

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 15-16, 2022**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at Longleaf Plantation in Purvis, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 14, 2021, to each and every member of said Board said date being at least five days prior to this September 15, 2022 meeting. At the above-named place there were present the following members were present to wit: Dr. Ormella Cummings, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. Dr. Steven Cunningham was absent. The meeting was called to order by Mr. Tom Duff, President, with Trustee Starr providing the invocation.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Cummings, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on August 18, 2022.

CONSENT AGENDAS

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

FINANCE

1. **USM** – Approved a contract amendment that will extend the term of its existing bookstore services agreement with Barnes & Noble College Booksellers, LLC, (Barnes & Noble) to continue bookstore services on USM’s campuses This amendment is a result of mutual agreement by USM and Barnes & Noble to extend the contract an additional five years, include a \$500,000 payment for successfully implementing the First Day Complete program, and solidify the terms and conditions of the First Day Complete program. The effective date of this amendment will be July 1, 2022 with a new contractual termination date of June 30, 2027. This is a revenue producing contract to USM. A breakdown of the total revenue projections is included in the bound *September 15, 2022 Board Working File*. There is a Capital Investment up to \$150,000: \$50,000 to setup the store for First Day Complete order processing and \$100,000 toward store updates and renovations. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
2. **USM** – Contingent upon the IEO of the university providing a written and signed certification stating that the federal funds planned for use as a funding source for this item are legally allowable for that specific purpose, the Board approved the request to enter a contractual agreement with TIP Strategies, Inc. to develop and provide a State Innovation Plan as set forth in the proposed agreement. The term of the contract is 12 months at a

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total cost of \$350,000 which includes payment for services plus reimbursement of reasonable travel expenses in an amount not to exceed \$10,000. The contract will be funded by U.S. Department of Commerce Economic Development Authority American Rescue Plan Funding subaward from the Mississippi Development Authority (MDA). In late 2021, the Economic Development Administration within the Department of Commerce provided the State of Mississippi through the MDA a \$1 million ARPA-funded grant. This grant is to assist Mississippi in becoming more resilient through planning, research, and economic development. MDA chose to use the funds to conduct a statewide strategic plan centered around innovation and how to position Mississippi in becoming a leading location for innovative companies looking to locate. MDA decided the best method for completing this plan was to work through the Mississippi Research Consortium (MRC) and selected The University of Southern Mississippi as the lead institution through a sub-award. The University of Southern Mississippi then awarded three sub-awards to Jackson State University, Mississippi State University, and The University of Mississippi. The four research universities would collectively accomplish the task of developing the Mississippi Strategic Innovation Plan. Additionally, through the provided funding it was identified that an independent consultant should be brought on board to help craft the plan from an outside perspective. The consultant would have extensive expert knowledge in the area and a track record of this type of work. The MRC universities are tasked with assisting in compiling the states' assets centered on innovation. Those being both public and private in nature to provide a snapshot of Mississippi's current ability to attract innovation companies. The independent consultant would then through their processes use this information along with their proposed methods of outreach through stakeholder input and data analysis to craft the ultimate plan to be used by the State of Mississippi. The MRC would assist with oversight and help facilitate these conversations around the state and weigh in on outcomes. The final plan will be vetted by the MRC universities along with partners such as the Mississippi Manufacturers Association, Mississippi Economic Development Council, Mississippi Economic Council, ERDCWERX, Innovate Mississippi, and Mississippi Enterprise for Technology among others. The plan will also have input from the State Legislature before being presented in its final form and used by the Mississippi Development Authority. Legal Staff has reviewed this item for compliance with applicable law and contingent upon the IEO of the university providing a written and signed certification stating the funding source is legally allowable for the specific purpose find the same to be acceptable. The written and signed certification statement from the IEO must be provided to the Commissioner prior to the university moving forward with using the federal funds for the requested purpose set out within this agenda item.

REAL ESTATE

3. **JSU** – Contingent upon the IEO of the university providing a written and signed certification stating that the federal funds planned for use as a funding source for this item are legally allowable for that specific purpose, the Board approved the request to purchase approximately thirty-five (35) acres of vacant land adjacent to and near the university's main campus from University Park of Jackson I, LLC, a Mississippi limited liability company (UPJ I), whose sole member is the Jackson State University Development

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Foundation, Inc. for the sale price of \$739,266. JSU desires to purchase this property to protect the natural growth path for the Institution. The University received two independent property appraisals for the property: \$638,532 and \$840,000, respectively. The average of the two appraisals was \$739,266 and is the purchase price. The Vacant Property is located in Hinds County, Jackson, Mississippi and is further described in Exhibit “A” to the UPJ I Purchase Agreement and the supporting documents. The closing date shall be on or before, October 31, 2022, or as otherwise mutually agreed upon in writing by the parties involved. All special assessments, taxes, and other like governmental fees which are assessed for the calendar year of the closing date shall be paid in full by the Seller. Seller shall furnish the Warranty Deed from a reputable attorney with a property description and a Certificate of Title to the date and time of closing. Funds are available from Title III grant funds. A Phase I Environmental Site Assessment has been conducted on the property. Based on the site observations and research conducted, it was determined that there are no recognized environmental conditions associated with the site that warrant further inquiry at the present time. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed this item for compliance with applicable law and found the same to be acceptable, contingent upon the IEO of the university providing a written and signed certification stating the funding source is legally allowable for the specific purpose. The written and signed certification statement from the IEO must be provided to the Commissioner prior to the university moving forward with using the federal funds for the requested purpose set out within this agenda item.

4. **JSU** – Contingent upon the IEO of the university providing a written and signed certification stating that the federal funds planned for use as a funding source for this item are legally allowable for that specific purpose, the Board approved the request to purchase a 4-story mixed use building adjacent to the university’s main campus from University Park of Jackson II, LLC, a Mississippi limited liability company (UPJ II), whose sole member is the Jackson State University Development Foundation, Inc. for the sale price of \$6,945,000. The building includes seventy-eight (78) residential apartments, and twenty-five thousand (25,000) square feet of retail space, and office space located adjacent to its main campus at the corner of J. R. Lynch and Dalton Streets in Jackson, Mississippi known as “One University Place”. On May 20, 2021, the IHL Board of Trustees approved a lease agreement between JSU and UPJ II to allow JSU to lease the first floor of One University Place for the benefit of JSU students, faculty, staff, and the university community. Pursuant to the terms of the Lease Agreement, JSU has the right to purchase the leased premises at any time during the Lease Term upon written notice to UPJ II of JSU's intention to purchase the property, One University Place. The University received two independent property appraisals for the property: \$7,290,000 and \$6,600,000, respectively. The average of the two appraisals was \$6,945,000 and is the purchase price. The 4-story mixed-used building is located in Hinds County, Jackson, at the corner of J. R. Lynch and Dalton Streets in Jackson, Mississippi known as One University Place, and is further described in Exhibit “A” to the UPJ II Purchase Agreement and the supporting documents. The closing date shall be on or before, October 31, 2022, or as otherwise mutually agreed upon in writing by the parties involved. All special assessments, taxes, and other like governmental fees

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which are assessed for the calendar year of the closing date shall be paid in full by the Seller. Seller shall furnish the Warranty Deed from a reputable attorney with a property description and a Certificate of Title to the date and time of closing. Funds are available from HEERF funds. A Phase I Environmental Site Assessment has been conducted on the property. Based on the site observations and research conducted, it was determined that there are no recognized environmental conditions associated with the site that warrant further inquiry at the present time. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found the same to be acceptable, contingent upon the IEO of the university providing a written and signed certification stating the funding source is legally allowable for the specific purpose. The written and signed certification statement from the IEO must be provided to the Commissioner prior to the university moving forward with using the federal funds for the requested purpose set out within this agenda item.

5. **USM** – Approved the conveyance of a Deed for Street Purposes (right of way), a Utility Easement, and a Permanent Drainage Easement, each in favor of the City of Hattiesburg, Mississippi (the City), related to as built street, utility and drainage improvements located on the University's Accelerator (a/k/a Innovation and Commercialization Park "ICP") property in Hattiesburg, Forrest County, Mississippi. The Board authorized the University President to execute the necessary documents to effectuate the conveyances. The Board approved the request to waive Board Policy 905(A) which requires an institution acquiring or disposing of real property to obtain two (2) appraisals. A substantial portion of Classic Drive is located on the University's Accelerator property. Federal Aid Project (No.: STP-8776-00(006) LPA/107525-701000) proposes the installation of a Multi-Use Pathway along Classic Drive. This Project is funded by the Federal Highway Administration through the Mississippi Department of Transportation ("MDOT") Local Public Agencies ("LPA") process. Forrest County, Mississippi (the "County") submitted the Project activation, with proposed involvement of City of Hattiesburg. The current cost estimate is \$728,920.00 for such installation. Project due diligence revealed that the City had not been granted easements or rights of way for the as built street, utility and drainage infrastructure located on the University's Accelerator property, and the proposed conveyances are intended to resolve this issue for the purpose of permitting the Multi-Use Pathway to be installed within the proposed right of way along Classic Drive. The property description is provided below.

Conveyance of Property for Street Purposes (0.72 Acres)

Classic Drive: SW ¼ of NE ¼, part N ½ of SE ¼ and part S ½ of SE ¼ Section 35, Township 5 North, Range 14 West and part S ½ of NW ¼, part NW ¼ of SW ¼, and part SW ¼ of SW ¼ Section 36, Township 5 North, Range 14 West, all in Forrest County, Mississippi.

Beverly Hills Drive: A part of the Southwest ¼ of the Northeast ¼, Section 35, Township 5 North, Range 14 West, lying in the City of Hattiesburg, County of Forrest, State of Mississippi

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Existing Shelby Thames Drive & Everglades: A part of the South ½ of the Southeast ¼, and a part of the Northwest ¼ of the Southeast ¼, all in Section 35, Township 5 North, Range 14 West, lying in the City of Hattiesburg, County of Forrest, State of Mississippi

Existing West Hills Drive: A part of the Southwest ¼ of the Southwest ¼, Section 36, Township 5 North, Range 14 West, lying in the City of Hattiesburg, County of Forrest, State of Mississippi

Permanent Drainage Easement:

Indexing Instructions: Index under part NW ¼ of SE ¼, part NE ¼ of SE ¼, and part SW ¼ of NE ¼ Section 35, Township North, Range 14 West and part SE ¼ of NW ¼ and part SW ¼ of NW ¼ Section 36, Township 5 North, Range 14 West, all in Forrest County, Mississippi.

Utility Easement

Indexing Instruction: Index under part W ½ of SE ¼, part N ½ of SE ¼, and part SW ¼ of NE ¼ Section 35, Township 5 North, Range 14 West and part N ½ of SW ¼ and part S ½ of NW ¼ Section 36, Township 5 North, Range 14 West, Forrest County, Mississippi.

The terms of the conveyance of property, permanent drainage easement, and utility easement are as follows.

Conveyance of Property

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor (The University of Southern Mississippi) does hereby grant, sell, transfer, establish, convey and quitclaim unto the Grantee (City of Hattiesburg) the above described parcels of real property upon which have been constructed roadways more commonly known as Shelby Thames Boulevard, a portion of Classic Drive, a portion of West Hills Drive, a portion of Beverly Hills Drive and a portion of Everglades and appurtenances related thereto, either constructed or to be constructed, and to be dedicated and used as public streets, associated right-of-way, and related appurtenances, including, but not limited to, multi-use pathways and/or sidewalks, upon formal acceptance by appropriate action of the City Council and Mayor of The City of Hattiesburg, Mississippi.

Permanent Drainage Easement

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor (The University of Southern Mississippi) does hereby grant, sell, transfer, establish, and convey unto the Grantee (City of Hattiesburg) a permanent drainage easement in, on, along, through and across the below described parcels of real property upon which has been constructed or will be constructed appropriate drainage facilities. The easement for drainage purposes granted hereby is irrevocable, perpetual and nonexclusive.

Utility Easement

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor (The University of Southern Mississippi) does hereby grant, sell, transfer, establish, and convey unto the Grantee (City of Hattiesburg) an

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easement in, on, along, over, across, through or underneath the below described parcels of real property for utility purposes with regard to existing “as-built” utilities or for the construction of proposed underground utilities and in both instances ongoing maintenance of such utilities in, on, along, over, across, through or underneath the below described real property. The Grantor does also grant unto the Grantee the right to take such reasonable action as is necessary to enjoy the easement rights granted herein, including the right of ingress and egress to access and repair/replace the utilities located or to be located within the Utility Easement and to maintain the surface of the easement area clear of impediments. The utility easement granted hereby is irrevocable, perpetual and nonexclusive.

A Phase I Environmental Site Assessment (ESA) is not required. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.

6. **IHL System Office** – Approved the Facility Needs Request for the 2023 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 institution determining the top five ranking priorities of their respective campus. **(See Exhibit 1.)**

LEGAL

7. **ASU** – Approved the request to enter a contract for professional legal services with the law firm of David Ware & Associates, LLC d/b/a Ware|Immigration as outside counsel to perform services as necessary in preparing labor certification applications, immigration applications, and immigration petitions, and provide immigration related services on behalf of the university for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this contract will be one year beginning October 1, 2022, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is \$20,000. This firm carries professional liability insurance coverage in the amount of \$3,000,000 per claim with an annual aggregate of \$3,000,000. This request has been reviewed and approved by the Office of the Attorney General.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B petition	\$2,250.00*
H-1B extension or amendment petitions (we handled original petition)	\$2,250.00*
H-1B withdrawal	\$200.00
H-4 EAD (Employee may pay)	\$750.00

*additional legal fee of up to \$2,500 may apply for substantive requests for evidence

TN petition or border/consulate processing	\$2,250.00
TN extension petition (we handled original)	\$2,250.00
E-3 petition or consular processing	\$2,250.00
E-3 extension petition (we handled original)	\$2,250.00
O-1 petition	\$7,000.00
O-1 extension or amendment petition (we handled original)	\$4,000.00
J-1 waiver (IGA or hardship)	\$7,000.00
J-1 waiver (Conrad)	\$7,000.00

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J-1 waiver (no objection)	\$1,500.00
I-539 Fee for Dependents (Employee may pay)	\$1,000.00
 <u>Permanent Residence Process with Labor Certification: Faculty</u>	
Special Handling labor certification	\$3,000.00
(If position must be readvertised)	\$2,500.00
Additional fee if audited	\$1,500-2,500.00
Immigrant petition (I 140)	\$2,500.00
 <u>Permanent Residence Process with Labor Certification: Non-Faculty</u>	
Labor certification	\$6,000.00
Additional fee if audited	\$1,500-2,500.00
Additional fee if subject to supervised recruitment	\$3,000.00
Immigrant petition	\$2,500.00
 <u>Permanent Residence Process: Outstanding Professors and Researchers</u>	
Immigrant petition	\$7,000.00
 <u>Permanent Residence Process: National Interest Waiver</u>	
Immigrant petition	\$7,000.00
NIW or OP/OR RFE or NOID: case by case determination up to	\$2,500.00
 <u>Adjustment of Status (any Employment-Based Permanent Residence Matter)</u>	
Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal	\$2,500.00
“Standalone” AOS and related applications, principal	\$3,000.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1,500.00
Adjustment of status of each child, concurrent with I 140	\$1,000.00
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2,000.00
“Standalone” adjustment of status, child	\$2,000.00
Reschedule biometrics appointment	\$150.00
Reschedule adjustment of status interview	\$150.00
I 485 J (standalone cases)	\$1,500.00
 <u>Employment Authorization and Advance Parole Renewal</u>	
Employment Authorization Renewal per individual	\$500.00
Advance Parole Renewal per individual	\$500.00
 <u>General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule</u>	
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

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PERSONNEL REPORT

8. *Change of Status*

Alcorn State University

- Lashundia Carson; *from* Interim Associate Dean, School of Education and Psychology; salary of \$83,040 per annum, pro rata; E&G Funds, 12-month contract; *to* Dean, School of Education and Psychology; salary of \$130,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2022
- Babu George; *from* Department Chair, Department of Business Administration; salary of \$125,000 per annum, pro rata; E&G Funds, 12-month contract; *to* Interim Dean, School of Business; salary of \$149,000 per annum, pro rata; E&G Funds; effective June 1, 2022

9. *Sabbatical*

Jackson State University

Thomas Kersen; Associate Professor, Criminal Justice & Sociology; salary \$66,644.04 per annum, pro rata; E&G funds; 9-month contract; no change in salary for sabbatical period; funds; effective August 1, 2022 to December 30, 2022; professional development

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

LEGAL

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

ADMINISTRATION/POLICY

2. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
 - a. **MSU** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On August 11, 2022, Commissioner Alfred Rankins, Jr. approved the OP 95.501 Traffic and Parking Rules and Regulations for Academic Year 2022-2023. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed and approved the documents.
 - b. **MSU** – On August 22, 2022, Commissioner Alfred Rankins, Jr., approved a Ground Lease Agreement between Mississippi State University and Phi Delta House Corporation on behalf of Chi Omega Fraternity for Lot #4 on Sorority Hill Subdivision on the MSU campus. The term of the lease is 50 years at a cost of

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- \$1.00. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
- c. **MVSU** – On August 18, 2022, Commissioner Alfred Rankins, Jr., approved a Lease between Mississippi Valley State University and Rashad Spurlock for space within the Jacob Aron Student Center in which to offer licensed beautician/barber services. The term of the lease is 9 months beginning September 1, 2022, through May 31, 2023. The monthly rent is \$150 per month due on or before the first day of each month. The Attorney General’s Office staff has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
- d. **UM** – On August 19, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Addendum to an Amended Lease between the Mississippi Institutions of Higher Learning and Gamma Iota of Pi Kappa Alpha Alumni House Corporation for Lot No 408 on the Oxford campus specifically described in Exhibit A to the Amended Lease. The existing Amended Lease was approved and executed on January 29, 2019 and is effective through September 30, 2044. On November 10, 2021, the University suspended the charter of the Gamma Iota Chapter and disbanded the undergraduate chapter. This Addendum would allow up to 20 non-members who are active members of the Alpha Lambda Chapter of Pi Kappa Phi Fraternity to reside in the PKA House for the 2022-2023 school year from August 20, 2022 until May 31, 2023, at which time the term of this Addendum will end. These 20 Pi Kappa Phi members must be enrolled as students at the University during the period they reside in the house. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
- e. **USM** - In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On August 19, 2022, Commissioner Alfred Rankins, Jr. approved the 2022-23 Parking and Traffic Regulations. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed and approved the documents.
- f. **USM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 23, 2022, Commissioner Alfred Rankins, Jr. approved the budget revisions to the On Campus (Hattiesburg) Budget, Off Campus (Gulf Park) Budget, Children’s Center for Communication and Development Budget, Dubard School Budget, Auxiliary Enterprises Budget, Stennis Center for Higher Learning Budget, Mississippi Polymer Institute Budget, and Gulf Coast

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Research Lab Budget for Fiscal Year 2022. The IHL Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in the total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

EXECUTIVE SESSION

On motion by Trustee McNair, with Trustee Cunningham 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 Rader, seconded by Trustee McNair, with Trustee Cunningham 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 a personnel matter 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 Mississippi Medical Center.
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 a personnel matter at Alcorn State University. **No action was taken.**

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

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

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

The Board discussed a personnel matter at Mississippi University for Women. **No action was taken.**

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

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

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

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

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

PRESENTATIONS

The Board received presentations from Dr. Jim Purcell, Executive Director of the Alabama Commission on Higher Education, and Dr. Alfred Rankins, Jr., Commissioner of Higher Education, and reports from the Institutional Executive Officers.

At approximately 5:00 p.m. the Board recessed until 8:30 a.m. September 16, 2022.

The meeting reconvened at approximately 8:30 a.m., September 16, 2022. The following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. Mr. Bruce Martin was absent.

PRESENTATIONS

The Board received a presentation from Dr. Alfred Rankins, Jr., Commissioner of Higher Education, and Mr. Marcus Thompson, Deputy Commissioner and Chief Administrative Officer.

OTHER BUSINESS

IHL Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process, subsection B. Board Search Committee provides that the President of the Board shall appoint a committee of Board members to manage the search for an institutional executive officer. On motion by Trustee Ogletree, seconded by Trustee Rader, with Trustees Martin and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve the appointment of the following trustees to serve on the search committee for the President of Delta State University:

1. Teresa Hubbard, Chair
2. Dr. Ormella Cummings

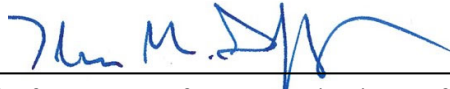
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3. Chip Morgan
4. Hal Parker
5. Gregg Rader
6. Dr. Walt Starr

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

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee McNair, seconded by Trustee Parker, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Facility Needs Request for the 2023 Legislative Session.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

September 15, 2022

Facilities Needs Requests for FY 2024 2023 Legislative Session

University	University Priority	Project Description	Request Per Project	Total By University
ASU	1	Whitney Complex and Wellness Center (Partial Funding)	\$11,885,000	
	2	Walter Washington Administration & Classroom Building Renovation – Phase I	\$8,610,000	
	3	Renovation of K.L. Simmons Technology Building, Phase I	\$7,475,000	
	4	ADA Modifications, Phase II <i>(New FY 2024 Addition)</i>	\$4,540,000	
	5	Faculty and Staff Housing, Phase II <i>(New FY 2024 Addition)</i>	\$13,450,000	
				\$45,960,000
ASU -AG	1	Poultry/Animal Science Academic Research Center (Pre-Plan)	\$465,000	
	2	Poultry/Animal Science Academic Research Center, Phase I	\$2,770,000	
	3	Ag Facility Envelope & Infrastructure Repairs, Phase I	\$2,270,000	
	4	Hydroponic Outreach & Research Greenhouse	\$10,215,000	
	5	STEM Outreach Center	\$9,080,000	
				\$30,645,000
DSU	1	Walter Sillers Coliseum Repairs and Addition, Phase III	\$4,540,000	
	2	HVAC & Electrical Upgrades <i>(New FY 2024 Addition)</i>	\$2,270,000	
	3	Walter Sillers Coliseum Repairs and Addition, Phase IV <i>(New FY 2024 Addition)</i>	\$4,540,000	
	4	Renovation of Ward Hall <i>(New FY 2024 Addition)</i>	\$2,837,500	
	5	Renovation of Academic Buildings <i>(New FY 2024 Addition)</i>	\$1,702,500	
				\$12,450,000
JSU	1	New Student Residential Hall <i>(New FY 2024 Addition)</i>	\$45,000,000	
	2	Campus Sustainability & Infrastructure Improvements	\$5,000,000	
	3	Elevator Modernization <i>(New FY 2024 Addition)</i>	\$18,850,000	
	4	Campus Safety Project	\$12,265,000	
	5	College of Education & Human Development	\$5,000,000	
				\$86,115,000
MSU	1	New Facility for College of Architecture, Art and Design	\$18,750,000	
	2	Renovation to Etheredge Hall	\$25,000,000	
	3	Renovation to Magruder Hall	\$15,000,000	
	4	Renovation to Carpenter Hall	\$26,875,000	
	5	Renovation to George Hall	\$8,750,000	
				\$94,375,000
MSU/DAFVM	1	Dorman Hall Renovation	\$13,691,000	
	2	Bost Extension Center / Technology Renovation	\$10,034,375	
	3	Wise Center R&R	\$5,011,250	
	4	Animal Research Facility	\$15,031,500	
	5	Plant Sciences Building	\$35,350,500	
				\$79,118,625

EXHIBIT 1

September 15, 2022

University	University Priority	Project Description	Request Per Project	Total By University
MUW	1	Fant Hall Renovation for Nursing <i>(New FY 2024 Addition)</i>	\$7,632,500	
	2	General R&R	\$7,400,000	
	3	Hogarth Center Renovation (Preplan)	\$300,000	
	4	Old Pohl Gym Renovation (Preplan)	\$300,000	
	5	Painter Hall Renovation (Preplan) <i>(New FY 2024 Addition)</i>	\$300,000	
				\$15,932,500
MVSU	1	Mapluma Ratcliff Hall <i>(New FY 2024 Addition)</i>	\$12,084,314	
	2	Walter Sillers Fine Arts Building	\$9,804,397	
	3	O.P. Lowe Education Building	\$20,542,283	
	4	F.L. Wright Math and Science Renovation	\$12,970,300	
	5	W.A. Butts Social Science Building	\$12,323,930	
				\$67,725,224
UM	1	School of Accountancy Expansion	\$12,220,000	
	2	Shoemaker Hall	\$68,200,000	
	3	Hume Hall	\$25,850,000	
	4	Peabody Hall	\$16,610,000	
	5	Anderson Hall <i>(New FY 2024 Addition)</i>	\$25,300,000	
				\$148,180,000
UMMC	1	Critical Infrastructure Needs	\$11,350,000	
	2	Elevator Upgrades	\$4,000,000	
	3	Campus Wayfinding Implementation	\$2,300,000	
	4	Parking Lot & Street Repairs/Repave	\$2,850,000	
				\$20,500,000
USM	1	Science Research Building (Partial Funding)	\$17,025,000	
	2	Southern Hall – Restoration & Renovation (Pre-Plan)	\$500,000	
	3	Kennard Washington Hall Renovation (Pre-Plan)	\$625,000	
	4	Harkins Hall Renovation (Pre-Plan)	\$300,000	
	5	Fritzsche-Gibbs Hall Renovation (Pre-Plan)	\$175,000	
				\$18,625,000
USM-Gulf Coast	1	Halstead campus Repairs and Renovations - GCRL	\$908,000	
	2	Gulf Park Campus New Physical Plant (Pre-Plan)	\$200,000	
	3	GCRL Dormitory Repairs and Renovations <i>(New FY 2024 Addition)</i>	\$800,000	
	4	Gulf Park Campus Multi-Building Re-Roofing <i>(New FY 2024 Addition)</i>	\$1,500,000	
	5	Gulf Park Hardy Hall Exterior R&R <i>(New FY 2024 Addition)</i>	\$800,000	
				\$4,208,000

EXHIBIT 1

September 15, 2022

University	University Priority	Project Description	Request Per Project	Total By University
ERC	1	Replacement of 1000-ton Chiller <i>(New FY 2024 Addition)</i>	\$1,000,000	
	2	Replacement of 1000-ton Cooling Tower <i>(New FY 2024 Addition)</i>	\$600,000	
	3	Roof Replacements at Universities Center, Power Plant, and ETV <i>(New FY 2024 Addition)</i>	\$3,300,000	
	4	Replace Campus Energy Management System (EMS) <i>(New FY 2024 Addition)</i>	\$1,600,000	
	5	Site Drainage and Parking Garage/JSU Exit Stair Repairs	\$6,350,000	
				\$12,850,000
				<u>\$636,684,349</u>

EXHIBIT 2

September 15, 2022

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 7/22/22) from the funds of Mississippi State University. (This statement, in the amount of \$1,650.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,650.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/22 and 8/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$535.00 and \$2,000.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 2,535.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/28/22, 8/23/22 and 8/23/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$6,067.25, \$118.00 and \$5,546.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 11,731.25

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 8/10/22) from the funds of the University of Mississippi. (This statement, in the amount of \$275.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 275.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/22, 8/1/22, 8/1/22 and 8/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$60.79, \$34.28, \$543.00 and \$111.16, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 749.23

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/11/22, 7/18/22, 7/18/22, 7/18/22, 7/22/22 and 7/29/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$8,053.50, \$932.20, \$474.30, \$1,480.90, \$4,624.10 and \$2,559.56, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 18,124.56

EXHIBIT 2

September 15, 2022

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 6/28/22, 6/28/22, 6/28/22 and 7/28/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$412.50, \$33.00, \$198.00 and \$3,564.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,207.50

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 7/13/22, 7/13/22, 7/13/22, 7/13/22, 7/13/22, 7/13/22, 7/18/22 and 7/29/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$132.00, \$4,000.00, \$68.15, \$348.00, \$3,454.50, \$198.00, \$4,125.00 and \$3,500.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 15,825.65

Payment of legal fees for professional services rendered by King & Spalding, LLP (statement dated 7/8/22) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$14,728.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 14,728.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 7/11/22 and 7/11/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,584.00 and \$2,562.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,146.00

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 7/6/22, 7/26/22, 8/1/22, 8/2/22 and 8/2/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$16.50, \$3,322.60, \$4,074.80, \$767.40 and \$1,435.50, respectively, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 9,616.80

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 7/14/22, 7/14/22, 7/14/22, 8/1/22, 8/1/22, 8/1/22, 8/1/22, 8/12/22 and 8/12/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,867.91, \$3,024.00, \$7,274.50, \$63.00, \$394.50, \$1,190.00, \$1,742.00, \$7,764.50 and \$9,080.47, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 34,400.88

EXHIBIT 2

September 15, 2022

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/26/22 and 8/23/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$5,664.00 and \$442.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 6,106.50

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/22, 8/1/22, 8/1/22, 8/1/22 and 8/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$31.85, \$164.18, \$5.30, \$2,250.00 and \$2,250.00, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 4,701.33

Payment of legal fees for professional services rendered by Wise Carter (statements dated 7/20/22 and 8/17/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$468.00 and \$2,243.03, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,711.03

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

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings LLP (statements dated 8/5/22, 8/5/22 and 8/5/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following intellectual property matters: “Smart Cork” - \$1,389.50; “Chemistry Project” - \$1,500.00; and “Wound and Infection Care Bath System” - \$150.00)

TOTAL DUE.....\$ 3,039.50

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 7/28/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following intellectual property matter: “Buckscore” - \$295.00, respectively.)

TOTAL DUE.....\$ 295.00

Payment of legal fees for professional services rendered by Conley Rose (statements dated 8/4/22 and 8/4/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following intellectual property matters: “General Trademark Matters” - \$4,987.00; and “System to Control an Actuator” - \$445.00)

TOTAL DUE.....\$ 5,432.00

EXHIBIT 2

September 15, 2022

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/25/22, 5/25/22, 5/25/22, 6/22/22, 6/22/22, 6/22/22, 6/22/22, 6/22/22, 6/22/22, 6/22/22, 6/28/22, 6/29/22, 6/29/22, 6/29/22, 6/29/22, 6/30/22 and 6/30/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$556.57, \$2,462.50, \$2,212.50, \$541.50, \$603.50, \$690.50, \$559.50, \$558.50, \$578.50, \$591.50, \$728.00, \$2,212.50, \$130.00, \$156.00, \$227.50, \$750.00 and \$750.00, respectively, represent services and expenses in connection with intellectual property matters.)

TOTAL DUE.....\$ 14,309.07

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 5/20/22, 5/20/22, 5/20/22, 5/20/22, 5/20/22, 7/21/22 and 7/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,219.00, \$475.00, \$718.00, \$450.00, \$1,831.80, \$2,880.00 and \$510.00, represent services and expenses in connection with intellectual property matters.)

TOTAL DUE.....\$ 8,083.80

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/28/22, 7/28/22, 7/28/22, 8/23/22 and 8/23/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following intellectual property matters: “Gulf Blue Trademark” - \$118.00; “Oral Suction Device” - \$1,201.50; “Process to Produce Highly Porous Carbon” - \$8,489.00; “Process to Produce Highly Porous Carbon” - \$126.50; and “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$2,065.00, respectively).

TOTAL DUE.....\$ 12,000.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 8/11/22, 8/11/22, 8/11/22, 8/11/22, 8/11/22, 8/11/22 and 8/11/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following intellectual property matters: “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$580.00; “Thiol-Based Post-Modification of Conjugated Polymers” - \$105.00; “Thiol-Based Post-Modification of Conjugated Polymers” - \$1,210.50; “Narrow Band Gap Conjugated Polymers Employing Cross-Conjugated Donors Useful in Electronic Devices” - \$1,538.00; “Narrow Band Gap Conjugated Polymers Employing Cross-Conjugated Donors Useful in Electronic Devices” - \$300.00; “Conjugated Polymer Sensors Using the Inner Filter Effect” - \$210.00; and “Organic Photodetection Devices Utilizing an Insulative Component Within the Active Layer Blend” - \$905.00.)

TOTAL DUE.....\$ 4,848.50