

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
September 17, 2020**

**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 held at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 10, 2019, to each and every member of said Board said date being at least five days prior to this September 17, 2020 meeting. At the above-named place there were present the following members to wit: Dr. Steven Cunningham, Mr. Tom Duff (via Zoom), Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker (via Zoom), and Dr. J. Walt Starr. The meeting was called to order by Dr. Ford Dye, President, with Trustee Hooper providing the invocation.

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

**APPROVAL OF THE MINUTES**

On motion by Trustee Ogletree, seconded by Trustee McNair, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on August 20, 2020; August 28, 2020; and September 4, 2020.

**CONSENT AGENDAS**

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

**FINANCE**

1. **MSU** – Approved the request to amend the contract with Southwest Airlines Co. for the purpose of air transportation services for the MSU Football team during the 2020 Football season. The amendment is necessary to meet the changes made by the SEC to the upcoming football season. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the prepayment of the deposit prior to the flights which is a very common and most often required in this industry. The contract shall commence the date contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement. The total amount for all charters will be \$280,500. A breakdown of the revisions from the originally approved contract is included in the bound *September 17, 2020 Board Working File*. The agreement will be funded by the Athletic Department. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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2. **UM** – Approved a sublease between Nicholas Services, LLC d/b/a Nicholas Air and Callicutt Properties, Inc. The University entered into a Lease Agreement on April 1, 1998 with Don Brewer for the lease of certain premises more particularly described as a 32.5’ X 44’ lot identified hanger lot 2A (“Hangar 2A” or the “Leased Premises”) at the University-Oxford Airport (“UOX”), for a period of ninety-nine (99) years (the “Prime Lease Premises”). Brewer subsequently assigned the Prime Lease to Gerald Bond by Assignment of Lease recorded in the land records of Lafayette County, Mississippi in Book 472 at page 335. Bond subsequently assigned the Prime Lease to Curtis by Assignment of Lease recorded in the land records of Lafayette County, Mississippi in book 479 at page 32. Curtis subsequently assigned the Prime Lease to Overstreet by Assignment of Lease recorded in the land records of Lafayette County in book 507 at page 637. Overstreet subsequently assigned the Prime Lease to Callicutt on or about September 17, 2004 by Assignment of Lease recorded in the land records of Lafayette County in book 530 at page 638. The initial term of the sublease is ten (10) years, commencing the earlier of September 17, 2020 or the date that Nicholas Air commences occupying Hangar 2A, and may be renewed thirty (30) days prior to expiration for an additional ten (10) year term. Nicholas Air shall pay Callicutt monthly rent of \$600 for the Sublease term, due and payable on the 1st day of every calendar month, due and payable on the Commencement Date. Such rent shall be prorated for any partial month of occupation by Nicholas Air during the Sublease Term. Callicutt shall invoice Nicholas Air for any and all utilities, taxes, and fees due with respect to Hangar 2A. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
3. **UMMC** – Approved the request to enter a Software License and Services Agreement (SLA) and associated Statement of Work (SOW) with Connexall USA, Inc. (Connexall) for the purchase of software licenses, maintenance and implementation for a patient alarm management/middleware application to be utilized in the new Children’s Hospital expansion. The software application will increase staff efficiency and reduce clinical errors with the integration of UMMC third party applications. This technology will decrease alarm fatigue, which is a Joint Commission Patient Safety Goal. The term of this agreement is three (3) years, September 1, 2020 through August 30, 2023. The total cost of the three (3) year agreement is \$773,000. The agreement will be funded by donated funds and 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.
4. **USM** – Approved the purchase agreement for equipment and consumables with Diamond Health, Inc. to provide COVID-19 and flu testing and supplies in response to the COVID-19 pandemic for the health and well-being of students, employees, and guests to university campuses and facilities. The term of the contract is July 24, 2020 through July 23, 2022. The total cost of the contract is \$319,300. The agreement will be funded by CARES Act funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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**REAL ESTATE**

5. **ASU** – Approved the request to increase the budget for **GS 101-310, New Faculty and Staff Housing**, from \$10,000,000 to \$10,400,000 for an increase of \$400,000 and to add University Plant Funds as a funding source to the project as part of the budget increase. This increase is needed to cover costs associated with the various change orders on the project that will be submitted to IHL staff for approval. This project includes the construction of seven (7) buildings consisting of thirty (30) units for faculty and staff housing. Funds are available from University Plant Funds (\$400,000) and HB 1729, Laws of 2016 (\$10,000,000).
6. **MSU** – Approved the request to name the Band and Choral Rehearsal Hall the “Kent Sills Band Hall”, in recognition of Dr. Kent Sills. Dr. Sills joined the faculty in 1967 as a professor of music. In 1983, he was appointed as the sixth director in the band’s 100-year history until his retirement in 1999. In 1996, he received “Outstanding Contributor to Bands to the State of Mississippi” award from Phi Beta Mu and in 2000 was selected for the Mississippi Bandmasters Hall of Fame. Dr. Sills loved his students who shared his love of music and were always eager to share the many stories and “Doc-isms” from their time together.
7. **IHL SYSTEM OFFICE** – Approved the Facility Needs Request for the 2021 Legislative Session as prepared by each institution. These lists of campus priorities were developed in a similar manner as last year’s lists, with each university determining the top five ranking priorities of their respective campus. **(See Exhibit 1.)**

**LEGAL**

8. **ASU** – Pending approval by the Office of the Attorney General, the Board approved the request to enter a contract with Ware | Immigration as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration 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 Agreement shall commence October 1, 2020 and shall expire no later than one year thereafter, subject to renewal, if necessary. The fee schedule is set out below and the maximum amount payable under this contract is \$20,000. This firm carries errors and omissions professional liability insurance coverage in the amount of \$300,000 per occurrence with an aggregate of \$300,000.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B petition	\$2250.00*
H-1B extension or amendment petitions (we handled original petition)	\$2250.00*
H-1B withdrawal	\$200
H-4 EAD (Employee may pay)	\$750
*additional legal fee of up to \$2,500 may apply for substantive requests for evidence	
TN petition or border/consulate processing	\$2250.00
TN extension petition (we handled original)	\$2250.00
E-3 petition or consular processing	\$2250.00
E-3 extension petition (we handled original)	\$2250.00
O-1 petition	\$4250.00

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O-1 extension or amendment petition (we handled original)	\$3000.00
J-1 waiver (IGA or hardship)	\$6,000.00
J-1 waiver (Conrad)	\$6,000.00
J-1 waiver (no objection)	\$1500.00
I-539 Fee for Dependents (Employee may pay)	\$750

Permanent Residence Process with Labor Certification: Faculty

Special Handling labor certification	\$3000.00
(If position must be readvertised)	\$2500.00
Additional fee if audited	\$500-1500.00
Immigrant petition (I 140)	\$2500.00

Permanent Residence Process with Labor Certification: Non-Faculty

Labor certification	\$5000.00
Additional fee if audited	\$500-1500.00
Additional fee if subject to supervised recruitment	\$2500.00
Immigrant petition	\$2500.00

Permanent Residence Process: Outstanding Professors and Researchers

Immigrant petition	\$6000.00
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Permanent Residence Process: National Interest Waiver

Immigrant petition	\$6000.00
NIW or OP/OR RFE or NOID: case by case determination up to	\$2500.00

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

Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal	\$2500.00
“Standalone” AOS and related applications, principal	\$3000.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1500.00
Adjustment of status of each child, concurrent with I 140	\$1000.00
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2000.00
“Standalone” adjustment of status, child	\$2000.00
Reschedule biometrics appointment	\$150.00
Reschedule adjustment of status interview	\$150.00
I 485 J (standalone cases)	\$1500.00

Employment Authorization and Advance Parole Renewal

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

- MSU** – Retroactive approval granted for the request to enter an additional contract with the law firm of Brunini Grantham Grower and Hewes, PLLC, to perform services necessary in assisting the University with general construction, architectural, and real property related matters. The term of the proposed contract will be for one year beginning March 19, 2020, and total expenditures will not exceed \$50,000 per year. The rate of pay for attorneys shall

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be \$275 per hour and \$125 per hour for paralegals. This firm carries professional liability insurance coverage in the amount of \$250,000 per occurrence with an annual aggregate of \$500,000. This contract has been reviewed and approved by the Office of the Attorney General. While this request was submitted to the Attorney General's office for approval in March of 2020, it was not returned to the University with approval until July 27, 2020, making this the first IHL Board meeting that it could be submitted.

10. **MSU** – Retroactive approval granted for the request to modify its contract with the law firm of Conley Rose, P.C., to perform services necessary in assisting the University in the areas of intellectual property and patent application matters. This Modification #2 will extend the term of the contract for one (1) additional year or through August 30, 2021. The rates per hour remain unchanged at \$290 for attorneys and \$175 for paralegal services with the total amount payable not exceeding \$50,000. This firm carries professional liability insurance coverage in the amount of \$5,000,000 per claim with an annual aggregate of \$5,000,000. All other provisions of the original contract and Modification #1 will remain in full effect. This Modification has been reviewed and approved by the Office of the Attorney General. While this request was submitted to the Attorney General's office for approval in March of 2020, it was not returned to the University with approval until July 27, 2020, making this the first IHL Board meeting that it could be submitted.
11. **MSU** – Retroactive approval granted for the request to modify the contract with the law firm of Jones Walker LLP 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 Modification #10 will extend the term of the contract for one (1) additional year or through August 25, 2021. The firm will provide legal representation on an hourly rate of \$165.00 for Special Counsel, \$225.00 for Partners, and \$60.00 for paralegals. Total expenditures will not exceed \$50,000 during this one-year term. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$2,000,000. The proposed Modification #10 has been approved by the Office of the Attorney General. While this request was submitted to the Attorney General's office for approval in March of 2020, it was not returned to the University with approval until July 27, 2020, making this the first IHL Board meeting that it could be submitted.
12. **MSU** – Retroactive approval granted for the request to modify a contract with Julie W. Brown, office located at 124 East Main Street, Starkville, MS 39759, to provide services necessary in assisting Mississippi State University with real estate matters. This Modification # 8 will extend the term of the contract for one (1) year or until May 16, 2021. Hourly rates will remain at \$165/hour. Total expenditures will not exceed \$10,000 during this one-year term. All other provisions of the Agreement for Legal Services dated May 17, 2012 shall remain in effect. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000. This Modification has been reviewed and approved by the Office of the Attorney General. While this request was submitted to the Attorney General's office for approval in March of 2020, it was not returned to the University with approval until July 27, 2020, making this the first IHL Board meeting that it could be submitted.

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13. **MSU** – Retroactive approval granted for the request to modify a contract with the law firm of Stites & Harbison, PLLC, to perform services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with the University. This Modification #6 will extend the term of the contract for one (1) year or until June 30, 2021. The hourly rate for attorneys will remain \$260-\$360 per hour. All other provisions of the Agreement for Legal Services dated July 1, 2015 shall remain in effect. Total expenditures will not exceed \$100,000. This firm carries professional liability insurance coverage in the amount of \$30,000,000 per claim with an annual aggregate of \$60,000,000. This Modification has been reviewed and approved by the Office of the Attorney General. While this request was submitted to the Attorney General’s office for approval in March of 2020, it was not returned to the University with approval until July 27, 2020, making this the first IHL Board meeting that it could be submitted.
14. **MSU** – Approved the request to modify a contract with the law firm of Winfield Law Firm, P.A. to perform services necessary in assisting the University in the areas of higher education law, employment law, real estate matters, compliance and other local matters. This Modification #3 will extend the term of the contract for one (1) additional year or through October 16, 2021. The rates per hour will increase to \$225 for attorneys with the maximum amount payable not exceeding \$75,000. All other provisions of the contract will remain in full effect. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$2,000,000. This Modification has been reviewed and approved by the Office of the Attorney General.

**PERSONNEL REPORT**

15. **Employment**

**Alcorn State University**

Ontario Wooden; *hired with tenure*; Provost and Senior Vice President for Academic Affairs and Professor in the School of Education and Psychology; salary of \$186,000 per annum, pro rata; E&G Funds; 12-month contract; effective September 15, 2020

16. **Change of Status**

**Alcorn State University**

Keith McGee; *from* Interim Provost and Executive Vice President for Academic Affairs; salary of \$135,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Associate Provost for Research, Innovation and Graduate Education; salary of \$145,000 per annum, pro rata; E&G Funds; 12-month contract; effective September 15, 2020

**Mississippi Valley State University**

Billy Benson, *from* Interim Dean of University College; salary of \$65,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Director of Student Success/Retention; salary of \$50,000 per annum, pro rata; Grant Funds; 12-month contract; effective September 1, 2020

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17. **Sabbatical**

**University of Mississippi**

**FROM:** Erik Hom; Assistant Professor of Biology; *from* salary \$66,981 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$33,491 for sabbatical period; E&G Funds; effective August 20, 2020 to December 31, 2020; professional development (Contingent on being awarded tenure by July 1.)

*[Originally approved by IHL Board February 20, 2020]*

**CORRECTED:** Erik Hom; Assistant Professor of Biology; *from* salary \$66,981 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$33,491 for sabbatical period; E&G Funds; effective January 19, 2021 to May 8, 2021; professional development (Contingent on being awarded tenure by July 1.)

**REGULAR AGENDAS**

**FINANCE AGENDA**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve items #1 - #3 as submitted on the Finance Agenda. Trustee Gee Ogletree recused himself from discussing or voting on items #4 - #5 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve items #4 - #5. Trustee Ogletree returned to the room following the conclusion of the discussion and vote on items #4 - #5 on the Finance Agenda.

1. **SYSTEM** – Approved for final reading the revision of Board Policy 707.01 Land, Property, and Service Contracts. **(See Exhibit 2.)**
2. **SYSTEM** – Approved for final reading the revision of Board Policy 905 Real Estate Management. **(See Exhibit 3.)**
3. **UMMC** – Approved the request to issue through the Medical Center Educational Building Corporation (MCEBC) revenue bonds in one or more tax-exempt or taxable series to finance certain improvements and other capital expenditures, including but not limited to, a parking garage for the children’s hospital, to refund all or a portion of the outstanding Recovery Zone Economic Development Bonds, Series 2010B (University of Mississippi Medical Center Facilities Expansion and Renovation Project – Direct Payment – Federally Taxable), the outstanding Revenue Bonds, Series 2012A (Medical Center Facilities Expansion and Renovation Project), and the outstanding Taxable Revenue Bonds, Series 2012B (Medical Center Facilities Expansion and Renovation Project) (collectively, the “Prior Bonds”). The combined savings from the refunding of the Prior Bonds will be sufficient to pay the debt service on the bonds being issued to finance capital expenditures

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in a principal amount not to exceed \$25 million. The Board approved the payment of costs of issuance, sale and delivery of the bonds, and of the necessary bond documents. The Board approved the financial adviser's report provided by Hilltop Securities. The professionals are: Hilltop Securities – financial adviser, Jones Walker LLP – bond counsel, and Raymond James – underwriters. The Board waived the requirement in IHL Board Policy 906 Educational Building Corporations which requires the university to request IHL Board approval to issue bonds at a subsequent meeting or delegate authority to the Finance Committee to approve the resolution prior to the next Board meeting. Further, the Board approved the proposed resolution so that UMMC may realize the opportunities presented by the bond issue in an expeditious manner, due to the ongoing pandemic. **(See Exhibit 4.)** The term of the new bonds will closely match the term of the existing debt, which is being refinanced. MCEBC expects to issue up to \$175 million par value in fixed rate bonds to realize interest rate savings for UMMC by refunding the Prior Bonds and to finance various improvements to the facilities of UMMC without an increase in overall annual debt service obligations as a result of the refinancing transactions. The funding source is Patient Revenues. Legal Staff has reviewed the proposed resolution and related documents for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

4. **USM** – Approved the request to amend and extend the existing contract with Aramark Educational Services, LLC, for the food service management agreement. The amendment will maintain uninterrupted food services on USM's campus while mitigating revenue losses related to COVID-19, and obtain a commitment from Aramark for additional financial investments which are essential to the University's desire to provide outstanding food services for its campus constituents. The amendment extends the current agreement 8 additional years, from July 1, 2022 through June 30, 2030. The effective date of this amendment will be August 1, 2020. This is a revenue producing contract. It is estimated that the University will receive approximately \$38.83 million in revenue benefits over the course of the 8-year extension. The average is approximately \$4.85M per year. A breakdown of the revenue to be realized is included in the bound *September 17, 2020 Board Working File*. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **UMMC** – Approved the request to enter into a Services Provider License Agreement (SPLA) with Microsoft Corporation (Microsoft) to sublicense server access to UMMC's Epic community connect clients (ECC). UMMC's electronic health record, Epic, runs on Microsoft servers that are licensed by Microsoft to UMMC. For UMMC's ECCs to have access to Epic, UMMC must acquire permission from Microsoft to sublicense server access to the clients. The term of the SPLA is three (3) years. The effective date will be the date reflected on the signature form, which is expected to be on or about November 1, 2020. The estimated cost of the agreement over the three (3) year term is \$350,000. This estimate includes licenses for UMMC's current ECC client, MS Department of Health, annual price increases, and an overage for potential additional ECC clients that may be enrolled during the term. UMMC will only pay for the actual number of licenses that it uses under this agreement. The contract will be funded by the Epic Community Connect Client(s). Legal

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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.

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**REAL ESTATE**

1. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 20, 2020 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 5.)

**LEGAL**

2. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 6.)

**ADMINISTRATION/POLICY**

3. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **MSU** – On August 21, 2020, Commissioner Alfred Rankins, Jr. approved the Modification of Lease Agreement #10 between Mississippi State University and the MSU Research & Technology Corporation for space at the NASA Stennis Space Center. The modification extends the term of the agreement for an additional 12 months beginning October 1, 2020 and ending September 30, 2021, as well as increases the monthly rental rate from \$17.83 per square foot to \$17.91 per square foot, for a total cost of \$6,866.99 per month. All other provisions of the original lease agreement with the previous Modifications #1 through #9 remain unchanged. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.
  - b. **MSU** – On August 26, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and the Biloxi Public School District. The lease is for surplus building space at Gorenflo Elementary School located on Lameuse Street in Biloxi, MS, which will be used for Head Start in association with a grant that was received by the University. The lease term will begin upon approval by IHL through May 31, 2021 at a cost of \$5,000 per month to be paid in advance at the beginning of each month. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.
  - c. **MSU** – On September 1, 2020, Commissioner Alfred Rankins, Jr. approved the Lease between Mississippi Agriculture and Forestry Station (MAFES) /Mississippi State University, the US Agricultural Research Services (ASR), and the US Department of Agriculture (USDA). This is a new lease and is effective October 1, 2020 through September 30, 2021, with annual renewal options through

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- September 30, 2030. The leased space is 1.61 acres of greenhouse space at the Delta Branch Experiment Station in Washington County. The lease rate is \$1 per annum. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.
- d. **UM** – On August 21, 2020, Commissioner Alfred Rankins, Jr. approved the lease of off-site storage space and the request to make a prepayment by the University of Mississippi and the National Center for Physical Acoustics in the amount of \$1,724. This is a one-year lease of one off-site storage unit beginning August 1, 2020 and ending July 30, 2021. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.
  - e. **UMMC** – On September 1, 2020, Commissioner Alfred Rankins, Jr. approved the Part-Time Space Occupancy Lease Agreement between the University of Mississippi Medical Center and Independent Healthcare Management, Inc. d/b/a Lackey Memorial Hospital and the request to make prepayments as part of that agreement. The lease is for approximately 1,010 square feet of clinic space at 330 North Broad Street in Forest, MS for use as a cardiology clinic one day a month. The initial term of the agreement is one year beginning September 1, 2020, with four additional one-year automatic renewal periods through August 31, 2025, at a cost of \$60.12 per month due in advance on the first day of each month, not to exceed \$10,000 over the five-year term of the agreement. The monthly rate will increase by 2% at the beginning of each automatic renewal period. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.
  - f. **UMMC** – On September 1, 2020, Commissioner Alfred Rankins, Jr. approved the Equipment Lease Agreement between the University of Mississippi Medical Center and Camellia Pharmacy Services, LLC d/b/a Infusion Plus to lease Computerized Ambulatory Drug Delivery IV pump(s) for a research study and the request to pay the monthly rent in advance. The term of the contract is three years beginning upon execution of the agreement, which is anticipated to be on or about September 1, 2020, and ending August 31, 2023, at a cost of \$300 per month for 2 pumps, to be paid in advance. The total cost of the contract term over the three years is \$20,000. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.
4. **SYSTEM** - In accordance with IHL Board Policy 102.04 Institutional Mission Statements, the Board reviewed the university mission statements. **(See Exhibit 7.)**

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**PERSONNEL INFORMATION**

5. **SYSTEM** – Report on Personnel Actions  
**Sabbatical**

**University of Mississippi**

FROM: Jason Hoeksema; Associate Professor of Biology; *from* salary \$79,923 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$39,962 for sabbatical period; E&G Funds; effective January 19, 2021 to May 8, 2021; professional development  
*[Originally approved by IHL Board February 20, 2020]*

CORRECTED: This item was rescinded.

FROM: Samuel Lisi; Assistant Professor of Mathematics; *from* salary \$65,562 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$32,781 for sabbatical period; E&G Funds; effective August 20, 2020 to December 31, 2020; professional development (Contingent on being awarded tenure by July 1.)

*[Originally approved by IHL Board February 20, 2020]*

CORRECTED: This item was rescinded.

FROM: Amy McDowell; Assistant Professor of Sociology; *from* salary \$60,652 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$30,326 for sabbatical period; E&G Funds; effective August 20, 2020 to December 31, 2020; professional development (Contingent on being awarded tenure by July 1.)

*[Originally approved by IHL Board February 20, 2020]*

CORRECTED: This item was rescinded.

FROM: William Resetarits, Jr.; Professor and Doherty Chair in Freshwater Biology; *from* salary \$175,100 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$87,550 for sabbatical period; E&G Funds; effective August 20, 2020 to December 31, 2020; professional development

*[Originally approved by IHL Board February 20, 2020]*

CORRECTED: This item was rescinded.

FROM: Alexander Yakovlev; Professor of Electrical Engineering; *from* salary \$124,932 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$62,466 for sabbatical period; E&G Funds; effective January 19, 2021 to May 8, 2021; professional development

*[Originally approved by IHL Board February 20, 2020]*

CORRECTED: This item was rescinded.

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**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, September 16, 2020**

The meeting was called to order by Chairman Walt Starr at approximately 2:00 p.m. Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, some members of the Board participated in the meeting via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. The committee met to discuss strategic planning related to a public hospital.**

1. Executive Session

On motion by Trustee Duff, seconded by Trustee Ogletree, with Trustees Cunningham and Luckey absent and not voting, 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 Dye, seconded by Trustee McNair, with Trustees McNair and Morgan absent and not voting, all Committee members legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of strategic business plans related to a public hospital.

**During Executive Session, the following matter was discussed:**

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

Trustee Alfred McNair recused himself from discussing the Memorial Hospital at Gulfport by leaving the Zoom meeting. **No action was taken.** Trustee McNair rejoined the Zoom meeting following the conclusion of the discussion of this item.

On motion by Trustee Duff, seconded by Trustee Lamar, with Trustees Hooper, Luckey, and Ogletree absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.

2. On motion by Trustee Duff, seconded by Trustee McNair, with Trustees Hooper and Luckey absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

The following Committee members were present: Dr. Walt Starr (Chair), Dr. Steven Cunningham (via Zoom), Mr. Tom Duff (via Zoom), Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey(via Zoom), Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, and Mr. Hal Parker.

**ANNOUNCEMENT**

President Dye announced the next meeting for October 15, 2020 at the Board Office in Jackson, MS.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
September 17, 2020**

**PRESENTATIONS**

The Board received presentations from David Buford, Director of Risk Management; Stephanie Jones, Deputy General Counsel for the University of Mississippi Medical Center; Dr. Alfred Rankins, Jr., Commissioner of Higher Education; and the institutional executive officers of the eight public universities.

**EXECUTIVE SESSION**

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this Zoom meeting were recorded by name in a rollcall. The meeting was held to discuss personnel matters at the eight public universities.**

On motion by Trustee Cunningham, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Hooper, seconded by Trustee Lamar, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Alcorn State University.  
Discussion of a personnel matter at Delta State University.  
Discussion of two personnel matters at Jackson State University.  
Discussion of a personnel matter at Mississippi State University.  
Discussion of a personnel matter at Mississippi University for Women.  
Discussion of a personnel matter at Mississippi Valley State University.  
Discussion of a personnel matter at the University of Mississippi.  
Discussion of a personnel matter at the University of Southern Mississippi.

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

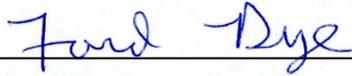
The Board discussed the nine personnel matters named above. **No action was taken.**

**On motion by Trustee Ogletree, seconded by Trustee Lamar, with Trustee Martin absent and not voting, 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  
September 17, 2020**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Cunningham, seconded by Trustee McNair, with Trustee Martin absent and not voting, 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  
September 17, 2020**

**EXHIBITS**

- Exhibit 1      Facility Needs Request for the 2021 Legislative Session.
- Exhibit 2      Revisions to Board Policy 707.01 Land, Property, and Service Contracts for final reading.
- Exhibit 3      Revisions to Board Policy 905 Real Estate Management for final reading.
- Exhibit 4      Resolution
- Exhibit 5      Real Estate items that were approved by the IHL Board staff subsequent to the August 20, 2020 Board meeting.
- Exhibit 6      Report of the payment of legal fees to outside counsel.
- Exhibit 7      University Mission Statements

# EXHIBIT 1

September 17, 2020

## Facilities Needs Requests for FY 2022 2021 Legislative Session

University	University Priority	Project Description	Request Per Project	Total By University
ASU	1	Campus Dormitory Renovations – Phase I	\$5,675,000	
	2	Walter Washington Administration & Classroom Renovation – Phase I	\$7,455,000	
	3	Campus Infrastructure and Envelope Repairs – Phase I <i>(New FY 2022 Addition)</i>	\$3,195,000	
	4	K.L. Simmons Technology Building <i>(New FY 2022 Addition)</i>	\$3,405,000	
	5	Whitney Complex & Wellness Center Pre-Plan	\$875,000	
				<b>\$20,605,000</b>
ASU -AG	1	Poultry Academic Research Center	\$1,702,500	
	2	Ag Facility Envelope and Infrastructure Repair	\$1,702,500	
	3	Hydroponics Outreach and Research Greenhouse	\$1,418,750	
	4	STEAM Outreach Center	\$2,336,250	
	5	Mechanical Repairs – Agriculture <i>(New FY 2022 Addition)</i>	\$1,500,000	
				<b>\$8,660,000</b>
DSU	1	Robert E. Smith Addition	\$7,800,000	
	2	Campus Repairs	\$3,000,000	
	3	<b>ADA Compliance Requirements</b>	\$1,500,000	
	4	Walter Sillers Coliseum	\$2,500,000	
	5	HVAC & Electrical -Campus Wide	\$2,000,000	
				<b>\$16,800,000</b>
JSU	1	General Repair and Renovation Phase III	\$13,000,000	
	2	New Dining Facility/Student Center Expansion	\$25,000,000	
	3	Music Education Building <i>(New FY 2022 Addition)</i>	\$20,000,000	
	4	Rose McCoy Auditorium Renovation <i>(New FY 2022 Addition)</i>	\$3,000,000	
	5	Campus Infrastructure Improvements <i>(New FY 2022 Addition)</i>	\$5,000,000	
				<b>\$66,000,000</b>
MSU	1	New Facility for College of Architecture, Art and Design	\$29,680,000	
	2	Renovation to Etheredge Hall	\$20,000,000	
	3	Renovation to Magruder Hall	\$12,000,000	
	4	Renovation to Carpenter Hall	\$21,500,000	
	5	Renovation to George Hall <i>(New FY 2022 Addition)</i>	\$7,000,000	
				<b>\$90,180,000</b>
MSU/DAFVM	1	Dorman Hall Renovation	\$17,608,750	
	2	Bost Extension Center / Technology Renovation	\$8,027,500	
	3	Wise Center R&R	\$4,009,000	
	4	Animal Research Facility	\$12,025,000	
	5	Plant Sciences Building <i>(New FY 2022 Addition)</i>	\$28,063,000	
				<b>\$69,733,250</b>

# EXHIBIT 1

September 17, 2020

University	University Priority	Project Description	Request Per Project	Total By University
MUW	1	General R&R	\$2,750,000	
	2	Old Pohl Gym Renovation--Preplan	\$300,000	
	3	Hogarth Center Renovation--Preplan	\$300,000	
				<b>\$3,350,000</b>
MVSU	1	Charles Lackey Center Renovation	\$9,804,397	
	2	F.L. Wright Math and Science Renovation	\$11,991,771	
	3	Leflore Residence Hall Renovation	\$12,323,930	
	4	Ratcliff Hall Renovations	\$11,669,995	
	5	College Hall I Renovations <i>(New FY 2022 Addition)</i>	\$3,805,264	
				<b>\$49,595,356</b>
UM	1	Northwest Campus Mechanical Plant	\$25,200,000	
	2	School of Accountancy Expansion	\$22,500,000	
	3	Shoemaker Hall	\$31,250,000	
	4	Peabody Hall	\$10,415,000	
	5	Hume Hall <i>(New FY 2022 Addition)</i>	\$20,880,000	
				<b>\$110,245,000</b>
UMMC	1	Campus Infrastructure Needs	\$26,250,000	
	2	Elevator Upgrades	\$2,800,000	
	3	Campus Wayfinding Implementation	\$2,000,000	
	4	Parking Lot & Street Repairs/Repave	\$2,500,000	
				<b>\$33,550,000</b>
USM	1	Hickman Hall Renovation	\$10,000,000	
	2	Science Research Building Pre-Planning and Construction	\$35,000,000	
	3	Southern Hall – Restoration & Renovation (Pre-Plan)	\$500,000	
	4	Kennard Washington Hall Renovation (Pre-Plan)	\$600,000	
	5	Harkins Hall Renovation (Pre-Plan) <i>(New FY 2022 Addition)</i>	\$250,000	
				<b>\$46,350,000</b>
USM-Gulf Coast	1	Executive Education & Conference Center – Gulf Park	\$4,800,000	
	2	Halstead campus Repairs and Renovations - GCRL	\$1,000,000	
	3	Cedar Point Living Learning Immersion Facility (Pre-Plan) -GCRL	\$200,000	
	4	Science Building Addition (Pre-Plan) – Gulf Park	\$100,000	
				<b>\$6,100,000</b>

# EXHIBIT 1

September 17, 2020

University	University Priority	Project Description	Request Per Project	Total By University
ERC	1	Repair Mechanical Hot/Chilled Water Lines & Sanitary Sewer Lines	\$600,000	
	2	Repave Parking Garage/Repair JSU Exit Stairs	\$1,600,000	
	3	Replace/Refurbish Campus Chillers	\$1,400,000	
	4	Renovation of Mechanical, Electrical, Fire Sprinkler, Fire Alarm, Lighting & Ceiling at the Edsel E. Thrash Universities Center	\$3,300,000	
				\$6,900,000
				<b><u>\$528,068,606</u></b>

# EXHIBIT 2

September 17, 2020

## **SYSTEM – REQUEST FOR APPROVAL FOR FINAL READING FOR REVISION OF BOARD POLICY 707.01 - LAND, PROPERTY, AND SERVICE CONTRACTS**

### A. Real Property, Personal Property and Service Contracts

Board approval prior to execution of the purchase contract is required for all real property acquisitions that exceed \$100,000. An institution acquiring real property shall receive two appraisals prior to purchase, and the purchase price of the property shall not exceed the average of the two appraisals. Board approval prior to the execution of a contract for the sale of real property is required for all land sales regardless of sale price. An institution disposing of real property shall receive two independent appraisals. The sale price shall be no less than the average of the two appraisals. Requests for Board approval of land contracts shall include property descriptions, terms of purchase, lease or sale and intended use of the property, if applicable. See Board Policy 905 (B) for environmental report requirements prior to the purchase or acceptance of real property from any source.

Board approval prior to the execution of easements or leases in an amount greater than \$100,000 is required. However, Board approval is required for timber sales in an amount greater than \$500,000 and prior to the execution of all easements, and of all oil, gas and mineral leases, regardless of amount. For sales of timber of an amount of \$500,000 or less, the chair of the Real Estate Committee is authorized to approve sales on behalf of the Board upon satisfactory legal review and recommendation from the Commissioner. The Commissioner is authorized and empowered to approve non-oil, gas and mineral easements or leases in an amount equal to or less than \$100,000. Board approval prior to execution of the contract is required for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000 except as set forth in Section D.

### B. Legal Review and Approval (Real Property and all other Contracts)

Regardless of whether approval is required by the Board due to aggregate expenditure, all contracts entered into by the institutions shall be required to receive a review by legal counsel indicating whether the contract is in compliance with applicable laws; however, legal counsel may delegate its review to appropriate institutional personnel selected by counsel provided the applicable contract has a value of ten percent (10%) or less than such higher authorized levels of the aggregate total expenditures authorized for the applicable institution and counsel has previously approved a template or prescribed guidelines for the applicable contract to be followed by institutional personnel in conducting the review. Legal counsel may be either an attorney employed by the institution or an attorney assigned by the Attorney General's Office.

# EXHIBIT 2

September 17, 2020

## C. Contract Review for Control Purposes (Real Property and all other Contracts)

The Commissioner shall annually engage the IHL Internal Audit Director and/or a Certified Public Accounting firm to review the internal controls of the following items relating to financial management of contracting systems

- Pre-contracting and procurement processes, including, but not limited to:
  - Processes that identify applicable state laws and IHL Board policies prior to initiating a contract or procurement
  - Processes that require proper authorization and approval to enter into a contract or procurement
  - Processes that provide authorization prior to execution from appropriate state entities (i.e., IHL Board, Mississippi Department of Finance and Administration, Mississippi Department of Information Technology Services, Public Procurement Review Board, and/or Mississippi Secretary of State's Office)
  - Processes that provide a legal review of contracts and procurements to ensure that an adequate legal review occurs as defined by this policy
  - Processes that provide quality control and oversight of the contracting process in place and its effectiveness
  - Processes that identify duplicate goods and services and whether such can be consolidated for efficiencies
  
- Post-contracting and procurement processes, including, but not limited to:
  - Processes that ensure the management system is effectively and accurately capturing relevant financial information needed to monitor executed contracts for post-contract compliance such as overspending and activity on expired contracts
  - Processes that ensure the contract management system is effective in monitoring
    - Receipt of goods and services
    - Proper negotiated prices for the goods and services are paid
    - Preventing deviation from contracted terms
  - Processes that ensure the contract management system is effectively and accurately capturing discounts, rebates, contracted revenue, and that goods and services are received timely
  - Processes that ensure timely payments of invoices

## D. Possible Additional Delegation of Approval of Expenditure Contracts, Leases and Easement

The Commissioner shall receive and maintain the above Section C. findings and update the Board regarding same annually. The Commissioner shall be authorized and empowered to approve higher levels of aggregate total expenditures for contracts (excluding contracts for the sale and purchase of real property) that otherwise require approval by the Board, and,

# EXHIBIT 2

September 17, 2020

shall be authorized to further delegate the Commissioner's authority regarding easements and leases to the IEOs or their designee(s) provided that:

- The review of contracting management systems contained in this policy does not reveal significant impairments over internal controls
- The institution has maintained compliance with guidance provided by the Commissioner for the most recent 2 year period for adequate cash on hand, adequate annual coverage of debt service, and adequate reserves as provided in Board Policy 713 Institutional Financial Sustainability contained in the audited financial statements

Should an institution fail to meet both of these criteria, the aggregate level of expenditures for contracts requiring approval by the Board shall remain at the level required by Section A. above and shall revert to the level required by Section A. above for any year in which an institution fails to meet both criteria as determined by the Commissioner. For institutions found compliant with the above provisions, the Commissioner is authorized and empowered to annually approve the following levels of aggregate expenditures for contracts that otherwise require approval by the Board under Section A. above:

- For Alcorn State University, Delta State University, Mississippi University for Women, and Mississippi Valley State University - up to \$350,000
- For Jackson State University - up to \$750,000
- For Mississippi State University, the University of Mississippi – Oxford, and the University of Southern Mississippi - up to \$2,000,000
- For the University of Mississippi Medical Center - up to \$3,500,000

The Commissioner shall evidence such higher authorized levels in writing annually to the Institutional Executive Officer. The Commissioner's justification for granting such higher authorized levels shall be based upon the findings provided by the IHL Internal Audit Director and/or a Certified Public Accounting firm and upon compliance with Board Policy 713 Institutional Financial Sustainability based upon financial statements audited by an external auditor. The Commissioner shall also be authorized and empowered to delegate approval of leases and easements of an amount equal to or less than \$100,000 to Institutional Executive Officers, or their designee, based upon justification included in the findings. Management of contracting and procurement processes shall be an annual component of each Institutional Executive Officer's performance evaluation.

## E. Other Contracts

The Commissioner is authorized and empowered to approve renewals of service expenditure contracts if the original contract was previously approved by the Board of Trustees, and if the contract amount does not exceed 110% of the current contract. An information item will be presented to the Board of Trustees monthly of any and all contracts approved by the Commissioner on behalf of an institution.

Board approval prior to execution of the contract is required for any bookstore, food service, or athletic concession contract projected to generate aggregate total revenues for a university of more than \$250,000 or if the term of such contract exceeds four years. The

# EXHIBIT 2

September 17, 2020

Commissioner is authorized and empowered to approve renewal revenue contracts for bookstores, food service, or athletic concession contracts where the contract results in additional revenues to the institution. An information item will be presented to the Board of Trustees monthly of any and all contracts approved by the Commissioner on behalf of an institution.

Approval by the Board is not required for the following purchases: natural gas, utility services, entertainment services paid for with student fees and/or ticket sales receipts.

Institutional Executive Officers and the Commissioner are authorized and empowered to approve and execute on behalf of their respective institutions all other land, personal property and service contracts. All such contracts shall be executed in accordance with state law and board policy.

# EXHIBIT 3

September 17, 2020

## **SYSTEM – REQUEST FOR APPROVAL FOR FINAL READING FOR REVISION OF BOARD POLICY 905 REAL ESTATE MANAGEMENT**

- A. The Mississippi Code of 1972, as amended, allows all institutions of higher learning governed by the Board to purchase real property; however, only Alcorn State University, Mississippi State University, The University of Mississippi and The University of Southern Mississippi Gulf Coast Research Laboratory may sell land without seeking specific legislative approval. Alcorn State University, Mississippi State University, The University of Mississippi and The University of Southern Mississippi Gulf Coast Research Laboratory must still receive Board approval prior to selling real property. Delta State University, Jackson State University, Mississippi University for Women, Mississippi Valley State University and The University of Southern Mississippi must all receive specific Board and legislative approval to sell real property.
- Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price.
  - Board approval prior to execution of the purchase contract is required for all real property purchases that exceed \$100,000.
  - Prior Board approval is required for the execution of all leases, easements, oil, gas and mineral leases ~~and timber sales~~.
  - Prior Board approval is required for the execution of all easements or non-oil, non-gas and non-mineral leases in an amount greater than \$100,000. The Commissioner is authorized to approve leases (other than oil, gas and mineral leases) or easements in amounts equal to or less than \$100,000. The Commissioner may further delegate the Commissioner's approval authority regarding easements and leases to the applicable IEO or his/her designee(s) provided that the requirements of Policy 707.01 D. are met.
  - Board approval is required for timber sales in an amount greater than \$500,000. For timber sales of an amount \$500,000 or less, the Chair of the Real Estate Committee is authorized to approve sales on behalf of the Board upon satisfactory legal review and recommendation from the Commissioner.
  - Board approval prior to the execution of the contract is required for all other land contracts requiring an aggregate total expenditure of more than \$250,000.

Requests for approval of land contracts shall include property descriptions, terms of purchase, lease or sale and intended use of the property.

An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

- B. Prior to Board consideration of the purchase or acceptance of real estate from any source, a Phase I or more detailed Environmental Report shall be completed by qualified personnel and submitted to the Board's Real Estate and Facilities Office. In the event hazardous substances are confirmed as having existed in the past or as presently existing,

# EXHIBIT 3

September 17, 2020

the Board reserves the right to cancel the transaction without liability, or to permit the other party or parties to remove the hazardous substances at its or their expense in a manner sufficient to receive a “no further action” letter from the State’s Department of Environmental Quality. Wetlands or other environmental restrictions on the property are to be identified.

# EXHIBIT 4

September 17, 2020

RESOLUTION AUTHORIZING MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION TO ISSUE REVENUE BONDS IN THE MAXIMUM AGGREGATE PAR AMOUNT OF \$175,000,000 TO FINANCE CERTAIN IMPROVEMENTS AND OTHER CAPITAL EXPENDITURES, INCLUDING BUT NOT LIMITED TO, A PARKING GARAGE FOR THE CHILDREN'S HOSPITAL, TO REFUND ALL OR A PORTION OF CERTAIN OUTSTANDING RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS, SERIES 2010B (UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FACILITIES EXPANSION AND RENOVATION PROJECT – DIRECT PAYMENT – FEDERALLY TAXABLE) OF THE CORPORATION, TO REFUND ALL OR A PORTION OF CERTAIN OUTSTANDING REVENUE BONDS, SERIES 2012A (MEDICAL CENTER FACILITIES EXPANSION AND RENOVATION PROJECT) OF THE CORPORATION, TO REFUND ALL OR A PORTION OF CERTAIN OUTSTANDING TAXABLE REVENUE BONDS, SERIES 2012B (MEDICAL CENTER FACILITIES EXPANSION AND RENOVATION PROJECT) OF THE CORPORATION, AND TO PAY THE COSTS OF THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS; AUTHORIZING THE EXECUTION OF A GROUND LEASE BY AND AMONG THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER, THE UNIVERSITY OF MISSISSIPPI, THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION AND A LEASE AGREEMENT BY AND BETWEEN THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION IN CONNECTION WITH THE ISSUANCE OF SAID BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE SALE AND ISSUANCE OF SAID BONDS; APPROVING THE FORM AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO SAID BONDS; APPROVING THE FORM AND DISTRIBUTION OF A FINAL OFFICIAL STATEMENT PERTAINING TO SAID BONDS; AUTHORIZING MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AND AGREEMENTS AS MAY BE NECESSARY OR APPROPRIATE IN CONNECTION WITH OBTAINING BOND INSURANCE FOR SAID BONDS; APPROVING THE PURPOSES AND ACTIVITIES OF MEDICAL CENTER EDUCATIONAL BUILDING CORPORATION; AGREEING TO ACCEPT TITLE TO THE FACILITIES REFINANCED WITH THE PROCEEDS OF SAID BONDS; AND FOR RELATED PURPOSES.

The Board of Trustees of State Institutions of Higher Learning (the "Board") hereby finds, determines and adjudicates as follows:

1. The Board is charged with the management and control of all state institutions of higher learning pursuant to Article VIII, Section 213-A, Mississippi Constitution of 1890, and Chapter 101 of Title 37, Mississippi Code of 1972, as amended.

2. The University of Mississippi (the "University"), which was organized and incorporated as a state institution of higher learning pursuant to Section 37-115-1, Mississippi Code of 1972, as amended, is controlled and managed by the Board pursuant to the IHL Act and is an educational institution owned and operated by the State of Mississippi (the "State") by and through the Board. The University operates the University of Mississippi Medical Center (the "Medical Center").

3. Medical Center Educational Building Corporation (the "Corporation") was created as a public non-profit corporation, known as an educational building corporation, pursuant to a resolution of this Board under the authority of Sections 37-101-61 through 37-101-71, Mississippi Code of 1972, as amended (the "Act"), for the purpose of acquiring or constructing facilities for the Medical Center.

4. The Board of Directors of the Corporation proposes to issue its revenue bonds in the maximum aggregate par amount of \$175,000,000 (the "Bonds") to provide moneys the proceeds of which will be used to finance certain improvements and other capital expenditures, including but not limited to, a parking garage for the children's hospital (the "2020 Project"), to refund all or a portion of the outstanding Recovery Zone Economic Development Bonds, Series 2010B (University of Mississippi Medical Center Facilities Expansion and Renovation Project – Direct Payment – Federally Taxable), the outstanding Revenue Bonds, Series 2012A (Medical Center Facilities Expansion and Renovation Project), and the outstanding Taxable Revenue Bonds, Series 2012B (Medical Center Facilities Expansion and Renovation Project) (collectively, the

“Refunded Bonds”), and to pay the related costs of the issuance, sale and delivery of the Bonds and to pay the related costs of the refunding; provided, such issuance is conditioned upon the adoption of this Resolution authorizing the same.

5. The Corporation is issuing the Bonds to finance and refinance various projects as set forth on Exhibit B to the Lease (as defined below) (collectively, the “Project”) located on various sites on the campus of the Medical Center as set forth on Exhibit A to the Lease (collectively, the “Project Site”).

6. The Corporation shall lease the Project Site from the Board, and the University pursuant to a Ground Lease to be dated as of the first day of the month preceding the date of sale of the Bonds, by and among the Board, the University and the Corporation (the "Ground Lease").

7. The Board shall lease the Project and the Project Site from the Corporation pursuant to a Lease Agreement to be dated as of the first day of the month preceding the date of sale of the Bonds (the "Lease").

8. The Board hereby determines that it is in the public interest and in its best interest to lease the Project Site to the Corporation pursuant to the Ground Lease and to lease the Project and the Project Site from the Corporation at the consideration set forth in the Lease and that it is necessary and appropriate to authorize the President of the Board and the Commissioner of Higher Education to execute and deliver the Ground Lease and the Lease for and on behalf of the Board.

9. The Corporation is authorized by the Act to issue the Bonds for the purposes set forth herein, which Bonds shall be payable solely out of the payments derived from the Lease and shall be solely and exclusively obligations of the Corporation and shall not be secured by the full faith and credit of the State, the Board, the Medical Center or the University.

10. The Bonds will be issued by the Corporation on behalf of the Board for purposes of the Internal Revenue Code of 1986, as amended.

11. The Corporation has not made and does not intend to make any profit by reason of any business or venture in which it may engage or by reason of the Project, and no part of the Corporation's net earnings, if any, will ever inure to the benefit of any person, firm or corporation other than the Board.

12. The Board, through the Medical Center, will have exclusive beneficial possession and use of all of the improvements comprising the Project.

13. The Board has full authority under the Constitution and laws of the State, and in the manner provided by statute, to exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in its possession, levied and collected, received or appropriated for the use, benefit, support and maintenance or capital outlay expenditures of the institutions of higher learning of the State, including the Medical Center and the University, in addition to the authority to fix and maintain fees, rentals and other charges to be paid by students, faculty members and others using or being served by facilities of the institutions of higher learning.

14. It is appropriate for the Board to approve the Preliminary Official Statement (the "Preliminary Official Statement") to be used in connection with the marketing of the Bonds and to authorize and approve the execution and distribution of a final Official Statement (the "Official Statement") in connection with the sale of the Bonds.

15. The Corporation will sell the Bonds, in one or more series, on a negotiated basis pursuant to one or more bond purchase agreements (referred to herein collectively as the "Bond Purchase Agreement") with Raymond James & Associates, Inc. serving as underwriter (the "Underwriter") or all or portion of the Bonds may be privately placed with an institutional

purchaser with the Underwriter serving as placement agent. It is necessary and appropriate for the Board to approve the Underwriter as the underwriter and/or placement agent for the Bonds. It is also necessary and appropriate to authorize the Corporation to sell the Bonds at such prices as may be determined by the Corporation, provided that, the following conditions are satisfied: the aggregate par amount of the Bonds shall not exceed \$175,000,000; the final maturity of the Bonds shall not be more than thirty (30) years from the dated date thereof; the interest rates on the Bonds shall not exceed the interest rates permitted by State law; and the terms and conditions of the Bonds shall otherwise comply with the provisions of the Act.

16. It is necessary in connection with the sale of the Bonds to enter into a Continuing Disclosure Agreement, and it is necessary and appropriate for the Board to approve the form, and authorize the execution, of a Continuing Disclosure Agreement.

17. To enhance the marketability of the Bonds, it may be desirable to obtain municipal bond insurance for the Bonds; and it is necessary and appropriate for the Board to authorize the Corporation to take such actions and execute such documents and agreements as may be necessary or appropriate to obtain bond insurance for the Bonds.

18. It is anticipated that all or some of the Bonds will be issued as tax-exempt bonds. In order to protect the exclusion of interest on the Bonds from gross income for purposes of federal income taxation, it is necessary for the Board to expressly agree to accept title to the Project, and any additions thereto, upon retirement of the Bonds.

NOW, THEREFORE, THE BOARD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Board hereby approves the purposes and activities of the Corporation. The Corporation is hereby authorized to issue the Bonds, in one or more series, to be designated in the Bond Purchase Agreement, in the maximum aggregate par amount of \$175,000,000 at such

time as the Corporation is able to sell the Bonds to the Underwriter (or if any of the Bonds are privately placed to such institutional purchaser as is designated by the Underwriter) at such prices as may be determined by the Corporation, provided that the other conditions of paragraph 15 above of this Resolution are also satisfied in connection therewith. The Corporation shall issue the Bonds to finance the 2020 Project and the refunding of the Refunded Bonds and to pay the costs of the issuance, sale and delivery of the Bonds and expenses relating to the Bonds. The Corporation's engagement of Hilltop Securities Inc., as financial advisor to the Corporation, and of Jones Walker LLP as bond counsel with respect to the issuance of the Bonds and of the Underwriter as underwriter for the Bonds is hereby approved. The Board of Directors also approves William C. Smith III to serve as counsel for both the Medical Center and for the Corporation in connection with the various transactions related to the issuance of the Bonds, and the Board of Directors specifically waives any related conflict of interest.

SECTION 2. The Ground Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Ground Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit A**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 3. The Lease is hereby approved, and the President of the Board and the Commissioner of Higher Education are hereby authorized to execute and deliver the Lease under the seal of the Board for and on behalf of the Board, in substantially the form attached hereto as **Exhibit B**, with such completions, changes, insertions, and modifications as shall be approved by such officials, the execution thereof by such officials to be conclusive evidence of such approval.

SECTION 4. The Preliminary Official Statement prepared in connection with the sale of the Bonds and the distribution thereof are hereby approved in substantially the form attached hereto as **Exhibit C** with such completions, changes, insertions, and modifications as shall be approved by the Corporation. The Official Statement with respect to the Bonds is hereby approved in substantially the form of the Preliminary Official Statement, with such completions, changes, insertions, and modifications as shall be approved by the Corporation; the distribution of said Official Statement in connection with the sale of the Bonds is hereby approved; and execution of said Official Statement by the President of the Corporation is hereby approved.

SECTION 5. Pursuant to the Continuing Disclosure Agreement, the Board will, when and if required, undertake to provide certain annual financial information and notices of the occurrence of certain events, if material. A description of these undertakings with respect to the Bonds is set forth in the Preliminary Official Statement and will also be set forth with respect to the Bonds in the final Official Statement. The Continuing Disclosure Agreement is hereby approved in substantially the form included as an appendix to the Preliminary Official Statement attached hereto as **Exhibit C**, and the Commissioner of Higher Education is hereby authorized to execute and deliver the Continuing Disclosure Agreement under the seal of the Board for and on behalf of the Board, with such completions, changes, insertions, and modifications as shall be approved by said official, the execution thereof by such official to be conclusive evidence of such approval.

SECTION 6. The sale of the Bonds on a negotiated basis to the Underwriter, or if any of the Bonds are privately placed to such institutional purchaser as is designated by the Underwriter, is hereby authorized and approved.

SECTION 7. The Corporation is hereby authorized to take such actions and execute such documents as may be necessary or appropriate to obtain municipal bond insurance for the Bonds,

whether such municipal bond insurance is to be obtained being entirely within the discretion of the Corporation.

SECTION 8. The Board hereby covenants and agrees that it shall accept full legal title to the Project and any improvements and additions thereto upon retirement of the Bonds, and no further action shall be necessary by the Board at such time for full legal title to the Project and any improvements and additions thereto to immediately vest in the Board.

SECTION 9. The Bonds shall be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the clerk of the Board is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same, together with a transcript of all proceedings of the Corporation, to the State's Bond Attorney for the institution of validation proceedings.

SECTION 10. All prior orders, resolutions or proceedings in conflict with the provisions of this Resolution shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Resolution shall become effective immediately upon the adoption thereof.

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# **EXHIBIT 4**

September 17, 2020

EXHIBIT A  
THE GROUND LEASE

EXHIBIT B  
THE LEASE AGREEMENT

EXHIBIT C  
PRELIMINARY OFFICIAL STATEMENT

# EXHIBIT 5

September 17, 2020

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 20, 2020 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.**

### **JACKSON STATE UNIVERSITY**

1. **JSU- GS 103-298 – T. B. Ellis Repairs**

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

**Approval Request #1: (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on August 13, 2020 to initiate this project and appoint Engineering Resource Group, Inc. as design professional.

Interim Approval Status & Date: APPROVED, August 13, 2020

Project Initiation Date: August 13, 2020

Design Professional: Engineering resource Group, Inc.

General Contractor: TBD

Total Project Budget: \$1,300,000.00

### **MISSISSIPPI STATE UNIVERSITY**

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer Zahner Zahner

Approval Status & Date: APPROVED, August 17, 2020

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 17, 2020

Project Initiation Date: March 1, 2019

Design Professional: Shafer-Zahner-Zahner.

General Contractor: TBD

Total Project Budget: \$5,172,500.00

# EXHIBIT 5

September 17, 2020

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 3. UMMC - GS #109-223- Clinical Research Unit

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

#### **Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$5,700.00 and two (2) additional days to the contract of Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, August 7, 2020

Change Order Description: Change Order #9 includes the following items: added eight (8) deadbolt locks to the existing eight (8) wood doors.

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

#### **Approval Request #2: Change Order #10**

Board staff approved Change Order #10 in the amount of 560,355.00 and five hundred fifteen (515) additional days to the contract of Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, August 7, 2020

Change Order Description: Change Order #10 includes the following items: added a new traction elevator in the existing shaft in the adult tower.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$921,186.00.

Project Initiation Date: August 20, 2015

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Co., Inc.

Total Project Budget: \$7,500,000.00

### 4. UMMC- IHL 209-558 – MS Center for Emergency Services

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

Board staff approved Change Order #3 in the amount of \$85,577.00 and zero (0) additional days to the contract of MidState Construction, LLC.

Approval Status & Date: APPROVED, August 21, 2020

Change Order Description: Change Order #3 includes the following items: added a vent at the kitchen hood in the breakroom; additional lockers installed at the med-com room; power was installed for the new warming station; data connection was done for the irrigation controller; fire sprinkler head protectors were installed at a commercial kitchen; additional tree removal and site fencing done; gate hardware and closures installed; revised the door hardware at a door; and added lockers at the hangar mezzanine space.

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 \$542,825.00.

Project Initiation Date: May 18, 2017

Design Professional: Gensler

General Contractor: Mid State Construction of MS, LLC

Total Project Budget: \$17,100,000.00

# EXHIBIT 5

September 17, 2020

5. **UMMC – IHL 209-574 – Garage D**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$55,305.01 and zero (0) additional days to the contract of Brasfield & Gorrie, LLC.

Approval Status & Date: APPROVED, August 7, 2020

Change Order Description: Change Order #4 includes the following items: added eight (8) light fixtures to the level PI ramp; added a sump pump and related equipment to drain the basement area and prevent the adjacent storm drain from backing up into the electrical and communications rooms; added an underground storm line for the drop-off canopy and connection to the nearby storm system.

Change Order Justification: This change was due to errors and omissions in the plans and specifications; and user/owner requested modifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$106,230.00.

Project Initiation Date: October 18, 2018

Design Professional: HDR Architecture Co., Inc.

General Contractor: Brasfield & Gorrie, LLC

Total Project Budget: \$17,900,000.00

# EXHIBIT 6

September 17, 2020

## SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 3/10/20, 3/29/20, 8/1/20, 8/1/20 and 8/1/20) from the funds of Alcorn State University. (These statements, in the amounts of \$460.00, \$460.00, \$43.61, \$43.61 and \$43.61, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 1,050.83**

Payment of legal fees for professional services rendered by Brunini (statement dated 8/7/20) from the funds of Mississippi State University. (This statement, in the amount of \$1,925.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,925.00**

Payment of legal fees for professional services rendered by Butler Snow (statement dated 8/4/20) from the funds of Mississippi State University. (This statement, in the amount of \$649.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 649.00**

Payment of legal fees for professional services rendered by Ware Immigration (statement dated 7/2/20) from the funds of the University of Mississippi. (This statement, in the amount of \$1,321.25, represents services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 1,321.25**

Payment of legal fees for professional services rendered by Butler Snow (statements dated 7/13/20, 7/13/20, 7/13/20, 7/13/20, 7/13/20, 7/13/20, 7/13/20, 7/16/20, 7/24/20, 7/31/20, 8/13/20, 8/13/20, 8/13/20 and 8/13/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,178.50, \$8,938.40, \$472.00, \$573.25, \$1,263.50, \$2,596.00, \$9,918.90, \$2,172.50, \$1,268.50, \$32,842.00, \$649.00, \$133.00, \$649.00, \$88.50 and \$2,711.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 65,454.05**

# EXHIBIT 6

September 17, 2020

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 6/26/20, 6/26/20, 7/27/20, 7/27/20 and 7/27/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$181.50, \$1,518.00, \$132.00, \$1,403.00 and \$1,270.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,505.00**

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 7/15/20, 7/15/20, 8/11/20, 8/11/20, 8/11/20, 8/11/20 and 8/11/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$874.50, \$6,642.10, \$82.50, \$132.00, \$3,280.50, \$379.50 and \$346.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 11,737.60**

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace (statements dated 4/30/20, 6/11/20, 7/15/20, 7/15/20, 7/17/20, 7/17/20, 7/17/20 and 7/28/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,450.00, \$800.00, \$2,379.20, \$759.00, \$1,105.50, \$148.50, \$664.40 and \$8,000.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 17,306.60**

Payment of legal fees for professional services rendered by Taylor, Wellons, Politiz, Duhe, APLC (statements dated 7/23/20, 7/23/20, 7/23/20, 7/23/20, 7/23/20, 7/23/20 and 7/24/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$121.50, \$148.50, \$99.00, \$135.00, \$1,831.50, \$495.40 and \$446.10, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 3,277.00**

Payment of legal fees for professional services rendered by Waller, Lansden, Dortch & Davis, LLP (statement dated 12/5/19) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$1,062.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,062.00**

# EXHIBIT 6

September 17, 2020

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 5/11/20, 7/9/20, 7/13/20, 7/13/20, 7/13/20 and 7/28/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$23,726.85, \$66.00, \$49.50, \$49.50, \$247.50 and \$632.14, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 24,771.49**

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 7/2/20, 7/9/20, 7/9/20, 7/9/20, 7/9/20, 8/3/20, 8/3/20, 8/17/20, 8/17/20, 8/17/20, 8/17/20, 8/17/20 and 8/17/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$11,070.50, \$775.50, \$2,944.10, \$544.50, \$3,194.30, \$2,286.00, \$14,231.30, \$2,319.00, \$2,718.00, \$1,152.00, \$1,089.00, \$403.50 and \$3,180.25, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 45,907.95**

Payment of legal fees for professional services rendered by Butler Snow (statement dated 8/10/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$10,923.41, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 10,923.41**

Payment of legal fees for professional services rendered by Bryan Nelson (statement dated 7/24/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$10,368.16, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 10,368.16**

Payment of legal fees for professional services rendered by Ware Immigration (four statements dated 8/1/20) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,600.00, \$36.31, \$43.51 and \$32.93, represent services and expenses in connection with legal services.)

**TOTAL DUE.....\$ 1,712.75**

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

Payment of legal fees for professional services rendered by Larry Schemmel (five statements dated 7/24/20) from the funds of Mississippi State University. (These statements represent expense reimbursement in connection with the following patents or intellectual property matters: "Tracking Method for Containers Having Removable Closures" - \$700.00; "Inhomogeneous Computer Interconnects for Methods for Classical and Quantum Computers" - \$350.00; "Methods for Improving Rice Nutrition Via Manipulation of Starch Crystalline Structure and

# EXHIBIT 6

September 17, 2020

Nutrient Penetration Treatment” - \$525.00; “Utilization of Oleaginous Microorganisms as an Oral Supplement for Animals” - \$1,400.00; and “Imaging Probe Adapter” - \$350.00.

**TOTAL DUE.....\$ 3,325.00**

Payment of legal fees for professional services rendered by Butler Snow (statement dated 8/18/20) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Thearapeutics for Breathing Disorders” - \$350.00.)

**TOTAL DUE.....\$ 350.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 7/28/20) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes” - \$147.50.)

**TOTAL DUE.....\$ 147.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/24/20, 7/24/20, 7/24/20, 7/24/20, 7/24/20, 7/24/20, 7/24/20, 7/24/20 and 7/24/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$297.25, \$850.00, \$2,466.14, \$130.00, \$1,425.00, \$300.00, \$165.00, \$52.00 and \$690.00, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 6,375.39**

Payment of legal fees for professional services rendered by Workman Nydegger (statement dated 7/16/20) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$5,850.90, represents services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 5,850.90**

# EXHIBIT 7

September 17, 2020

## **SYSTEM – UNIVERSITY MISSION STATEMENTS**

IHL Board Policy 102.04 Institutional Mission Statements requires the annual review of each institution's mission statement. Each core statement shall be based upon and consistent with the statement of institutional purpose and mission required by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) and the Board and System mission statements. The core mission statement shall set forth clearly and concisely the major emphasis, scope, and character of the institution's instructional, research, and public service programs, and shall describe those characteristics and features that distinguish it from other institutions in the IHL system. The current mission statement for each institution is presented below for your information.

### **Alcorn State University**

Alcorn State University, a Historically Black College and University, is a comprehensive land-grant institution that celebrates a rich heritage with a diverse student and faculty population. The University emphasizes intellectual development and lifelong learning through the integration of diverse pedagogies, applied and basic research, cultural and professional programs, public service and outreach, while providing access to globally competitive academic and research programs. Alcorn strives to prepare graduates to be well-rounded future leaders of high character and to be successful in the global marketplace of the 21st century.

*Approved October 2017*

### **Delta State University**

As a regional Carnegie Master's I university located in Cleveland, Mississippi, Delta State University serves as an educational and cultural center for the Mississippi Delta, emphasizing service to the Delta and contiguous counties in traditional and distance education formats. The University offers undergraduate, graduate and continuing education programs of study leading to baccalaureate and master's degrees in the Colleges of Arts and Sciences, Business and Aviation, Education and Human Sciences, and the School of Nursing, as well as the Educational Specialist degree and Doctorates in Education and Nursing Practice. Emphasis is placed on excellence in instruction, followed by service and research, in the creation of a community of scholars. With special attention to small classes, a friendly environment, and a broad liberal arts foundation, the University encourages significant student-faculty interactions. Delta State provides programs and services that promote intellectual, cultural, ethical, physical, and social development. Students from different cultural, socioeconomic, and ethnic backgrounds will develop the ability to respect and value others; to develop, assess, and express their own thoughts effectively; and, to use the techniques of research and performance associated with their disciplines.

*Approved October 2017*

### **Jackson State University**

The mission of Jackson State University, an HBCU and comprehensive urban research university, is to provide quality teaching, research and service at the baccalaureate, masters, specialist, and doctoral levels to diverse populations of students and communities using various modalities to ensure that they are technologically-advanced, ethical, global leaders who think critically and can address societal problems and compete effectively.

# EXHIBIT 7

September 17, 2020

*Approved June 2020*

## **Mississippi State University**

Mississippi State University is a public research, land-grant university with a mission to provide access and opportunity to all sectors of Mississippi's diverse population, as well as other states and countries, and to offer excellent programs of teaching, research, and service.

Mississippi State University offers a comprehensive range of undergraduate, graduate, and professional programs across many disciplines.

The university embraces its role as a major contributor to the economic development of the state and beyond through targeted research and the transfer of ideas and technology to the public, supported by faculty, staff, student, and alumni relationships with industry, community organizations, and government entities.

Mississippi State University is committed to its tradition of instilling among its community ideals of diversity, citizenship, leadership, and service.

Building on its land-grant tradition, Mississippi State University strategically extends its resources and expertise for the benefit of Mississippi's citizens, the nation, and the world by offering access for working and place-bound learners through its on- and off-campus education and research sites, Extension, and distance education programs.

*Approved June 2019*

## **Mississippi University for Women**

Mississippi University for Women (MUW), a public institution since 1884, provides high quality undergraduate and graduate education for women and men in a variety of liberal arts and professional programs, while maintaining its historic commitment to academic and leadership development for women. MUW emphasizes a personalized learning environment in all of its educational programs, which are offered through the College of Arts, Sciences, and Education, College of Business and Professional Studies, and College of Nursing and Health Sciences. MUW delivers selected programs and courses through distance education formats to provide educational opportunities throughout Mississippi and the United States, while addressing the unique educational and public service needs of northeast Mississippi and adjoining counties in northwest Alabama. MUW supports research, scholarship, and creativity to enhance faculty development and student learning and to advance knowledge in the disciplines offered by the university.

*Approved October 2017*

## **Mississippi Valley State University**

Mississippi Valley State University, as a Carnegie Classified Master's University, provides comprehensive undergraduate and graduate programs in education, the arts and sciences, and professional studies. The University is driven by its commitment to excellence in teaching, learning, service, and research--a commitment resulting in a learner-centered environment that prepares critical thinkers, exceptional communicators, and service-oriented, engaged, and

# EXHIBIT 7

September 17, 2020

productive citizens. MVSU is fundamentally committed to positively impacting the quality of life and creating extraordinary educational opportunities for the Mississippi Delta and beyond.  
*Approved October 2017*

## University of Mississippi

As Mississippi's first comprehensive, public university and academic medical center, the University of Mississippi transforms lives, communities, and the world by providing opportunities for the people of Mississippi and beyond through excellence in learning, discovery, health care, and engagement.

<i>Oxford &amp; Regional Campus Mission</i>	<i>Medical Center Campus Mission</i>
The mission of the University of Mississippi is to create, evaluate, share, and apply knowledge in a free, open, and inclusive environment of intellectual inquiry. Building upon a distinguished foundation in the liberal arts, the state's first comprehensive university serves the people of Mississippi and the world through a breadth of academic, research, professional, and service programs. The University of Mississippi provides an academic experience that emphasizes critical thinking; promotes research and creative achievement to advance society; uses its expertise to engage and transform communities; challenges and inspires a diverse community of undergraduate, graduate, and professional students; offers enriching opportunities outside the classroom; supports lifelong learning; and develops a sense of global responsibility.	The mission of the University of Mississippi Medical Center is to improve the health and well-being of patients and the community through excellent training for health care professionals, engagement in innovative research, and the delivery of state-of-the-art health care.

*Approved November 2017*

## University of Southern Mississippi

The University of Southern Mississippi is a community of engaged citizens, operating as a public, student-centered, doctoral-granting research university serving Mississippi, the nation, and the world. The University is dedicated to scholarship and learning, integrating students at all levels in the creation and application of knowledge through excellence in teaching, research, creative activities, outreach, and service. The University nurtures student success by providing distinctive and competitive educational programs embedded in a welcoming environment, preparing a diverse student population to embark on meaningful life endeavors.  
*Approved October 2017*