

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 4, 2020**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held via teleconference at the Board Office in Jackson, Mississippi at 12:00 p.m. on September 4, 2020, and pursuant to notice in writing, to each and every member of said Board. The following members participated: Dr. Steven Cunningham (by phone), Mr. Tom Duff (by phone), Dr. Ford Dye (by phone), Ms. Jeanne Carter Luckey (by phone), Mr. Bruce Martin (by phone), Dr. Alfred E. McNair, Jr. (by phone), Mr. Gee Ogletree (by phone), Mr. Hal Parker (by phone), and Dr. J. Walt Starr (by phone). Mr. Shane Hooper, Ms. Ann H. Lamar, and Mr. Chip Morgan were absent. The meeting was called to order by Dr. Ford Dye, President.

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 teleconference. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a rollcall. The meeting was held to discuss a system policy issue, a Mississippi State University facility lease agreement, and a University of Mississippi medical testing services agreement.**

FINANCE AGENDA

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Starr, with Trustees Hooper, Lamar, and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. On motion by Trustee Duff, seconded by Trustee McNair, with Trustees Hooper, Lamar, and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to remove items #2 and #3 from the agenda.

1. **SYSTEM** – Approved the request for the Board to provide all institutions through December 31, 2020 temporary relief and waive requirements for approval of items /matters /contracts /purchases /leases /prepayments and any other agreement otherwise requiring approval by the Board of Trustees or Commissioner pursuant to Board Policy 707 Contracts (to include policies 707.01 Land, Property, and Service Contracts; 707.02 Other Official Documents, and 707.03 Approval of Prepayment for Goods or Services) and Board Policy 905 Real Estate Management, when compliance with the Board approval requirements of these policies would impede the institution’s ability to promptly and effectively provide for the safety and health of its students, employees and guests in dealing with the COVID-19 pandemic. This request is for a temporary period during the state of emergency caused by the COVID-19 pandemic, through December 31, 2020, for the health and well-being of students, employees, and guests on all IHL campuses and facilities. This waiver supersedes and replaces the waiver granted to the University of Mississippi Medical Center approved on March 19, 2020. Board Policy 707 Contracts governs, among other things, the contracts and leases entered by the institutions. Specifically, it requires, in part, that any land acquisitions exceeding \$100,000, any leases in an amount greater than \$100,000, and all other land, personal property, and services contracts requiring an aggregate expenditure of more than \$250,000 require approval by the Board of Trustees.

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This policy also governs approvals required for prepayments and for some revenue contracts. Board Policy 905 Real Estate Management further governs, among other things, the purchase and sale of land and leases of property and requires a Phase I or more detailed Environmental Report. The Board also delegated authority to the Commissioner, through December 31, 2020, to approve waivers on behalf of the Board of any other Board policy or practice requirements to enable the institutions to promptly and effectively deal with any issues related to the COVID-19 pandemic and to allow them to operate more efficiently during this public health crisis. The following processes govern this waiver and temporary delegation.

- a. All such contracts, leases, purchases, and other items be reported to the Board as information items in such form and such detail as may be required for other contracts otherwise requiring approval by the Board or Commissioner,
 - b. Legal staff from each institution or a special assistant Attorney General is to provide a legal opinion as to compliance with applicable law for each contract/lease/legally binding document entered into,
 - c. Each action taken for items otherwise requiring approval by the Board or Commissioner must include a specific justification explaining the necessity related to the COVID-19 pandemic when reported to the Board as information,
 - d. For requests to the Commissioner for waivers of policies other than Board Policies 707 Contracts and 905 Real Estate Management, the institution must present a justification to the Commissioner explaining why extraordinary waiver of policies and practices is warranted as it relates to the COVID-19 pandemic, and
 - e. The Commissioner shall notify the Board when the temporary period no longer warrants extraordinary waiver of the requirements of the Board's Policies should the public health crisis caused by COVID -19 end sooner than December 31, 2020.
2. **MSU** – Request approval to enter into a License Agreement with Peachtree Columbus II, LLC for the exclusive use of 40 rooms in the Fairfield Inn and Suites located in Columbus for the fall 2020 semester. The University will use the hotel to house on campus residents who need to quarantine due to symptoms of, a close exposure to, or are positive for COVID-19. The University has the ability to sublicense these rooms to students at the Mississippi University for Woman should they need additional COVID housing. The term of the agreement is September 5, 2020 through November 30, 2020. The total cost of the agreement is \$275,000 for 40 rooms. If the University needs additional rooms, the rooms will be billed at \$80 per room per night from the time the hotel room is needed until the termination of the contract term. The agreement will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS REMOVED FROM THE AGENDA.)**
3. **UM** – Request approval to enter a contract with NICUSA, Inc. for administering COVID-19 testing required for the continued safe operation of our campus. In an effort to maximize safety for faculty, staff and students, the contract will provide a turnkey, rapidly deployed, mobile and fixed-site COVID-19 testing and collection solution to assist in the efforts to remain open and reduce the threat of transmission among the citizens. This agreement is effective upon last signature and will run until all tests are completed. The expected

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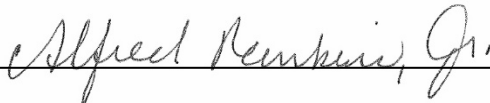
completion date is October 31, 2020. The amount of the contract is \$676,800. This project will be funded utilizing CARES funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office. **(THIS ITEM WAS REMOVED FROM THE AGENDA.)**

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Duff, seconded by Trustee Cunningham, with Trustees Hooper, Lamar, and Morgan 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