mississippi Research Foundation (Insight Park) and the School of Engineering at the University of Mississippi. Pursuant to Board Policy 707.03, Approval of Prepayment for Goods and Services, the Board also approved the request to allow prepayment of the annual lease payment each year. The Smith and Werfel Labs currently share 880 square feet of wet chemistry space in Thad Cochran Research Center West (TCRC W). However, this space has become vastly over-committed based on our number of personnel and externally funded projects. Additionally, the laboratory space in TCRC W is not designed to facilitate biomolecular studies, which make up at least half of the work done in groups. Therefore, the School of Engineering needs to move into a lab space that can accommodate its growing research groups, help accomplish the work proposed in multiple ongoing grant projects and is flexible enough to facilitate both chemical and biological research. The University of Mississippi School of Engineering will lease 62,000 square feet, state of the art Class A building in the Lessor's research park, Insight Park with existing parking and ingress and egress thereto. The lease term is five (5) years commencing on or before December 1, 2022, with the option to renew annually for two additional years following the primary five-year term. No deposit is required, and the lease rate is \$75,000 annually, resulting in a total lease amount of \$525,000 if all renewals are exercised. The total annual rent will be \$75,000. The total rent if the primary term and all renewals are exercised is \$525,000. The funding will come from multiple sources: State appropriated funds, E&G Funds, and self-generated funds. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

LEGAL

34. **JSU** – Approved the request for Taft Advisors, LLC to lobby on behalf of the university outside of the State of Mississippi in accordance with Board Policy 201.0506 Political Activity.

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35. **SYSTEM** – Approved the updated Operational Guidelines for the IHL Self-Insured Workers’ Compensation Program. The IHL Self-Insured Workers’ Compensation Plan is an approved self-insurer which exists for the purpose of insuring the system entities against liabilities arising under workers’ compensation laws. The current operational guidelines were approved in 2001 and established a delegation of settlement authority to the Commissioner and the IHL Director of Risk Management in an amount up to \$50,000 per claim. The updated operational guidelines increase the delegated settlement authority from up to \$50,000 per claim to up to \$200,000 per claim. The updated Operational Guidelines is included in the bound *November 17, 2022 Board Working File*.

ADMINISTRATION/POLICY

36. **ASU** – Approved the request to bestow one honorary degree at its 2022 Fall 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 McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda.

1. **SYSTEM** – Approved the following recommended actions based on the Academic Productivity Reviews.
 - a. Continue with Stipulation

The following 4 academic programs are subject to additional review by the IHL Office of Academic and Student Affairs (OASA) for two years to assess progress toward future productivity.

 - JSU – Master of Science in Education (MSEd) in School Counseling (CIP Code, Seq: 13.1101, 4038)
 - MSU – Bachelor of Science (BS) in Environmental Science in Agricultural Systems (CIP Code, Seq: 03.0101, 5842)
 - MSU – Bachelor of Science (BS) in Natural Resource and Environmental Conservation (CIP Code, Seq: 03.0101, 5843)
 - USM – Master of Science (MS) in Geology (CIP Code, Seq: 40.0601, 4380)
 - b. Suspend

Although students may earn degrees from suspended academic programs, no additional students will be accepted into these majors. If the institution does not request that a suspended program be deleted or removed from suspension within three (3) academic years, OASA will recommend to the Board that the program be

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deleted from the academic program inventory. Unless a request is made by the institution, this program will be recommended for deletion in October 2025.

- ASU – Master of Science (MS) in Biotechnology (CIP Code, Seq: 19.0501, 5032)

c. Delete

- ASU – Bachelor of Arts (BA) in Sociology (CIP Code, Seq: 45.1101, 5043)
- JSU – Bachelor of Arts (BA) in Urban Studies (CIP Code, Seq: 45.1201, 5163)
- JSU – Bachelor of Science (BS) in Educational Technology (CIP Code, Seq: 13.0501, 5713)
- JSU – Master of Science (MS) in Environmental Science (CIP Code, Seq: 03.0103, 4056)
- JSU – Master of Science in Education (MSEd) in Secondary Education (CIP Code, Seq: 13.1205, 4041)
- MSU – Bachelor of Science (BS) in Business Technology (CIP Code, Seq: 13.1303, 5695)
- MSU – Bachelor of Science (BS) in Human Sciences (CIP Code, Seq: 19.0101, 5245)
- MSU – Doctor of Philosophy (PhD) in Applied Economics (CIP Code, Seq: 45.0601, 1190)
- USM – Bachelor of Science in Business Administration (BSBA) in Economics (CIP Code, Seq: 52.0601, 5536)

FINANCE AGENDA

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Starr, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Gee Ogletree noted that he is abstaining from discussing or voting on items #2, #3, #7, and #8 on the Finance Agenda as he was out of the country and unable to review the documents provided last week. Trustee Ogletree also recused himself from discussing or voting on items #4 - 6 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 Parker, seconded by Trustee Starr, with Trustees Martin and Ogletree absent and not voting, and with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #2-8. Trustee Ogletree was readmitted to the Zoom meeting following the discussion and vote on items #2-8 on the Finance Agenda.

1. **SYSTEM** – Approved the request for IHL to purchase workers’ compensation excess insurance and employer’s liability insurance from Safety National Casualty Company. The broker will be Arthur J. Gallagher. The policy will provide workers’ compensation insurance coverage in excess of the primary self-insured retention of \$1,000,000 per occurrence. The one-year policy will be from December 1, 2022, through November 30,

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2023. The estimated premium is \$359,292 for the one-year term based upon an annual payroll of \$1,642,855,491. The exact cost may fluctuate as it is based upon annual payroll. This insurance is paid for by the IHL Self-Insured Workers' Compensation Plan. The Plan collects assessments annually from each university, including UMMC, and the Board Office. 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. **DSU** – Approved the request to enter an agreement with Blues Air, LLC to formalize the operating and financial relationship related to the U.S. department of Education Congressional award that funds the Agricultural Flight Operation training. This is the first year of the award. The term of the agreement is three years upon signature. The agreement is for \$20,300 per student not to exceed \$203,006 per year for three years for a total of \$609,018. The agreement will be paid from the funds from the Department of Education Congressional award. 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. **UM** – Approved the request to enter a contract with Innovative Construction Management for the University of Mississippi new Ole Miss Softball Complex. The term of the contract is November 21, 2022, through twelve (12) months after Substantial Completion of the Ole Miss Softball Complex construction contract. Based on current design timeline and construction timeline estimate, the projected contract value is \$1,644,929.59. This will fluctuate with actual construction contract values and any time extensions granted during construction. The funding source for this contract is Self-Generated Athletic Revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 4. **UMMC** – Approved the request to enter a Product Purchase Agreement (Agreement) with Advanced Accelerator Applications USA, Inc. (AAA) to purchase LUTATHERA and PLUVICTO, which are radiopharmaceutical drugs used in Nuclear Medicine for the treatment of cancer patients. LUTATHERA is used for the treatment of neuroendocrine tumors, including painful bone lesions in adult and pediatric patients. PLUVICTO is used for the treatment of prostate cancer in adult patients. Radiopharmaceuticals are used for various purposes such as the destruction of cancer cells or pain treatment. The Board also approved the request to allow the institution to amend the Agreement without seeking prior Board approval if adequate funds are available. The term of the Agreement is three (3) years, from December 1, 2022, through November 30, 2025. The estimated cost of the Agreement is \$42,175,000.00 over the three (3) year term. Beginning in year two (2), UMMC has included a forty percent (40%) increase for potential patient volume and cost increases. Once per calendar year, AAA may increase pricing, any such increase shall be directly proportional to the nationwide published Wholesale Acquisition Cost of the product. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
 5. **UMMC** – Approved the request to enter a Product Sale Agreement with Airgas USA, LLC (Airgas). The agreement is for the purchase of cylinder medical gas and rental of the cylinders used to house the medical gas. Medical gases are consumed by adult and

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pediatric patients in inpatient and outpatient care areas at UMMC facilities in Jackson, Grenada, and Lexington. The Board also approved the request to allow the institution to add or remove products under the agreement without seeking prior Board approval if it does not increase the approved expenditure level. The term of the agreement is five (5) years, from December 1, 2022, through November 30, 2027. The new estimated total cost over the five (5) year term is \$1,400,000. Beginning in year 2, UMMC has included fifteen percent (15%) increase for volume and price changes. After the first eighteen months of the agreement, Airgas shall increase the prices by four percent (4%) per year. 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.

6. **UMMC** – Approved the request to amend the Locally Negotiated Agreement with Covidien Sales LLC, a Medtronic company (Covidien) to extend the term, revise UMMC’s purchase commitment, add an ultrasonic cutting product growth rebate, and replace a portion of the product list as well as the sample product standardization template. The agreement is for the purchase of electrosurgery, vessel sealing, smoke evacuation, ultrasonic cutting, and hardware products. These devices are basic and advanced hardware and associated products used primarily in the Operating Room to control bleeding, sealing, and cutting blood vessels during minor to extensive procedures. The Board also approved the request to allow the institution to add and remove products from the agreement as needed, as long as it does not increase the approved expenditure level. The term of the amended agreement is four (4) years, from December 1, 2020, through November 30, 2024. The original agreement was for a three (3) year term, ending November 30, 2023. The amendment will extend the term one (1) additional year through November 30, 2024. The total estimated cost of the amended agreement is \$6,125,000. The original estimated cost of the three (3) year term was \$4,150,000. During the extended term, UMMC anticipates the need for an additional \$1,975,000. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **USM** – The Board granted retroactive approval of an Amendment to a partnership and licensing agreement with Assessment Technologies Institute, LLC. (ATI) that provides critical learning resources for the College of Nursing’s student population. The purpose of this contract is to provide USM Nursing students access to comprehensive assessment and review programs, practice and proctored assessments, clinical judgment practice, focused review modules, video case studies, simulations, National Council Licensure Examination (NCLEX) reviews, as well as other comprehensive learning resources and tools. Additionally, ATI’s remediation component allows the identification of at-risk students much earlier in the program and provide them with individualized remediation plans. The term of the contract is for 36 months—August 1, 2021 through August 31, 2024. For use of ATI Products and Services, the University is assessed a fee of per RN student enrolled. The fees range from \$1,387 per RN student for the December 2021 class, to \$2,775 per RN student for the May 2022 and subsequent classes. Amendment One adjusts the payment schedule for certain nursing program class cohorts to extend the required payments over three or four semesters as indicated, without impacting the total amount due. This

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agreement is funded solely through student course fees. Because this agreement has already been executed, Legal Staff has not reviewed the proposed agreement for compliance with applicable law. The agreement is on file in the Board Office.

8. **USM** – Approved the request to amend a service contract with the University of Southern Mississippi Research Foundation (“USMRF”) for Blue Tech Accelerator Critical Infrastructure Phase I. The purpose of the contract is to provide for the first phase of critical infrastructure for the Blue Tech Accelerator Program, and the proposed Amendment 1 will extend the term for an additional two (2) years and three (3) months through December 31, 2024 and add an additional \$500,000 in authorized expenditure. The proposed Amendment 1 provides that the University will reimburse USMRF for actual costs incurred by USMRF to accomplish the Scope of Work in amounts not to exceed \$1,200,000. Institutional funds including funds generated through indirect cost recovery will be utilized to fund the additional activities authorized by this Amendment. 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 McNair, seconded by Trustee Morgan, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to move item #1 to the Executive Session Agenda.

1. **UMMC** – Settlement of IHL Tort Claim No. 3274. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Rader, seconded by Trustee Starr with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved the Board meeting dates and locations for January through December 2023 as follows:

Thursday, January 19, 2023	Board Office
Thursday, February 16, 2023	Board Office
Thursday, March 23, 2023	University of Southern Mississippi Gulf Park Campus
Thursday, April 20, 2023	Board Office
Thursday, May 18, 2023	Board Office
Thursday, June 15, 2023	Board Office

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Thursday, July 20, 2023	Subject to Call
Thursday, August 17, 2023	Board Office
Thursday, September 21, 2023	Board Retreat
Thursday, October 19, 2023	Board Office
Thursday, November 16, 2023	Alcorn State University
Thursday, December 21, 2023	Subject to Call

Should committee meetings be held, they will most likely occur on the Wednesday prior to the Board meeting dates.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **MSU** – Intent to Offer Existing Degree Programs by Distance Learning
 - a. Bachelor of Science (BS) in Human Development and Family Science, Youth Development
Total credit hours: 124
CIP Code, Sequence: 19.0701, 5862
Cost to offer by distance learning: \$105,000
Effective date: August 2023

FINANCE

2. **SYSTEM** – As part of the *Ayers* Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University, and Mississippi Valley State University. The *Ayers* Investment Report summarizes the activity in the endowment accounts for FY 2022. The report is on file in the Board Office.

REAL ESTATE

3. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the October 20, 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. **UM** – Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved UM’s request to enter into a contract for professional legal services with the law firm of Lightfoot, Franklin & White LLC, as outside counsel, pursuant to IHL Board Policy 1102.04, to advise and assist the university regarding NCAA matters. The contract will be effective through June 30, 2023. The hourly rates are \$455 for a senior partner, \$435 for a junior partner, \$235 for an NCAA specialist, and \$225 for technical support, with a

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maximum amount payable of \$75,000. This firm carries professional liability insurance coverage in the amount of \$10,000,000 per claim with an annual aggregate of \$20,000,000. This approval was contingent upon approval by the Office of the Attorney General.

ADMINISTRATION/POLICY

6. SYSTEM – 2022 Fall Commencement Schedules

Alcorn State University

Time/Date: 9:00 a.m., Saturday, December 10, 2022
Location: Jack Spinks and Marino Casem Stadium
Speaker: Ms. Demetha Sanders, SVP Human Resources-Head of Employee Lifecycle, Atlassian

Delta State University

Graduate; Undergraduate School of Nursing

Time/Date: 10:00 a.m., Friday, December 9, 2022
Location: Bologna Performing Arts Center
Speaker: Dr. Tomeka Harbin, 2022 recipient of S. E. Kossman Outstanding Teacher Award, Delta State University

Undergraduate

Time/Date: 2:00 p.m., Friday, December 9, 2022
Location: Bologna Performing Arts Center
Speaker: Dr. Tomeka Harbin, 2022 recipient of S. E. Kossman Outstanding Teacher Award, Delta State University

Jackson State University

Time/Date: 10:00 a.m., Friday, December 9, 2022
Location: Lee E. Williams Athletics and Assembly Center
Speaker: TBD

Mississippi State University

Meridian Campus

Time/Date: 11:00 a.m., Thursday, December 8, 2022
Location: MSU Riley Center
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Starkville Campus

College of Architecture, Art and Design; College of Arts and Sciences, College of Education; and Academic Affairs

Time/Date: 9:30 a.m., Friday, December 9, 2022
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

College of Agriculture and Life Sciences; College of Business; Bagley College of Engineering; College of Forest Resources; and College of Veterinary Medicine

Time/Date: 3:30 p.m., Friday, December 9, 2022
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

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Mississippi University for Women

Time/Date: 11:00 a.m., Friday, December 2, 2022
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

Mississippi Valley State University

Time/Date: 10:00 a.m., Saturday, December 10, 2022
Location: Rice-Totten Stadium
Speaker: Mr. Brent Leggs, Executive Director of the African American Cultural Heritage Action Fund and Senior Vice President of the National Trust for Historic Preservation

The University of Southern Mississippi

There will be no speakers.

Graduate Students – All Colleges

Time/Date: 6:00 p.m., Thursday, December 8, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS

Undergraduates – College of Arts and Sciences and College of Nursing and Health Professions

Time/Date: 9:00 a.m., Friday, December 9, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS

Undergraduates – College of Business and Economic Development and College of Education and Human Sciences

Time/Date: 2:00 p.m., Friday December 9, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS

**HEALTH AFFAIRS
COMMITTEE REPORT
Wednesday, November 16, 2022**

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

1. Chairman Starr recognized Dr. Mike Henderson, Chief Medical Officer at the University of Mississippi Medical Center, who is retiring soon, and provided highlights from Dr. Henderson's career at UMMC which began in 2015 with a vision to improve and standardize clinical quality. Chairman Starr thanked Dr. Henderson for his contributions that have reshaped UMMC's culture of quality and safety.
2. The Committee discussed the monthly financial summary and strategic goal dashboard. The Committee received a Quarterly Quality update and a marketing update. **No action was taken.**
3. Executive Session
On motion by Trustee McNair, with Trustees Cummings, Ogletree, and Parker absent and not voting and with Trustees Cunningham, Hubbard, and 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

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

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

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

ANNOUNCEMENTS

- President Duff announced the next meeting will be January 19, 2023.
- Trustee Ogletree was granted a point of personal privilege and welcomed Dr. Joseph Paul, President of The University of Southern Mississippi, to the meeting.

EXECUTIVE SESSION

On motion by Trustee McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree 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 Luckey, seconded by Trustee McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

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

Discussion of a personnel matter at Delta State University.

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

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On motion by Trustee McNair, seconded by Trustee Cunningham, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve to approve the settlement of the Tort Claim No. 2374 styled as *Bridgett Williams, wrongful death beneficiary of Vernon Rainey, vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

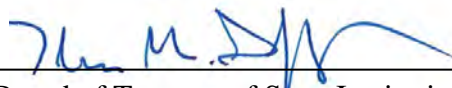
The Board discussed a personnel matter at Delta State University. **No action was taken.**

On motion by Trustee McNair, seconded by Trustee Parker, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to return to Open Session.


On motion by Trustee Hubbard, seconded by Trustee Morgan, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve engage a search consultant for the Delta State University President Search.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee McNair, seconded by Trustee Cunningham, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree 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 October 20, 2022 Board meeting.

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

EXHIBIT 1

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SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE OCTOBER 20, 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.

MISSISSIPPI STATE UNIVERSITY

1. **MSU- IHL #205-307 – PLAN ADDITIONAL OFFICES RASPET FLIGHT LAB**
Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Architecture South.

Approval Status & Date: APPROVED, November 2, 2022

Project Initiation Date: August 18, 2022

Design Professional: Architecture South

General Contractor: TBD

Total Project Budget: \$180,000.00

2. **MSU- IHL #205-308 – CVM EXPANSION TO THE ANIMAL EMERGENCY & REFERRAL CENTER**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$7,184.00 and one hundred ninety-six (196) additional days to the contract of The ArCon Group, LLC.

Approval Status & Date: APPROVED, November 1, 2022

Change Order Description: Change Order #2 includes the following items: modifications made to the scope of work and one hundred ninety-six days to the contract.

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

Total Project Change Orders and Amount: Two (2 change orders for a total amount of \$565,724.09.

Project Initiation Date: May 18, 2017

Design Professional: Machado/Patano, PLLC

General Contractor: The ArCon Group, LLC

Total Project Budget: \$5,600,000.00

EXHIBIT 1

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3. **MSU- IHL #205-311 – TRANSPORTATION ALTERNATIVES PROJECT COLLEGEVIEW CONNECTOR**

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,600,979.81 to the apparent low bidder, Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, October 7, 2022

Project Initiation Date: May 20, 2021

Design Professional: Neel Shaffer

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$2,000,000.00

4. **MSU- IHL #205-313 – HULL HALL RE-ROOF**

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Shafer Zahner Zahner Office of Architecture

Approval Status & Date: APPROVED, October 7, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 7, 2022

Project Initiation Date: May 20, 2021

Design Professional: Shafer Zahner Zahner Office of Architecture

General Contractor: TBD

Total Project Budget: \$1,400,000.00

5. **MSU- IHL #205-321 – SUMMER 2022 PAVING**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$227,971.76 and fourteen (14) additional days to the contract of Gregory Companies LLC, dba Murphee Paving.

Approval Status & Date: APPROVED, October 7, 2022

Change Order Description: Change Order #1 includes the following items: added president's overlay; added Morrill Road base repairs; added additional excavation to the center gated drive island; added a 2.5' width road widening strip; added a sidewalk, curb and gutter along Magruder street; added inlet repairs on Magruder street; added additional gated drive island; and fourteen (14) days to the contract.

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

Approval Request #2: Change Order #2

Board staff approved Change Order #2 in the amount of \$59,832.35 and zero (0) additional days to the contract of Gregory Companies LLC, dba Murphee Paving.

Approval Status & Date: APPROVED, October 7, 2022

Change Order Description: Change Order #2 includes the following items: credited original lump sum amount to the contract per CO #1; removed the asphaltic joint sealant and credited; quantity adjustment for existing manholes (3); added a lump sum amount for trench repair additions; adjusted quantity for removal of curb (all types), removal of concrete sidewalk (all sizes), combo curb & gutter installation, concrete sidewalk

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installation, concrete drive installation, Nyloplast basins, inlets, & tops (all types), hot bituminous pavement surface course; hot bituminous pavement base course; cold milling of bituminous pavement (all depths), 4” thermoplastic traffic stripe (cont. white or yellow), 4” thermoplastic detail stripe (white or yellow); and relocation of a light pole.

Change Order Justification: These changes were necessary due to latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$287,804.11.

Project Initiation Date: May 19, 2022

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

General Contractor: Gregory Companies LLC, dba Murphee Paving

Total Project Budget: \$2,500,000.00

6. **MSU- IHL #205-325 – DAVIS WADE STADIUM RENOVATIONS**

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, October 26, 2022

Project Initiation Date: August 18, 2022

Design Professional: LPK Architects, P.A.

General Contractor: TBD

Total Project Budget: \$25,000,000.00

7. **MSU- IHL #205-328 NEW RESIDENCE HALL**

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 October 25, 2022 to initiate a project, New Residence Hall and to appoint Wier Boerner Allin Architecture as the design professional. The total project budget is \$400,000.00 (Design Fees Only). Funding is provided by University Designated Funds (\$400,000).

Interim Approval Status & Date: APPROVED, October 25, 2022

Project Initiation Date: July 3, 2022

Design Professional: Wier Boerner Allin Architecture

General Contractor: TBD

Total Project Budget: \$400,000.00

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

Approval Request #1: Change Order #8

Board staff approved Change Order #8 in the amount of \$122,592.00 and zero (0) additional days to the contract of Mac’s Construction Company, Inc.

Approval Status & Date: APPROVED, October 13, 2022

Change Order Description: Change Order #8 includes the following items: corrected grades and curb inlet installation at Hardy Road; installed additional acoustical wall panels; installed revised north parking lot light pole footings; installed Zypex

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waterproofing wall coating at the lecture hall basement walls; and modified the existing fence panel to incorporate a gate at the band field.

Change Order Justification: These changes were necessary due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$565,724.09.

Project Initiation Date: May 18, 2017

Design Professional: Allred Stolarski Architects

General Contractor: Mac's Construction Company, Inc.

Total Project Budget: 21,000,000.00

UNIVERSITY OF MISSISSIPPI

9. UM- IHL #207-440 – NEW BAND PRACTICE FIELD

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 October 16, 2022 to increase the project budget from \$3,500,000.00 to \$5,440,000.00 an increase of \$1,940,000.00.

Interim Approval Status & Date: APPROVED, October 16, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$4,649,000.00 to the apparent low bidder, Roberts Builders, Inc.

Approval Status & Date: APPROVED, October 17, 2022

Project Initiation Date: November 16, 2017

Design Professional: Holcombe Norton Partners, LLC.

General Contractor: Roberts Builders, Inc.

Total Project Budget: \$5,440,000.00

10. UM- IHL #207-474 – SOC – COSTUME SHOP RELOCATION

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$5,142.06 and zero (0) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, October 13, 2022

Change Order Description: Change Order #2 includes the following items: repaired unforeseen, damaged existing floor.

Change Order Justification: This change was necessary due to a latent job site condition.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$22,118.36.

Project Initiation Date: January 20, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: JP Corp General Contractors

Total Project Budget: \$1,378,790.00

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11. UM- IHL #207-485 – JAC-CENTER FOR GRAPHENE RESEARCH RENOVATION

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, October 13, 2022

Project Initiation Date: August 18, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

12. 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, NOVEMBER 2, 2022

Project Initiation Date: June 20, 2019

Design Professional: Duvall Decker Architects, P.A.

General Contractor: TBD

Total Project Budget: \$30,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

13. UMMC - IHL #209-581 – CHILDREN’S CANCER CLINIC RENOVATION

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as Cooke Douglas Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, October 13, 2022

Project Initiation Date: April 25, 2019

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, P.A.

General Contractor: TBD

Total Project Budget: \$3,000,000.00

14. UMMC- IHL #209-583 – NEUROSURGERY OFFICE RENOVATION

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 October 16, 2022 to initiate and appoint JBHM as the design professional for this project.

Interim Approval Status & Date: APPROVED, October 16, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$999,999.00 to the apparent low bidder, Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, October 17, 2022

Project Initiation Date: October 16, 2022

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Design Professional: JBHM Architecture
General Contractor: Fountain Construction Co., Inc.
Total Project Budget: \$1,550,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

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

NOTE: This is a Bureau of Building project

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, October 27, 2022

Project Initiation Date: May 20, 2021

Design Professional: Burris Wagnon Architects, P.A.

General Contractor: TBD

Total Project Budget: \$11,350,000.00

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SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings, LLP (statement dated 9/7/22) from the funds of Mississippi State University. (This statement, in the amount of \$150.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 150.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 10/14/22 and 10/17/22) from the funds of Mississippi State University. (These statements, in the amounts of \$1,350.00 and \$1,200.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,550.00

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statement dated 9/13/22) from the funds of Mississippi State University. (This statement, in the amount of \$2,622.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,622.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/22, 10/1/22 and 10/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00, \$2,500.00 and \$39.99, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 5,039.99

Payment of legal fees for professional services rendered by The Winfield Law Firm, P.A. (statements dated 10/22/22 and 10/22/22) from the funds of Mississippi State University. (These statements, in the amounts of \$7,200.00 and \$2,137.50, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 9,337.50

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/28/22, 9/28/22, 9/28/22, 10/26/22 and 10/26/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$413.00, \$4,495.50, \$5,959.00, \$7,233.00 and \$5,044.50, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 23,145.00

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Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 10/12/22) from the funds of the University of Mississippi. (This statement, in the amount of \$1,841.88, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,841.88

Payment of legal fees for professional services rendered by Nelson Mullins (statement dated 10/11/22) from the funds of the University of Mississippi. (This statement, in the amount of \$11,131.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 11,131.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/22, 10/1/22, 10/1/22 and 10/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$106.94, \$49.65, \$154.17 and \$2,350.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 2,660.76

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 5/20/22, 7/18/22, 8/24/22, 8/24/22, 9/9/22, 9/9/22, 9/9/22, 9/9/22, 9/21/22, 9/23/22, 9/26/22, 10/11/22, 10/12/22, 10/12/22, 10/12/22 and 10/12/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$15,880.50, \$13,872.00, \$39,934.00, \$6,668.52, \$560.50, \$17,341.50, \$636.00, \$10,328.10, \$8,938.50, \$19,907.62, \$1,497.00, \$3,038.50, \$446.70, \$826.00, \$2,803.20 and \$265.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 142,944.44

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 9/16/22, 9/16/22 and 9/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$9,229.58, \$4,976.44 and \$1,989.27, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 16,195.29

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 9/28/22, 9/28/22 and 9/28/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$99.00, \$49.50 and \$9,633.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 9,781.50

Payment of legal fees for professional services rendered by Hagwood and Tipton, P.C. (statements dated 6/3/22, 8/15/22, 8/15/22, 8/15/22, 8/15/22, 9/14/22, 9/14/22, 10/11/22 and

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10/20/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,328.50, \$363.00, \$2,421.60, \$825.00, \$1,620.00, \$594.00, \$132.00, \$3,622.50 and \$4,200.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 20,106.60

Payment of legal fees for professional services rendered by King & Spalding, LLP (statements dated 7/27/22, 8/25/22 and 9/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$66,600.00, \$63,976.04 and \$29,877.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 160,453.04

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 9/8/22 and 10/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$985.50 and \$2,127.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,113.00

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 9/1/22, 9/1/22, 10/4/22, 10/4/22 and 10/11/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,629.30, \$330.00, \$1,440.00, \$1,551.00 and \$33.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,983.30

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 10/14/22, 10/17/22, 10/17/22 and 10/17/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$70.09, \$3,613.50, \$1,299.00 and \$181.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,983.30

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 8/18/22, 9/9/22, 9/13/22, 9/13/22, 9/13/22, 9/22/22, 9/22/22, 9/27/22, 9/28/22, 10/11/22, 10/19/22, 10/19/22, 10/20/22, 10/21/22, 10/21/22, 10/26/22 and 11/2/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,552.50, \$132.50, \$12,218.60, \$14,811.95, \$4,219.10, \$2,134.85, \$3,396.45, \$9,354.50, \$5,121.75, \$9,597.63, \$66.00, \$26.50, \$12,506.78, \$4,818.00, \$1,069.50, \$3,074.00 and \$40,769.50 respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 126,870.11

EXHIBIT 2

November 17, 2022

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 10/12/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$58.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 58.50

Payment of legal fees for professional services rendered by Butler|Snow (statement date 10/12/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$10,250.22, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 10,250.22

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 10/12/22 and 10/12/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,892.38 and \$2,820.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,712.38

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/22, 10/1/22, 10/1/22, 10/1/22, 10/1/22 and 10/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$59.73, \$230.00, \$25.08, \$30.88, \$90.90 and \$59.48, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 496.07

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/16/22, 9/16/22 and 9/16/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High Current Applications” - \$28.50; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - \$28.50; and “Recombinant Fimbrial Protein of Aeromonas hydrophila as Vaccine in Catfish” - \$706.00.)

TOTAL DUE.....\$ 763.00

EXHIBIT 2

November 17, 2022

Payment of legal fees for professional services rendered by Conley Rose (statement dated 10/6/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Wearable Flexible Sensor Motion Capture System” - \$355.00.)

TOTAL DUE.....\$ 355.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 10/12/22, 10/12/22 and 10/13/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Occidiofungin Formulations and Uses Thereof” - \$1,569.00; “Vaccine Compositions Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$2,630.50; and Theinylpiperidine Donor NIR & II Xanthene-Based Dye for Imaging” - \$8,150.00, respectively.)

TOTAL DUE.....\$ 12,349.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/28/22, 7/28/22, 9/20/22 and 9/20/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - \$1,552.00; “Cottonseed Oil Polymer” - \$659.50; “Cottonseed Oil Polymer” - \$604.50; and “Unsymmetrical CCC-NHC Pincer Metal Complexes and Applications” - \$228.00, respectively.)

TOTAL DUE.....\$ 3,044.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/29/22, 8/29/22, 8/29/22, 8/29/22, 8/29/22, 9/19/22, 9/19/22, 9/19/22, 9/19/22 and 9/19/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,142.50, \$2,319.00, \$635.00, \$52.00, \$180.50, \$875.50, \$1,575.50, \$3,916.00, \$3,959.50 and \$5,612.00, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 23,267.50

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 8/23/22, 8/23/22, 8/23/22 and 8/23/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$291.25, \$140.00, \$250.00 and \$200.00, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 881.25

EXHIBIT 2

November 17, 2022

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 10/11/22, 10/11/22 and 10/11/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$652.50; Thiol-Based Post-Modifications of Conjugated Polymers” - \$240.00; and “Conjugated Polymer Sensors Using the Inner Filter Effect” - \$2,080.50, respectively).

TOTAL DUE.....\$ 2,973.00