

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 20, 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 in Room 302 of the Gertrude C. Ford Ole Miss Student Union at the University of Mississippi in Oxford, 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 October 20, 2022 meeting. At the above-named place there were present the following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree (via Zoom), Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Mr. Tom Duff, President. Trustee Morgan introduced Mr. Marcus Thompson, IHL Deputy Commissioner and Chief Administrative Officer, to provide the invocation.

**ANNOUNCEMENT**

- President Tom Duff thanked Dr. Glenn Boyce, Chancellor of the University of Mississippi, for hosting the IHL Board's October meetings.

**INTRODUCTION OF GUESTS**

- President Duff introduced the following guests: Mr. Howard Brown, Vice President and Chief Financial Officer at Jackson State University, attending for President Thomas Hudson; Mr. Christopher Epps, Student Body President for Alcorn State University; Mr. Kennedy Guest, President of the Executive Council of the Student Association at Mississippi State University; and Miss Lila Osman, Associated Student Body President at the University of Mississippi.

**PRESENTATION**

- Chancellor Boyce provided a brief presentation about the University of Mississippi.

**APPROVAL OF THE MINUTES**

On motion by Trustee Rader, seconded by Trustee McNair, with Trustees McNair and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on September 15-16, 2022 and September 29, 2022.

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**CONSENT AGENDAS**

On motion by Trustee McNair, seconded by Trustee Martin, with Trustees McNair 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 modification of existing academic degree programs as follows:  
Renaming
  - a. **DSU** – Current Program Title: Master of Fine Arts (MFA) in Integrated Visual Arts.  
Proposed Program Title: Master of Fine Arts (MFA) in Studio Art (Low-Residency)Deleting
  - b. **MSU** – Program Title: Bachelor of Science (BS) in Human Sciences
2. **SYSTEM** – Approved the modification of existing academic units as follows.  
Reorganizing
  - a. **MVSU** – Current Unit Titles: The Department of Health, Physical Education & Recreation and the Department of Education  
Proposed Title: The Department of Education  
Unit Location: Academic Affairs  
Effective date: January 2023  
Five-year cost of implementation: \$0 (no implementation cost)
  - b. **UM** – Current Unit Titles: MIS Department and Marketing Department  
Proposed Title: Marketing/MIS Department  
Unit Location: School of Business Administration  
Effective date: Fall 2022  
Five-year cost of implementation: \$0 (no implementation cost)

**FINANCE**

3. **ASU**- Contingent upon the IEO of the university providing a written and signed certification stating that the federal funds planned for use as a funding source for this item are legally allowable for that specific purpose, the Board approved the request to enter a one-year contract extension with ENNCloud Technologies, LLC for CIO Advisory Services, ERP Advisory Services, and Technical Project Management and Consulting Oversight Services. This is an extension where Statement of Work No. 005 (SOW 005) is made as part of the current Master Consulting Agreement. The term of the contract is October 1, 2022 through September 30, 2023. The scope of work for SOW 005 is \$47,916.67 per month for a total of \$575,000 for 12 months. The contract will be funded by Title III Federal funds. Legal Staff has reviewed this item for compliance with applicable law and finds the same to be acceptable. The written and signed certification statement from the IEO must be provided to the Commissioner prior to the university moving forward with using the federal funds for the requested purpose set out within this agenda item. The agreement is on file in the Board Office.

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4. **JSU** – Approved the request to enter an agreement with EdCERT, LLC d/b/a Association of College and University Educators (ACUE) to provide professional development and credentialing programs to faculty in effective instruction. This agreement has a term of one year beginning October 21, 2022 and ending December 31, 2023, unless extended by mutual written agreement of the parties, and after obtaining IHL Board approval, if required. The total cost of the contact shall not to exceed \$315,000. The contact will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **MSU** – Approved the request to enter a contract with Charter Logistics Group, LLC for the purpose of air transportation services for the MSU Men’s Basketball team during the 2022-23 season. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request for the institution to prepay the vendor for half of the contract total prior to engagement. Prepayment is very common and most often required in this industry. The contract shall commence on the date the contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement. The total for all charters will be \$371,974. The contract will be funded by Athletic Department self-generated funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **MSU** – Approved the request enter a contract with R&R Rental Properties, LLC for the purposes of providing a 5,000 square foot space for student competition teams, the outreach coordinator and storage. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request for the institution to pay in advance as most rentals of space require payment prior to the services being rendered. The term of this Rent Agreement shall begin November 1, 2022, for a minimum period of one (1) year. This Agreement may be extended in one (1) year increments with a 3% increase in rent each year, by Renter giving Landlord written notice 60 days before the Agreement termination date. Renter may extend the Agreement up to four (4) times. The original Rent Agreement and the four (4) extensions shall equal no more than five (5) years after which, the Renter and Landlord may negotiate future rental amounts and terms. The total contract cost is for the first year is \$31,800. Payments will be issued on a monthly basis upon receipt of an invoice in the amount of \$2,650 (\$2,350 for rent, \$300 for utilities). The rental rate will increase by 3% a year for each subsequent year that the contract is renewed. If MSU renews the lease annually, the total rental rate will be \$167,717.76. The contract will be funded through external funded gifts to BCoE (Hearin Foundation Grand and Chevron Gift). 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. **MSU** – Approved the request to enter a contract with Charter Logistics Group, LLC for the purpose of air transportation services for the MSU Women’s Basketball team during the 2022-23 season. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request for the institution to prepay the vendor for half of the contract total prior to engagement. Prepayment is very common and most often

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required in this industry. The contract shall commence on the date the contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement. The total for all charters will be \$320,490. The contract will be funded by Athletic Department self-generated funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

8. **UM** – Approved the request to escalate the FY 2023 annual operating budgets for the following entities:

**a. Mississippi Law Research Institute**

University of Mississippi  
FY 2023 Mississippi Law Research Institute

Category	Original FY 2023 Operating Budget	Revision/Escalation	Revised FY 2023 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 797,471	\$ 649,562	\$ 1,447,033
Travel and Subsistence	15,000	71,824	86,824
Contractual Services	21,200	1,256,528	1,277,728
Commodities	22,507	12,881	35,388
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	5,000	-	5,000
Mandatory Transfers	-	-	-
Non-Mandatory Transfers	-	-	-
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$ 861,178</b>	<b>\$ 1,990,795</b>	<b>\$ 2,851,973</b>

A budget escalation is requested to increase FY 2023 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2024 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

**b. Mississippi Mineral Resources Institute**

University of Mississippi  
FY 2023 Mississippi Mineral Resources Institute

Category	Original FY 2023 Operating Budget	Revision/Escalation	Revised FY 2023 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 305,845	\$ 367,607	\$ 673,452
Travel and Subsistence	2,000	48,933	50,933
Contractual Services	28,000	236,190	264,190
Commodities	9,192	9,456	18,648
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	10,000	-	10,000
Mandatory Transfers	-	-	-
Non-Mandatory Transfers	-	-	-
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$ 355,037</b>	<b>\$ 662,186</b>	<b>\$ 1,017,223</b>

A budget escalation is requested to increase FY 2023 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2024 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

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**c. Research Institute of Pharmaceutical Sciences**

University of Mississippi

FY 2023 Research Institute of Pharmaceutical Sciences

Category	Original FY 2023 Operating Budget	Revision/Escalation	Revised FY 2023 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 2,175,149	\$ 6,580,654	\$ 8,755,803
Travel and Subsistence	17,333	56,167	73,500
Contractual Services	294,802	4,936,642	5,231,444
Commodities	115,540	887,077	1,002,617
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	117,000	623,826	740,826
Mandatory Transfers	-	-	-
Non-Mandatory Transfers	-	-	913,050
Increase in Fund Balance	1,036,105	(1,036,105)	-
<b>Total</b>	<b>\$ 3,755,929</b>	<b>\$ 12,048,261</b>	<b>\$ 16,717,240</b>

A budget escalation is requested to increase FY 2023 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2024 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

**d. Small Business Development Center**

University of Mississippi

FY 2023 Small Business Development Center by Major Object

Category	Current FY 2023 Operating Budget	Revision/Escalation	Revised FY 2023 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 349,298	\$ 1,111,226	\$ 1,460,524
Travel and Subsistence	-	128,000	128,000
Contractual Services	-	1,597,050	1,597,050
Commodities	917	158,583	159,500
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	-	127,000	127,000
Mandatory Transfers	-	-	-
Non-Mandatory Transfers	-	-	-
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$ 350,215</b>	<b>\$ 3,121,859</b>	<b>\$ 3,472,074</b>

A budget escalation is requested to increase FY 2023 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2024 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

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9. **UM** – Approved the request to amend the FY 2022 operating budget for the Small Business Development Center.

University of Mississippi

FY 2022 Small Business Development Center by Major Object

Category	Current FY 2022 Operating Budget	Revision/Escalation	Revised FY 2022 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 1,161,051	\$ 218,042	\$ 1,379,093
Travel and Subsistence	50,000	27,643	77,643
Contractual Services	569,886	(67,449)	502,437
Commodities	40,000	5,390	45,390
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	12,000	211,946	223,946
Mandatory Transfers	-	-	-
Non-Mandatory Transfers	-	-	-
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$ 1,832,937</b>	<b>\$ 395,572</b>	<b>\$ 2,228,509</b>

A budget escalation is requested to increase FY 2022 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2024 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

10. **UM** – Approved the request to enter an agreement with Textron Aviation, Inc. (“Textron”) for parts and engine maintenance on an aircraft (Cessna 560) owned by the university. This Agreement shall commence on November 1, 2022 and expire on March 31, 2023. The ProParts program has a monthly flat rate of \$6,535. The PowerAdvantage program has a monthly flat rate of \$2,545.68 per engine. If the university flies more than 200 hours annually, it will be billed for each hour over 200 at the following rates: ProParts: \$392.06/hour and PowerAdvantage: \$152.71/per hour per engine. The total estimated minimum cost of this contract is \$58,131.80. The agreement will be funded by the Flight Department’s auxiliary account. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.
11. **UM** – Approved the request to enter into an agreement with Textron Aviation, Inc. (“Textron”) for parts maintenance on an aircraft (Cessna 560XL) being subleased by the university. This Agreement shall commence on November 1, 2022 and expire on May 31, 2025. The program has a monthly flat rate of \$8,266.67. If the university flies more than 200 hours annually, it will be billed for each hour over 200 at a rate of \$496 per hour. The total estimated minimum cost of this contract is \$256,266.77. The agreement will be funded by the Flight Department’s auxiliary account. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
12. **UMMC** – Approved the request for additional funding for the current purchase agreement with Boston Scientific Corporation (BSC) for the purchase of various consumable commodities and equipment for use during the implantation of cardiac rhythm management (CRM) devices, such as pacemakers and defibrillators. The Board also approved the request to allow the institution to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the agreement is three (3) years, from September 1, 2020, through August 31,

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2023. The new estimated cost over the three (3) year term is \$8,775,000. The original cost of the agreement was estimated to be \$5,400,000 over the three (3) year term plus an additional \$3,375,000 for the remainder of the term. This contract is 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.

**REAL ESTATE**

13. **ERC** – Approved the initiation of GS 111-068, Replacement IHL Chiller 2, and the appointment of Engineering Resource Group as the design professional. This project will replace a 24-year-old chiller that provides chilled water to the ERC [Universities Center (JSU), IHL, ETV and Power Plant] campus air conditioning systems. The estimated project budget is \$1.4 million. Funds are available from HB 1353, Laws of 2022 (\$1,400,000).
14. **MSU** – Approved the initiation of IHL 205-327, Rice Hall Renovations, and the appointment of Shafer Zahner Zahner, PLLC as the design professional. This project will involve interior renovations to multiple floors in Rice Hall to prepare space for academic department needs. The estimated project budget is \$2 million. Funds are available from University Designated Funds (\$2,000,000).
15. **MSU** – Approved the initiation of IHL 205-331, Walker Engineering First Floor Renovations, and the appointment of Dunaway Williams Architects as the design professional. This project will involve interior renovations to configure the space for the MSU Graduate School. The estimated project budget is \$2.2 million. Funds are available from University Funds (\$2,200,000).
16. **MSU** – Approved the initiation of IHL 205-333, Summer Paving 2023, and the appointment of Neel-Schaffer, Engineers and Planners, Inc. as the design professional. The project will repair and pave numerous streets, drives and parking lot locations on campus. The estimated project budget is \$2.5 million. Funds are available from University Funds (\$2,500,000).
17. **UM** – Approved the appointment of McCarty Architects, P.A. as the design professional for IHL 207-477, Ole Miss Soccer Complex Renovation. The project will address programmatic deficiencies and upgrade patron amenities. Programmatic needs include additional concessions, additional restrooms (patron & team), a larger press box, a new ticket office, and direct access to parking. The existing seating will be upgraded to include shade for existing seating, a new student seating area, and a new shaded standing room only area. The estimated project budget is \$1.5 million. Funds are available from Self-Generated Athletic Funds (\$1,500,000).
18. **ERC** – Approved the request to increase the budget for GS 111-064, Mechanical Improvements, from \$2,090,000 to \$2,106,144.69 for an increase of \$16,144.69. The Board also approved the request to modify the funding sources to include unobligated state funds from completed projects to include \$59,274.27 from HB 1729, Laws of 2016; \$47,001.57 from HB 1649, Laws of 2018; \$71,373.66 from SB 3065, Laws of 2019; \$1,328,495.19 from HB 1730, Laws of 2020; and \$600,000 from SB 2971, Laws of 2021. This project will replace the building's Air Handler Units which are original to the building

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(50 Years old). The industry life expectancy of these types of units is 30 to 35 years. Parts are not available for repairs and therefore replacement is needed. Funds are available from HB 1729, Laws of 2016 (\$59,274.27); HB 1649, Laws of 2018 (\$47,001.57); SB 3065, Laws of 2019 (\$71,373.66); HB 1730, Laws of 2020 (\$1,328,495.19); and SB 2971, Laws of 2021 (\$600,000).

19. **USM** – Approved the request to increase the budget for GS 108-300, Hickman Hall Renovation, from a pre-plan budget of \$500,000 to \$11,350,000 for an increase in the amount of \$10,850,000. The Board also approved the request to modify the scope of the project and the funding sources to include \$10,000,000 from SB 2971, Laws of 2021 and \$850,000 from SB 3002, Laws of 2022. The scope of this renovation will include renovating this residence hall to serve as departmental and office space. It will include code upgrades, a new elevator, updated bathroom facilities, along with new mechanical and electrical infrastructure. Funds are available from HB 1730, Laws of 2020 (\$500,000); SB 2971, Laws of 2021 (\$10,000,000); and SB 3002, Laws of 2022 (\$850,000).
20. **MSU** – Approved the exterior design of the Davis Wade Stadium which includes the renovation of the existing 200 level into suites and clubs. Radio and TV broadcast will be moved to the 100 level into an existing suite area. Media and Press will be relocated to the south end zone (M-Club). A copy of the renderings is included in the bound *October 20, 2022 Board Working File*.
21. **MSU** – Approved the request to delete from inventory Buildings #1591 and #1592, two equipment storage sheds in Stoneville, MS which were constructed in 2001. These buildings were severely damaged by weather/wind and were not cost effective to repair or rebuild. The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1591 and #1592 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.
22. **MSU** – Approved the request to name the Kinesiology and Autism Services Building as the “Jim and Thomas Duff Center” in recognition of the Duff family’s generous philanthropy. This state-of-the-art facility will be the home of Mississippi State University’s Autism and Developmental Disabilities Clinic, Disability Resource Center, Access Program, and the College of Education’s Department of Kinesiology. Jim and Thomas Duff are the owners of Duff Capital Investors (DCI), a privately-owned company headquartered in Columbia. In addition to corporate interests, the brothers devote their service and support to a wide variety of organizations and charities and are especially committed supporters of the communities in which their Southern Tire Mart stores operate and the higher education system across the state of Mississippi.
23. **MSU** – Approved the request to name the Materials Testing Lab as the “Randy J. Cleveland Engineering Student Center” in recognition of Randy J. Cleveland and his strong history of support and service to MSU along with his contribution of funding to the renovation of the building. The project will renovate the existing 4,860 square foot, two story building as well as the construction of a 2,600 square foot, two story addition. An alum of MSU, Mr. Cleveland earned a bachelor’s degree in petroleum engineering from MSU in 1983. Throughout his career, he has maintained strong connections with MSU and was instrumental in the 2014 reestablishment of the university’s petroleum engineering program. He is a member of the MSU Foundation board of directors, where he leads the



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fundraising committee as chairman, and also serves on the dean's advisory council for the Bagley College. For his dedicated service and support, Cleveland was recognized as a 2008 Distinguished Engineering Fellow and the 2019 Alumnus of the Year for the Bagley College and as the 2022 MSU National Alumnus of the Year.

24. **UM** – Contingent upon the IEO of the university providing a written and signed certification stating that the federal funds planned for use as a funding source for this item are legally allowable for that specific purpose, the Board approved the request to enter an energy savings performance contract with Trane U.S. Inc. to upgrade HVAC controls in three UM buildings (J.D. Williams Library, Natural Products – Phase 1, and Faser Hall) and to replace existing pneumatic controls with modern direct digital controls for improved airflow, control, and efficiency. This contract subsumes projects 207-475 and 207-476 in their entirety and eliminates the need for further action on these two projects. The construction period of the contract will be from October 20, 2022 (or execution date of the contract) to June 30, 2023, with a subsequent guaranteed energy savings performance period of 20 years. The total contract amount is \$6,174,316, which includes \$5,975,530 for construction and \$198,786 (spread over 20 years) for annual measurement & verification (M&V) and energy management support. The following items are also noted: 1) The construction amount includes \$263,573 (4.4%) in contingency, which will revert to the university at the end of the construction period if not used. 2) Upon contract execution, an initial payment in the amount of \$785,037 is due to cover applicable engineering, drafting, mobilization, and other preconstruction expenses, to include the full cost of the required Mississippi Material Purchase Certificate. 3) Trane has offered a pre-payment discount of \$142,700 (2.38% of the construction cost) through their corporate Anticipation Discount Program. This program would require university to prepay the total construction cost amount of \$5,832,830 (after discount) within five days of contract execution. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request for the institution to prepay take advantage of this discount using institutional funds for this prepayment. The construction portion of the contract will be funded using federal funds provided under HEERF III combined with university plant funds. The ongoing M&V and energy management support costs will be funded from energy cost savings using University educational and general (E&G) funds. The Attorney General's Office has reviewed this item for compliance with applicable law and finds the same to be acceptable. The written and signed certification statement from the IEO must be provided to the Commissioner prior to the university moving forward with using the federal funds for the requested purpose set out within this agenda item.
25. **USM** – Approved the request to enter an agreement with Billie Billingsley Swinney (individually) and Billie Billingsley Swinney (Trustee of the Billie Billingsley Swinney Revocable Trust, for the purchase of real property located at 209 N. 36<sup>th</sup> Avenue, Hattiesburg, MS for a sale price of \$355,000. The university received two independent property appraisals for the property: \$400,000 and \$310,000, respectively. The average of the two appraisals is \$355,000 which is the purchase price. The property description is: All those tracts or parcels of land owned by Seller and located at 209 N. 36<sup>th</sup> Ave., Hattiesburg, MS 39401, being more particularly described as: Lots 9, 10, 11, and 12, Block 17, Pinecrest 2nd Survey or Addition to the City of Hattiesburg, County of Forrest, State

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of Mississippi. The closing date shall be on or before, December 31, 2022, or as otherwise mutually agreed upon in writing by the parties involved. The Seller agrees to sell the Property to the Purchaser on the terms and conditions contained in this Agreement and the Purchaser agrees to purchase the Property from the Seller on the terms and conditions contained in this Agreement. Funds are available from Internal University Funds (\$355,000). A Phase I Environmental Site Assessment has been conducted on the property. Based on the site observations and research conducted, it was determined that there are no recognized environmental conditions associated with the site that warrant further inquiry at the present time. 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 finds same to be acceptable.

**LEGAL**

26. **JSU** – Pending approval by the Attorney General, the Board approved the request to enter a contract for professional legal services with Armstrong Law, LLC as outside counsel to perform services as necessary in preparing labor certification applications, immigration applications, and immigration petitions, and to provide immigration-related services on behalf of the university for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this contract will be one year, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is \$50,000. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000.

**Summary of Legal Fees**

<b>Type of Immigration Processing</b>	<b>Attorney's Fees<sup>1</sup></b>
<b>Permanent resident status ("green card"/immigrant) processing – labor certification required<sup>2</sup></b>	
"Special handling" labor certification for faculty (teaching positions only) – using original recruitment	\$2,000.00
"Special handling" labor certification for faculty (teaching positions only) – re-recruitment <sup>3</sup>	\$2,500.00
"Basic recruitment" labor certification for non-teaching positions	\$4,000.00
Audit response (if required by US Department of Labor)	\$1,500.00
Immigrant petition for alien worker (I-140) – for employee	\$2,800.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00

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<sup>1</sup> Exclusive of all required US Citizenship and Immigration Services filing fees and costs of recruitment (if required); all additional work, including assistance in ad placement, renewal applications for employment authorization or advance parole during the period the application for adjustment of status is pending, preparation for and attendance at interviews with immigration officers, or appeals of any denials of any immigration petition or application filed, will be billed at normal hourly rates (currently \$275 an hour)

<sup>2</sup> Regulations require employer to pay all costs relating to labor certification, including all costs of recruitment.

<sup>3</sup> Re-recruitment may be required if original ads do not meet US Department of Labor requirements or if labor certification is not filed within 18 months of date of offer letter.

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<b><u>Type of Immigration Processing</u></b>	<b><u>Attorney's Fees<sup>1</sup></u></b>
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
<b>Permanent resident status ("green card"/immigrant) processing – "Outstanding professors and researchers" (labor certification not required)<sup>4</sup></b>	
Immigrant petition for alien worker (I-140) – for employee	\$5,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
<b>Permanent resident status ("green card"/immigrant) processing – "extraordinary ability" or "National Interest Waiver" (labor certification not required)<sup>5</sup></b>	
Immigrant petition for alien worker (I-140) – for employee	\$6,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
<b>Temporary status (nonimmigrant) processing</b>	
H-1B "specialty occupation" petition <sup>6</sup>	\$2,000.00
O-1 "extraordinary ability" petition	\$4,500.00
TN "NAFTA professional" petition	\$2,500.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon state Conrad 30 program)	\$6,000.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon extreme hardship)	\$6,000.00
Application to extend or change nonimmigrant status (for dependents of employee who are in the US in another nonimmigrant status) when filed with I-129 Petition for primary	\$ 500.00

27. **JSU** – Pending approval of the Attorney General, the Board approved the request to enter a contract for professional legal services with the law firm of David Ware & Associates, LLC d/b/a Ware|Immigration as outside counsel to perform services as necessary in preparing labor certification applications, immigration applications, and immigration

<sup>4</sup> Employee may pay fees and costs because labor certification is not required for this process.

<sup>5</sup> Employee may pay fees and costs because labor certification is not required for this process.

<sup>6</sup> Regulations require employer to pay all costs relating to H-1B filing, including attorney's fees and filing fees (however, employee may pay "premium processing request" filing fee if desired).

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petitions, and provide immigration related services on behalf of the university for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this contract will be one year, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is \$50,000. This firm carries professional liability insurance coverage in the amount of \$3,000,000 per claim with an annual aggregate of \$3,000,000.

**Schedule of Legal Fees for Academia**

**Nonimmigrant Petitions and Processes**

H-1B petition	\$2,250.00*
H-1B extension or amendment petitions (we handled original petition)	\$2,250.00*
H-1B withdrawal	\$200.00
H-4 EAD (Employee may pay)	\$750.00
*additional legal fee of up to \$2,500 may apply for substantive requests for evidence	
TN petition or border/consulate processing	\$2,250.00
TN extension petition (we handled original)	\$2,250.00
E-3 petition or consular processing	\$2,250.00
E-3 extension petition (we handled original)	\$2,250.00
O-1 petition	\$7,000.00
O-1 extension or amendment petition (we handled original)	\$4,000.00
J-1 waiver (IGA or hardship)	\$7,000.00
J-1 waiver (Conrad)	\$7,000.00
J-1 waiver (no objection)	\$1,500.00
I-539 Fee for Dependents (Employee may pay)	\$1,000.00

**Permanent Residence Process with Labor Certification: Faculty**

Special Handling labor certification	\$3,000.00
(If position must be readvertised)	\$2,500.00
Additional fee if audited	\$1,500-2,500.00
Immigrant petition (I 140)	\$2,500.00

**Permanent Residence Process with Labor Certification: Non-Faculty**

Labor certification	\$6,000.00
Additional fee if audited	\$1,500-2,500.00
Additional fee if subject to supervised recruitment	\$3,000.00
Immigrant petition	\$2,500.00

**Permanent Residence Process: Outstanding Professors and Researchers**

Immigrant petition	\$7,000.00
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**Permanent Residence Process: National Interest Waiver**

Immigrant petition	\$7,000.00
NIW or OP/OR RFE or NOID: case by case determination up to	\$2,500.00

**Adjustment of Status (any Employment-Based Permanent Residence Matter)**

Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal	\$2,500.00
“Standalone” AOS and related applications, principal	\$3,000.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1,500.00
Adjustment of status of each child, concurrent with I 140	\$1,000.00
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2,000.00

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“Standalone” adjustment of status, child	\$2,000.00
Reschedule biometrics appointment	\$150.00
Reschedule adjustment of status interview	\$150.00
I 485 J (standalone cases)	\$1,500.00

**Employment Authorization and Advance Parole Renewal**

Employment Authorization Renewal per individual	\$500.00
Advance Parole Renewal per individual	\$500.00

**Marriage Based Permanent Residence**

Principal Applicant	\$4,000.00
Each child, if any	\$2,500.00

**General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule**

Such matters will be billed at our hourly rates:

David Ware	per hour billed	\$350.00
WI Partners	per hour billed	\$250.00
Associate Attorneys	per hour billed	\$175.00
Paralegals	per hour billed	\$100.00

28. **MSU** – Approved the request to enter a contract with Butler Snow, LLP as outside counsel to perform services necessary for intellectual property-related matters and other matters requiring specialized legal knowledge including real estate and commercial matters. The term of the contract is one year beginning October 17, 2022. The hourly rates are \$295 for attorneys and \$135 for paralegal services. Further, to manage per-project costs, the University may pay on a flat-rate basis for preparing and filing patent applications. Flat rate filings for provisional patent applications will not exceed \$5,000 per filing and \$15,000 per filing for non-provisional application filings. The maximum amount payable under this contract term is \$75,000. This firm carries professional liability insurance coverage in the amount of \$20,000,000 with an annual aggregate of \$40,000,000. This request has been approved by the Office of the Attorney General.
29. **MSU** – Approved the request to renew a contract with the law firm of Jones Walker, LLP as outside counsel to perform services necessary in assisting and advising the University on legal issues concerning the review of strategic financing options, tax-exempt bond arbitrage, and rebate compliance and the use of bond-financed building and other matters relating to bond issues. This renewal is for a term of one year beginning August 26, 2022 through August 25, 2023. The rate remains the same at \$1.15 for every \$1,000 of bonds issued by the EBC for those that bear interest at both fixed and variable rates. In addition, the contract will continue to allow for reimbursement of any out-of-pocket expenses, not to exceed \$4,000. This firm carries professional liability insurance coverage in the amount of \$50,000,000 per claim with an annual aggregate of \$100,000,000. This request has been approved by the Office of the Attorney General.
30. **MSU** – Approved the request to enter a contract with Winfield Law Firm, P.A. as outside counsel to perform services necessary in the areas of higher education law, employment law, real estate matters, compliance and other local matters. The term of the contract is one year beginning October 19, 2022. The hourly rates are \$225 for attorneys and \$75 for paralegal services with a maximum amount payable of \$75,000. This firm carries professional liability insurance coverage in the amount of \$1,000,000 with an annual

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aggregate of \$2,000.000. This request has been approved by the Office of the Attorney General.

31. **JSU** – Approved a consulting agreement between the university and Worth Thomas d/b/a W.T. Consulting, who will provide a full scope of legislative liaison services within the State of Mississippi, with such services designed to achieve the state agency and governmental relations goals of Jackson State University. The term of the agreement will begin upon approval and execution through June 30, 2023. The requested contract amount is \$80,000 to be paid in quarterly installments of \$20,000 each plus reasonable reimbursement of travel expenses up to a maximum of \$2,500. This agreement will be paid with self-generated funds of the Jackson State University Foundation allocated for JSU Program Support. This agreement has been approved by the Office of the Attorney General. In accordance with Board Policy 201.0506 Political Activity, W.T. Consulting's client list and proposed agreement are included in the bound *October 20, 2022 Board Working File*.
32. **SYSTEM** – Approved the updated Operational Guidelines of the UMMC Self-Insured Tort Plan. The Plan exists for the purpose of ensuring UMMC against liabilities arising under state and federal laws. The current operational guidelines were approved in 2001 and established a delegation of settlement authority to UMMC in an amount not to exceed \$100,000 per claim. The updated operational guidelines increase the delegated settlement authority from up to \$100,000 per claim to up to \$200,000 per claim. The updated Operational Guidelines is included in the bound *October 20, 2022 Board Working File*.
33. **SYSTEM** – Approved the updated Operational Guidelines of the IHL Self-Insured Tort Plan. The Plan exists for the purpose of ensuring the system entities against liabilities arising under state and federal 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 not to exceed \$100,000 per claim. The updated operational guidelines increase the delegated settlement authority from up to \$100,000 per claim to up to \$200,000 per claim. The updated Operational Guidelines is included in the bound *October 20, 2022 Board Working File*.

## **PERSONNEL REPORT**

### **34. Change of Status**

#### **Alcorn State University**

- Edmund Buckner; *from* Dean, School of Agriculture and Applied Sciences; salary of \$152,555 per annum, pro rata; E&G Funds, 12-month contract; *to* Professor of Agriculture, School of Agriculture and Applied Sciences; salary of \$101,000 per annum, pro rata; E&G Funds; 9-month contract; September 1, 2022.
- Dexter Wakefield; *from* Associate Dean, School of Agriculture and Applied Sciences; salary of \$123,600 per annum, pro rata; E&G Funds, 12-month contract; *to* Interim Dean, School of Agriculture and Applied Sciences; salary of \$147,600 per annum, pro rata; E&G Funds; 12-month contract; effective September 1, 2022.

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**University of Mississippi Medical Center**

- Thomas Dobbs, *from* faculty, John D. Bower School of Population Health; to Dean, John D. Bower School of Population Health, 12-month contract; salary of \$310,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2022.
- Joey Granger, *from* Dean, School of Graduate Studies in the Health Sciences; salary of \$340,000 per annum, pro rata; E&G Funds; 12-month contract; to Associate Vice Chancellor for Research and Dean, School of Graduate Studies in the Health Sciences; salary of \$400,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2022.

**ANNOUNCEMENT**

- Trustee Walt Starr commended Tommy Duff and his brother, Jim, for their continued support of the public higher education system. The University of Mississippi broke ground on the Jim and Thomas Duff Center for Science and Technology Innovation a year ago. The naming of the building honors these two exceptional Mississippi businessmen and recognizes their interest in advancing education and STEM-related economic opportunities. Today, the Kinesiology and Autism Services Building at Mississippi State has been named the Jim and Thomas Duff Center in recognition of their generous donation to the university. On behalf of the Board, we thank them for supporting the universities and helping to pursue the mission of educating Mississippians.

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Presented by Trustee Steven Cunningham, Chair

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

1. **USM** – Approved the request to add a new academic degree program.  
Proposed Program Title: Master of Science in Medicine (MSM) in Physician Assistant Studies  
CIP code: 51.0912  
Total credit hours: 110  
Effective date: August 2024  
Incremental, five-year cost of implementation: \$8,239,000  
Potential five -year, new revenue: \$5,991,000

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2. **UM** – Approved the request to add a new unit.  
Unit Title: Scholar Support and Data Services  
Unit Location: JD Williams Library  
Effective Date: Fall 2022  
Total number of current faculty/ Total number of new faculty: 3/0  
Total number of current staff/ Total number of new staff: 0/0  
Five-year cost of implementation: \$0 (zero implementation cost)

**FINANCE AGENDA**

Presented by Trustee Hal Parker, Chair

Trustee Gee Ogletree recused himself from discussing or voting on items #1-4 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 McNair, with Trustee Ogletree absent and not voting and Trustee McNair participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Ogletree was readmitted to the Zoom meeting following the discussion and vote on items #1-4 on the Finance Agenda.

1. **JSU** – Approved the request to enter a Services Agreement with Cintas Corporation No. 2 (Cintas) to rent uniforms worn by employees in the Department of Facilities and Construction Management along with the rental of facility services products. The Department of Finance and Administration, Office of Purchasing, Travel, and Fleet Management (DFA) has contracted with Cintas for the provision of uniforms to state agencies. The initial term of the agreement is five-year (5) years, from October 21, 2022, through September 30, 2027. The total estimated cost over the five (5) year term is \$482,178.53. Pricing under the agreement is firm for the five-year (5) year term. The agreement will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.
2. **JSU** – Approved the request to enter an agreement for campus television services with Comcast Cable Communications Management, LLC (Comcast). This agreement has an initial term of one (1) year beginning November 1, 2022 and ending October 31, 2023. The agreement will automatically renew for four (4) successive periods of one (1) year each unless either party gives 60 days' notice of its intention not to renew. The total cost of the contract, if automatically renewed for five (5) years, is \$899,200 before any addition or subtraction of units. The annual cost is estimated at \$177,840 before additions or subtractions of units. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.
3. **UMMC** – Approved the request to enter a Pricing and Commitment Agreement with Becton, Dickinson, and Company (BD) for the purchase of dedicated and non-dedicated intravenous (IV) disposable sets, including pump sets, gravity sets, extension sets,



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connectors, secondary sets, and accessories. These IV disposable sets are used with UMMC's 2,343 IV pumps used throughout its facilities. The Board approved the request for the institution to add or remove products as needed and to amend the agreement in the instance of a change in UMMC's group purchasing organizations (GPO) designation as long as the change does not increase the approved expenditure level. The term of the agreement is five (5) years, from November 1, 2022, through October 31, 2027. The total estimated cost of the agreement is \$13,150,000 over the five (5) year term. Beginning in year two (2), UMMC has included a ten percent (10%) increase for potential volume change. BD may increase prices up to five percent (5%) per year. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.

4. **UMMC** – Approved the request to enter the Third Amendment to the Informatics Service Agreement with Philips Healthcare Informatics, Inc. (Philips) to extend the term of the current agreement and add a subsequent service schedule for the hardware, software, image storage, disaster recovery and support related to the Intellispace PACS system (PACS), which is the radiology services image archiving system used at UMMC. The PACS system is used to maintain and manage all radiographic imaging for interpretations and archiving. The total term of the amended agreement is up to ten (10) years, from November 20, 2014, through November 19, 2024. The term of the Third Amendment is one (1) year with a potential extension of an additional one (1) year, for a total of two (2) years. The total estimated cost of the amended agreement is \$21,663,312.40. The total cost after the Second Amendment was \$16,815,685. UMMC anticipates the need for an additional \$4,847,628 for the potential two (2) year extension. UMMC has included a potential twenty percent (20%) volume increase each year of the Third Amendment. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the 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 Morgan, seconded by Trustee Cunningham, with Trustees McNair and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to move items #1 and #2 to the Executive Session Agenda.

1. **JSU** – Settlement of the IHL Tort Claim No. 65-3784-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
2. **USM** – Settlement of pending litigation between certain parties. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

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**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Alfred Rankins, Jr.

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

1. **SYSTEM** – Approved the appointment of Dr. Glenn F. Boyce, Chancellor of The University of Mississippi, to serve as the third institutional representative on the Education Achievement Council (EAC). Dr. Boyce will replace Mr. Bill LaForge, former President of Delta State University. There is no term length for appointees. Currently, Trustees Tom Duff and Teresa Hubbard serve as the IHL Board members who serve on the EAC. Institutional representatives include Dr. Felecia M. Nave, President of Alcorn State University, and Dr. Jerryl Briggs, President of Mississippi Valley State University.
2. **SYSTEM** – Approved the Mississippi Law Enforcement and Fire Fighters Premium Pay Program Resolution. During the 2022 Legislative Session, the Mississippi Legislature adopted HB 1427 and HB 1542 to provide premium pay in the amount of \$1,000 each to eligible law enforcement officers and firefighters for their heightened risk during the COVID-19 public health emergency. The Legislature allocated \$12 million from the federal American Rescue Plan Act Coronavirus State Fiscal Recovery Fund for this purpose. All certified, full-time, and part-time law enforcement officers and all certified, full-time and part-time firefighters who are serving the State of Mississippi on the effective date of the act, July 1, 2022, and who complete an online COVID-19 training course, are eligible for this premium pay, with the exception of law enforcement officers who received hazard pay from Governor Reeves’ discretionary funds authorized by the Legislature from the federal Coronavirus Aid Relief and Economic Security Act. University law enforcement officers were not included as recipients of the Governor’s discretionary funds. The Mississippi Department of Public Safety (DPS) is the administrator of these funds. The program guidelines established by DPS require the governing body of the entity applying for funds to adopt a resolution approving the acceptance of premium payments from DPS and authorize those payments to be made to eligible recipients under its jurisdiction. Proof of such approval shall be in the form of a certified copy of the board minutes in which the governing authority adopts the DPS-approved resolution. The conditions for receiving and expending the funds described in HB 1542 are that DPS will certify to the Department of Finance and Administration that each expenditure of funds appropriated to DPS “under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United State Department of Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA”. Further, “If the Office of the Inspector General of the United States Department of the Treasury, or the office of the Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department (DPS) or recipient (university) has expended or otherwise used any of the funds appropriated to the

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department (DPS) under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of Inspector General determined were expended or otherwise used improperly by the department (DPS) or recipient (university), then the department (DPS) or recipient (university) that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.” Universities who wish to apply for the premium pay must submit to DPS a list of eligible employees with a copy of their certificate of completion of the COVID-19 training course with an affidavit from the employee affirming that the employee meets the eligibility criteria and has not received premium pay from any other source. A copy of the resolution is included in the bound *October 20, 2022 Board Working File*. Legal Staff has reviewed the proposed resolution for compliance with applicable law and finds same to be acceptable.

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – The Board received the annual report of winners of the Halbrook Awards for Academic Achievement Among Athletes for 2021-2022.

David C. Halbrook Awards for Academic Achievement Among Athletes <sup>a</sup>			
Public University Division – Men		University of Mississippi	
Public University Division – Women		University of Mississippi	
Independent College Division Overall		Mississippi College	
Community and Junior College Division Overall (tie)		East Mississippi Community College	
John C. and Ernestine McCall Halbrook Improvement Award <sup>b</sup>		Pearl River Community College	
David M. Halbrook Certificate Award for Academic Achievement Among Athletes <sup>c</sup>			
	Institution	Male Recipient	Female Recipient
Public University Division	Alcorn State University	Santiago Rocca ( <i>Business Adm</i> )	Mikayla Shaughnessy ( <i>English</i> )
	Delta State University	Jacob Barlow ( <i>Environmental Sci</i> )	Kailyn Lofton ( <i>Nutrition/Dietetics</i> )
	Jackson State University	Devontae Rhodes ( <i>Graphic Design</i> )	Ameshya Williams-Holiday ( <i>Sport Management</i> )
	Mississippi State University	Luke Zacharias ( <i>Biological Science</i> )	Mia Davidson ( <i>Kinesiology/Sport Studies</i> )
	Mississippi University for Women	~	~
	Mississippi Valley State University	Johnathan Yandrich ( <i>Health Physical Education</i> )	Ronni Williams ( <i>Criminal Justice</i> )
	University of Mississippi	Simon Junk ( <i>Accountancy</i> )	Mimi Reid ( <i>Criminal Justice</i> )
	University of Southern Mississippi	Andrew Boyd ( <i>Biological Sciences</i> )	Monique Burton ( <i>Kinesiology</i> )

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<b>Independent College/University Division</b>	Belhaven University	Charles W. Ballou ( <i>Business</i> )	Kourtne Lee ( <i>Nursing</i> )
	Blue Mountain College	Will Long ( <i>Business</i> )	Olivia Chadwell ( <i>Criminal Justice</i> )
	Millsaps College	~	~
	Mississippi College	Stephen Hunter Kurz ( <i>Chemistry</i> )	Anna Valiaeva ( <i>Computer Science</i> )
	Rust College	Roderick Gaines ( <i>Biology</i> )	Shia Moore ( <i>Biology</i> )
	Tougaloo College	~	~
	William Carey University	Joao Vitor ( <i>Business Administration</i> )	McKinley Seal ( <i>Biology</i> )
<b>Community College Division</b>	Coahoma Community College	~	~
	Copiah-Lincoln Comm. College	Louis Kenner Bizot IV	Shelbi Leann Maxwell
	East Central Community College	Ian Christian Gordon	Annabelle Christine Miller
	East Mississippi Comm. College	Wesley Sides	Kaitlynn Stroud
	Hinds Community College	Billy Guevara-Gonzalez	Sadie Parker
	Holmes Community College	Heath McBride	Shelby Lindsay
	Itawamba Community College	Dillard Emison	Kayla Young
	Jones College	Kenneth Mack	Rebekah Baugh
	Meridian Community College	Brock Butler	Madison Claire Benson
	MS Delta Community College	Kieran Theriot	Mary Scott Lofton
	MS Gulf Coast Comm. College	Chase Kaiser	Kristian Jones
	Northeast MS Comm. College	Thomas Branyan	Dempsie Lindsey
	Northwest MS Comm. College	Landon Rogers	Laila Armstrong
	Pearl River Community College	Ryan Burt	Erin Clifford
	Southwest MS Comm. College	Nicholas Weir	Renne Harris

<sup>a</sup> Trophy award to institution with the highest percentage of graduating student athletes.

<sup>b</sup> Cash award to institution with greatest improvement in percentage of student athletes graduating.

<sup>c</sup> Certificate awarded to student athletes who have excelled in academics, leadership, and/or service.

2. **SYSTEM** – The Board received the annual report on institutional accreditation. A table summarizing the system accreditation activity for the period beginning July 1, 2021 and ending June 30, 2022 is included in the bound *October 20, 2022 Board Working File*.

## FINANCE

3. **SYSTEM** – In accordance with the *JAKE AYERS, JR. ET.AL.* and United States of America v RONNIE MUSGROVE, GOVERNOR, STATE OF MISSISSIPPI, ET.AL. Settlement (aka: Ayers Settlement Agreement), the Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information. This document is due October 1 of each year and has been presented to the Court.

## REAL ESTATE

4. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 18, 2022 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

## LEGAL

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

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6. **SYSTEM** – The Chair of the Legal Committee approved requesting an official Attorney General’s opinion related to the new Nursing and Respiratory Therapy Education Incentive Program (the Program) recently established by our state legislature and whether H.B. 1005, codified as Miss. Code Ann. Section 37-106-60, legally permits the issuance of forgivable loans, according to the Program requirements, covering up to the full cost of attendance as defined by the U.S. Department of Education and as estimated by the institution providing the course of study.

**ADMINISTRATION/POLICY**

7. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
- a. **MUW** – On September 20, 2022, Commissioner Alfred Rankins, Jr., approved a Facilities Lease Agreement between the Mississippi University for Women and the Columbus Educational Foundation, Inc. d/b/a Heritage Academy for use of Heritage Academy’s baseball field, indoor baseball facility and certain related facilities. This is a renewal of an identical lease executed in October 2021 (the sole exception being a \$500 increase in rent). The term of the lease begins upon approval and execution and shall terminate on June 30, 2023. The cost is \$10,500 payable within thirty days of approval and execution of the agreement. The Attorney General’s Office staff has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

**PERSONNEL**

8. **Sabbatical**  
**Mississippi State University**  
**FROM:** Beth Richardson Miller; Professor of Interior Design Program; *from* salary of \$140,000.00 per annum, pro rata; E&G Funds; 12 -month contract; *to* salary of \$52,499.97 for sabbatical period; E&G Funds; effective August 16, 2022 to December 31, 2022; professional development  
*[Originally approved by IHL Board February 17, 2022]*  
**CORRECTED:** This item was rescinded.

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, October 19, 2022**

The meeting was called to order by Chairman Walt Starr at approximately 2:00 p.m. The following items were discussed.

1. The Committee discussed received a report on Mental Health Services at Mississippi’s Public Universities by Dr. Casey Prestwood, IHL Associate Commissioner of Academic

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and Student Affairs, and a report on the IHL Telemental Health Needs Assessment Summary and Proposal by Dr. Nick McAfee, Assistant Professor – UMMC Psychiatry Director – Student Counseling and Wellness Center. **No action was taken.**

2. The Committee discussed the monthly financial summary/strategic goal dashboard and received an update on the special services: burn services and fragile children. **No action was taken.**

3. Executive Session

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

Discussion of the strategic business plans related to a public hospital.

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

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

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

4. The meeting was adjourned by consensus.

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

**ANNOUNCEMENT**

- President Duff announced the next meeting of the IHL Board will be November 17, 2022.

**EXECUTIVE SESSION**

On motion by Trustee Martin, with Trustees McNair 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 Starr, seconded by Trustee Cunningham, with Trustees McNair 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:

**MINUTES OF THE BOARD OF TRUSTEES OF  
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Discussion of a litigation matter at the University of Southern Mississippi.  
Discussion of a litigation matter at Jackson State University.  
Discussion of a personnel matter at the University of Southern Mississippi.  
Discussion of a personnel matter at Delta State University.

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

On motion by Trustee Starr, seconded by Trustee Martin, with Trustees McNair and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of certain claims asserted against certain defendants in the case styled *The Board of Trustees of the Mississippi Institutions of Higher Learning, Acting on Behalf of the University of Southern Mississippi vs. J.F. Pate & Associates Contractors, Inc., et al.*, as recommended by counsel.

On motion by Trustee Cunningham, seconded by Trustee Martin, with Trustees McNair and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of the Tort Claim No. 65-3784-1 styled as *Summit Management Company vs. Jackson State University, et al.*, as recommended by counsel.

Trustee Ogletree made a motion that all provisions and requirements within IHL Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process that have not yet been completed be suspended for the remainder of the current University of Southern Mississippi (USM) IEO search, pursuant to IHL Bylaw 301.0510 Meeting Rules of Order subsection D. Motion to Suspend Policies, Bylaws or Rules, and that Dr. Joseph S. Paul be hired as President of USM effective November 1, 2022, at a state annual salary of \$450,000, and with a salary supplement of up to \$200,000 annually to be provided by one or more of the USM affiliated entities, that Dr. Paul be given a four-year employment contract and that Dr. Paul's new employment contract provide that he may be reimbursed for up to \$15,000 in actual moving expenses. The motion was seconded by Trustee McNair, with Trustees McNair and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the motion.

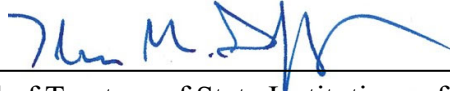
The Board discussed a personnel matter at Delta State University. **No action was taken.**

**On motion by Trustee Cummings, seconded by Trustee Cunningham, with Trustees McNair and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to return to Open Session.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 20, 2022**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Starr, seconded by Trustee Hubbard, with Trustees McNair and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 20, 2022**

**EXHIBITS**

- |           |  |
|-----------|--|
| Exhibit 1 | Real Estate items that were approved by the IHL Board staff subsequent to the August 18, 2022 Board meeting. |
| Exhibit 2 | Report of the payment of legal fees to outside counsel.  |

# EXHIBIT 1

October 20, 2022

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 18, 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.

## **DELTA STATE UNIVERSITY**

### **1. DSU- GS #102-271 - NURSING SCHOOL EXPANSION AND RENOVATION**

**NOTE: This is a Bureau of Building project**

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

Board staff approved Change Order #1 in the amount of \$141,991.24 and twenty-six (26) additional days to the contract of Richard Womack Construction, LLC.

Approval Status & Date: APPROVED, July 29, 2022

Change Order Description: Change Order #1 includes the following: remove and replace the flooring and toilet partitions; remove and replace unsuitable soils at the new parking lot; add new door panic hardware in the existing building; and twenty-six (26) days to the contract.

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

#### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$193,500.40 and eighty-five (85) additional days to the contract of Richard Womack Construction, LLC.

Approval Status & Date: APPROVED, September 22, 2022

Change Order Description: Change Order #2 includes the following: mixed lime and additional fill with unsuitable material at a parking lot; relocated existing underground electrical feeding, the pad-mounted transformer and backfeeding panels on the existing building; and eighty-five (85) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$335,491.64.

Project Initiation Date: February 18, 2021

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

General Contractor: Richard Womack Constructions, LLC

Total Project Budget: \$11,875,000.00

# EXHIBIT 1

October 20, 2022

## MISSISSIPPI STATE UNIVERSITY

### 2. MSU- IHL #205-283 – ADDITION AND RENOVATION OF HUMPHREY COLISEUM

#### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$18,288.70 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, September 30, 2022

Change Order Description: Change Order #2 includes the following items: a 40 cent math errors was corrected; revised the electrical systems; credit for not providing door position devices at temporary doors; provided fire alarm devices at the temporary wall during 2022-2023 basketball season; additional cost due to related latent conditions deducted from the latent contingency allowance; additional cost associated with revisions to the east structure due to latent conditions and was deducted from the latent contingency allowance.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$241,289.80.

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners Architects, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$50,000,000.00

### 3. MSU- IHL #205-287 – PARKING GARAGE NORTH - REBID

#### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$581,467.75 and thirty-five (35) additional days to the contract of Amason & Associates, Inc.

Approval Status & Date: APPROVED, September 15, 2022

Change Order Description: Change Order #3 includes the following items: added a segmental retaining wall at two exposed electrical boxes at the south hillside; standpipe revisions done at the elevator equipment room; added bent metal for ledges at the elevator shaft; added two fire strobes; provided wire mesh panels at the interior side of the elevator shaft windows; installed four drains at the slab on grade that was tied to the existing drainage basins; and thirty-five (35) days to the contract.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications; latent jobsite conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$790,027.72.

Project Initiation Date: August 18, 2010

Design Professional: McCarty architects, P.A.

General Contractor: Amason & Associates, Inc.

Total Project Budget: \$16,000,000.00

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## 4. **MSU- IHL #205-297 – BUTLER HALL MECHANICAL, ADA IMPROVEMENTS AND EXTERIOR WINDOW REPLACEMENT**

### **Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$87,994.14 and thirty (30) additional days to the contract of Brislin, Inc.

Approval Status & Date: APPROVED, August 29, 2022

Change Order Description: Change Order #5 includes the following items: installed new restroom fixtures and finishes; demolished existing wall covering, gypsum, and replaced with new wall covering in the 3<sup>rd</sup> floor coffee room; demolished existing fixed furniture in two rooms; removed the wall covering in the central stairwell, skimmed and painted; painted the ceiling in a to match the walls; and thirty (30) 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: Five (5) change orders for a total amount of \$695,327.26.

Project Initiation Date: December 5, 2019

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

General Contractor: Brislin, Inc.

Total Project Budget: \$4,643,600.00

## 5. **MSU- IHL #205-309 – MSU ICE PLANT EXPANSION PROJECT**

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

Board staff approved Change Order #1 in the amount of \$302,101.87 and eighty (80) additional days to the contract of Brislin, Inc.

Approval Status & Date: APPROVED, August 29, 2022

Change Order Description: Change Order #1 includes the following items: modified the cooling tower foundation to that of the existing cooling tower; increased the top of the steel elevation on the ice tank structure; structural modification of the tank done; reconciliation of the controls allowance; eighty (80) days to the contract.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$302,101.87.

Project Initiation Date: August 20, 2009

Design Professional: Engineering Resource Group.

General Contractor: Brislin, Inc.

Total Project Budget: \$7,389,000.00

## 6. **MSU- IHL #205-317 – IED CNC LAB RENOVATION**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$15,482.52 and sixty-eight (68) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, August 9, 2022

# EXHIBIT 1

October 20, 2022

Change Order Description: Change Order #3 includes the following items: added two (2) additional floor boxes at the CNC machines; added a compressed air line; additional glazing and frames done for the office doors; added fire extinguisher cabinets; extended the project impact due to door changes; and sixty-eight (68) days to the contract.

Justification: These changes were necessary due to errors and omissions in the plans and specifications; latent jobsite conditions; user/owner requested modifications; and days for work as indicated herein.

## **Approval Request #2: Change Order #4**

Board staff approved Change Order #4 in the amount of \$9,984.88 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, August 29, 2022

Change Order Description: Change Order #4 includes the following items: installed sensors on each blower coil unit at the industrial education department.

Justification: These changes were necessary due to errors and omissions in the plans and specifications – sensors were not included in the construction documents.

## **Approval Request #3: Change Order #5**

Board staff approved Change Order #5 in the credit amount of \$500.00 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, September 22, 2022

Change Order Description: Change Order #5 includes the following item: This was due to the difference between the cost and HVAC controls allowance.

Justification: This change was necessary due to the allowance being more than the actual cost of the HVAC controls.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$91,715.13.

Project Initiation Date: July 8, 2021

Design Professional: Beard + Riser Architects, PLLC

General Contractor: Ethos contracting Group, LLC

Total Project Budget: \$1,400,000.00

## **7. MSU- IHL #205-330 – MCARTHUR HALL ELEVATOR REPLACEMENT**

**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 August 6, 2022 to initiate the project and to name Shafer Zahner-Zahner as the design professional.

Interim Approval Status & Date: APPROVED, August 6, 2022

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

Board staff approved the Award of Contract in the amount of \$1,108,000.00 to the apparent low bidder, Craddock Construction Company, Inc.

Approval Status & Date: APPROVED, August 26, 2022

Project Initiation Date: August 6, 2022

Design Professional: Shafer Zahner-Zahner

General Contractor: Craddock Construction Company, Inc.

Total Project Budget: \$1,400,000.00

# EXHIBIT 1

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8. **MSU- IHL #213-147 – LIVESTOCK ASSESSMENT FACILITY**

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

Board staff approved the Schematic Design Documents as submitted by Pryor Morrow Architects & Engineers.

Approval Status & Date: APPROVED, September 16, 2022

**Approval Request #2: Design Development Documents**

Board staff approved the waiver of Design Development Documents as submitted by Pryor Morrow Architects & Engineers.

Approval Status & Date: APPROVED, September 16, 2022

Project Initiation Date: June 16, 2022

Design Professional: Pryor Morrow Architects & Engineers

General Contractor: TBD

Total Project Budget: \$1,500,000.00

9. **MSU- IHL #405-005 – STONE CHILLED WATER LOOP EXTENSION**

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

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

Approval Status & Date: APPROVED, September 16, 2022

**Approval Request #2: Design Development Documents**

Board staff approved the waiver of Design Development Documents as submitted by Engineering Resource Group, Inc.

Approval Status & Date: APPROVED, September 16, 2022

Project Initiation Date: May 19, 2022

Design Professional: Engineering Resource Group, Inc.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

10. **MSU- IHL #413-001 – BALLEW HALL RENOVATION**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Belinda Stewart Architects.

Approval Status & Date: APPROVED, October 3, 2022

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 3, 2022

Project Initiation Date: August 20, 2020

Design Professional: Belinda Stewart Architects

General Contractor: TBD

Total Project Budget: \$12,000,000.00

11. **MSU- IHL #413-144 – SUSTAINABLE BIOPRODUCTS FACILITIES PHASE II – BUILDING 4/GENERAL WORKS**

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$47,475.41 and zero (0) additional days to the contract of Construction Services, Inc.

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Approval Status & Date: APPROVED, September 2, 2022

Change Order Description: Change Order #3 includes the following items: replaced siding and trim at a building and partial deck and guard rail replaced on another building.

Change Order Justification: These changes were necessary due to user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$134,991.66.

Project Initiation Date: June 18, 2020

Design Professional: Pryor Morrow Architects & Engineers

General Contractor: Construction Services, Inc.

Phased Project Budget: \$3,700,000.00

Total Project Budget: 5,000,000.00

## UNIVERSITY OF MISSISSIPPI

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

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

Board staff approved Contract Documents as submitted by Holcombe Norton Partners, LLC.

Approval Status & Date: APPROVED, August 17, 2022

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

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 17, 2022

Project Initiation Date: November 16, 2017

Design Professional: Holcombe Norton Partners, LLC.

General Contractor: TBD

Total Project Budget: \$3,500,000.00

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

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

Board staff approved Change Order #1 in the amount of \$16,976.30 and zero (0) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, August 1, 2022

Change Order Description: Change Order #1 includes the following items: revised the sanitary sewer piping above the 2nd floor ceiling and modified the demolition.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$16,976.30.

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

# EXHIBIT 1

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## 14. UM- IHL #207-479 – CONNER-HOLMAN – ROOF REPLACEMENT

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

Board staff approved the Award of Contract in the amount of \$1,154,500.00 to the apparent low bidder, Roofing Solutions, LLC.

Approval Status & Date: APPROVED, September 14, 2022

Project Initiation Date: May 19, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: Roofing Solutions, LLC

Total Project Budget: \$2,000,000.00

## 15. UM- IHL #207-480 – GERTRUDE C. FORD CENTER – ROOF REPLACEMENT

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

Board staff approved the Award of Contract in the amount of \$1,691,046.00 to the apparent low bidder, B Four Plie, Inc.

Approval Status & Date: APPROVED, September 14, 2022

Project Initiation Date: May 19, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: B 4 Plie, Inc.

Total Project Budget: \$2,150,000.00

## 16. UM- IHL #207-481 – MARTINDALE COLE – ROOF REPLACEMENT

**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 September 27, 2022 to increase the budget from \$1,400,000.00 to \$1,820,000.00, an increase of \$420,000.00.

Interim Approval Status & Date: APPROVED, September 27, 2022

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

Board staff approved the Award of Contract in the amount of \$1,448,849.00 to the apparent low bidder, E. Cornell Malone Corporation.

Approval Status & Date: APPROVED, October 3, 2022

Project Initiation Date: May 19, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: E. Cornell Malone Corporation

Total Project Budget: \$1,820,000.00

## 17. UM- IHL #207-482 – FASER HALL – ROOF REPLACEMENT

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

Board staff approved Contract Documents as submitted by Shafer-Zahner-Zahner

Approval Status & Date: APPROVED, September 15, 2022

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

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 15, 2022

Project Initiation Date: May 19, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: TBD



# EXHIBIT 1

October 20, 2022

Total Project Budget: \$1,450,000.00

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

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

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

Approval Status & Date: APPROVED, September 7, 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

## 19. UMMC - IHL #209-576 – MS CENTER FOR MEDICALLY FRAGILE CHILDREN

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

Board staff approved the Schematic Design Documents as submitted by Eley/Barkley/Dale – A Joint Venture.

Approval Status & Date: APPROVED, October 5, 2022

Project Initiation Date: April 25, 2019

Design Professional: Eley/Barkley/Dale – A Joint Venture

General Contractor: TBD

Total Project Budget: \$15,900,000.00

## 20. UMMC- IHL #209-582 – UPDATE LAKELAND MEDICAL BUILDING

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

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

Approval Status & Date: APPROVED, October 3, 2022

### **Approval Request #2: Contract Documents**

Board staff approved Contract Documents as submitted by Burris/Wagnon Architects, P.A.

Approval Status & Date: APPROVED, October 3, 2022

### **Approval Request #3: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, **October 3**, 2022

Project Initiation Date: June 16, 2022

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

General Contractor: TBD

Total Project Budget: \$1,550,000.00

# EXHIBIT 1

October 20, 2022

## 21. UMMC- IHL #409-003 – CAMPUS EMERGENCY SYSTEM UPGRADES

**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 August 6, 2022 to change the funding source to SB 2971, Laws of 2021 and the project number from IHL #209-563 to IHL #409-003.

Interim Approval Status & Date: APPROVED, August 6, 2022

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

Board staff approved the Award of Contract in the amount of \$5,980,193.00 to the apparent low bidder, Fountain Construction.

Approval Status & Date: APPROVED, October 4, 2022

Project Initiation Date: November 16, 2017

Design Professional: Cooke Douglass Farr Lemons Architects + Engineers, P.A.

General Contractor: Fountain Construction

Total Project Budget: \$6,700,000.00

## 22. UMMC- IHL #409-004 – NEW WATER WELL

**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 August 6, 2022 to increase the project budget from \$1,600,000.00 to \$3,200,000.00, for an increase of \$1,600,000.00, change the funding source to state funding and change the project number from IHL #209-570 to IHL#409-004.

Interim Approval Status & Date: APPROVED, August 6, 2022

### **Approval Request #2: Contract Documents**

Board staff approved Contract Documents as submitted by Neel-Schaffer, Inc.

Approval Status & Date: APPROVED, September 14, 2022

### **Approval Request #3: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 14, 2022

Project Initiation Date: October 18, 2018

Design Professional: Neel-Schaffer, Inc.

General Contractor: TBD

Total Project Budget: \$3,200,000.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

## 23. USM- GS #108-296 – KINESIOLOGY BUILDING RENOVATION

**NOTE: This is a Bureau of Building project**

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

Board staff approved Contract Documents as submitted by Albert & Robinson Architects.

Approval Status & Date: APPROVED, September 9, 2022

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

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 9, 2022

# EXHIBIT 1

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Project Initiation Date: March 19, 2020

Design Professional: Albert & Robinson Architects

General Contractor: TBD

Total Project Budget: \$9,350,000.00

# EXHIBIT 2

October 20, 2022

## SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 8/23/22 and 9/16/22) from the funds of Mississippi State University. (These statements, in the amounts of \$1,950.00 and \$11,799.03, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 13,749.03**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 9/1/22 and 9/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$539.00 and \$559.48, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 1,098.48**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 9/12/22) from the funds of the University of Mississippi. (This statement, in the amount of \$3,301.93, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 3,301.93**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 9/1/22, 9/1/22, 9/1/22 and 9/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$143.80, \$75.00, \$2,308.65 and \$2,261.20, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 4,788.65**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/18/22, 7/18/22, 8/16/22, 8/16/22, 8/17/22, 8/18/22, 8/19/22, 8/19/22, 8/19/22, 8/19/22, 8/24/22 and 9/7/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$300.00, \$18,158.80, \$5,104.70, \$3,111.50, \$780.30, \$4,012.00, \$1,204.00, \$1,648.62, \$216.00, \$715.50, \$11,034.50 and \$6,479.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 52,765.42**

# EXHIBIT 2

October 20, 2022

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 7/28/22, 8/29/22, 8/29/22 and 8/29/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$924.00, \$49.50, \$379.50 and \$1,633.50, respectively, represent services and expenses in connection with legal advice.)

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

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 8/9/22, 8/10/22 and 8/12/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$726.00, \$5,547.50, \$703.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 6,977.00**

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 7/14/22, 7/14/22, 8/11/22, 8/11/22, 8/11/22, 8/15/22, 8/29/22, 8/29/22 and 8/29/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,858.70, \$12,549.00, \$5,805.30, \$15,540.20, \$1,673.50, \$330.00, \$1,970.25, \$1,090.97 and \$528.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 46,345.92**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/25/22 and 9/29/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$17,297.73 and \$20,455.15, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 37,752.88**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 8/11/22, 9/7/22 and 9/8/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,033.50, \$8,002.00 and \$2,773.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 11,809.00**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 9/1/22, 9/1/22, 9/1/22, 9/1/22, 9/1/22, 9/1/22, 9/1/22, 9/1/22, 9/1/22, 9/1/22 and 9/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$258.65, \$31.91, \$25.12, \$91.25, \$97.16, \$133.79, \$59.44, \$233.45, \$2,260.50, \$2,250.00 and \$1,442.50, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 6,883.77**

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Payment of legal fees for professional services rendered by Wise Carter (statement dated 9/12/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,502.07, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,502.07**

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/23/22, 8/23/22 and 8/23/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: "Sequence Specific Phage-Based Antimicrobials" - \$673.50; "Recombinant Fimbrial Protein of Aeromonas Hydrophila as Vaccine in Catfish" - \$1,204.50; and "A Y161F Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 Influenza A Virus Cells" - \$206.50.)

**TOTAL DUE.....\$ 2,084.50**

Payment of legal fees for professional services rendered by Conley Rose (statements dated 9/7/22, 9/7/22, 9/7/22, 9/7/22 and 9/7/22,) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: "Compositions and Methods for Use in Food Processing and Preservation" - \$740.00; "Compositions and Methods for Use in Food Processing and Preservation" - \$3,150.00; "Wearable Flexible Sensor Motion Capture System" - \$3,871.00; "Method and System for a Quantum Oracle to Obtain the Number of Quantum Ground States" - \$2,835.00; and "Materials and Devices that Provide Total Transmission of Electrons Without Ballistic Propagation and Methods of Devising Same" - \$2,870.00.)

**TOTAL DUE.....\$ 13,466.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statement dated 9/25/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: "Species-agnostic Polymeric Formulations and Inhalable mRNA Delivery to the Lung" - \$1,250.00.)

**TOTAL DUE.....\$ 1,250.00**

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Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/28/22 and 8/23/22) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “ZivoBioscience, Inc.” - \$2,448.50 and “Skye Biosciences, LLC” - \$147.50, respectively.)

**TOTAL DUE.....\$ 2,596.00**

Payment of legal fees for professional services rendered by Thomas|Horstemeyer, LLP (statements dated 5/31/22, 7/29/22, 7/29/22, 8/30/22, 8/30/22, 8/30/22, 8/30/22, 8/30/22 and 8/30/22,) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Laser Multibeam Differential Interferometric Sensor and Methods for Vibration Imaging” - \$3,745.00; “Dye, Dye-Sensitized Solar Cells and Making and Using the Same” - \$1,100.00; “Application Serial No. 17/808,246 - \$1,570.60; “Amphotericin Loaded Pegylated Lipid Nanoparticles and Methods of Use” - \$2,500.00; “Biologically Active Cannabidiol Analogs” - \$1,670.00; “Application Serial No. PCT/US2022/035752” - \$6,757.00; “Alloprengnanolone Analogues for HIV Viremia and Neurotoxicity Protection” - \$94.00; “1, 2, 4-Triazolyl Pyridine Agents Targeting Mycobacterium Tuberculosis” - \$2,100.00; and “Comparative Investigation of Hydrolysis of Charge-Shifting Polymers Derived” - \$3,150.00, respectively.)

**TOTAL DUE.....\$ 22,686.60**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/26/22, 7/26/22, 7/26/22, 7/28/22, 7/28/22 and 7/28/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$260.00, \$1,037.00, \$598.00, \$356.50, \$130.00 and \$360.00, respectively, represent services and expenses in connection with patents or intellectual property matters.)

**TOTAL DUE.....\$ 2,741.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/29/22, 9/21/22 and 9/21/22) 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: “Chevron Oronite Patent Maintenance” - \$1,554.00; “Infrared Detection w Intrinsically Conductive” - \$255.50; and “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$2,598.50, respectively.)

**TOTAL DUE.....\$ 4,408.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 9/14/22, 9/14/22, 9/14/22, 9/14/22 and 9/14/22) 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” - \$2,072.50; “Open-Shell Conjugated

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Polymer Conductors, Composites, and Compositions” - \$550.00; “Thiol-Based Post-Modification of Conjugated Polymers” - \$605.00; “Conjugated Polymer Sensors Using the Inner Filter Effect” - \$712.50; and “Organic Photodetection Devices Utilizing an Insulative Component within the Active Layer Blend” - \$500.00.)

<b>TOTAL DUE.....</b>	<b>\$</b>	<b>4,440.00</b>
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