

**BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**



Final Board Book
November 19-20, 2008

AGENDA
BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING
EDUCATION AND RESEARCH CENTER
UNIVERSITIES CENTER
3825 RIDGEWOOD ROAD
JACKSON, MISSISSIPPI
November 19-20, 2008

Wednesday, November 19, 2008
COMMITTEE MEETING SCHEDULE

- A. Committee Meetings:**
- 1:30 p.m. – Real Estate and Facilities
 - 2:00 p.m. – Budget, Finance, and Audit
 - 2:30 p.m. – Educational Policies and Programs
 - 3:30 p.m. – Governance/Legal
 - 4:00 p.m. – *Ayers* Management Committee

Times are approximate but will adjourn by 5:00 p.m. Committees will begin following the conclusion of the preceding committee.

Thursday, November 20, 2008
REGULAR BOARD MEETING

- A. 8:30 a.m. – Call to Order**
- B. Prayer – Mr. Aubrey Patterson**
- C. Approval of Minutes**
- ◆ October 13, 2008 MVSU Presidential Search Committee Meeting
 - ◆ October 13, 2008 Special Called Board of Trustees Meeting
 - ◆ October 15-16, 2008 Regular Board of Trustees Meeting
 - ◆ October 20, 2008 Emergency Board of Trustees Meeting
 - ◆ October 21, 2008 Special Called Board of Trustees Meeting
 - ◆ October 24, 2008 Special Called Board of Trustees Meeting
 - ◆ November 5, 2008 MSU Presidential Search Committee Meeting
 - ◆ November 5, 2008 Special Called Board of Trustees Meeting
 - ◆ November 12, 2008 Special Called Board of Trustees meeting
- D. Consent Agenda – Ms. Amy Whitten**
- E. Presentation by Dr. Domenico Parisi, National Strategic Planning and Analysis
Research Center at Mississippi State University**
- F. Presentation by Dr. Phil Pepper regarding the Diversity Report**
- G. Video Presentation by the University of Mississippi**
- H. Educational Policies & Programs – Dr. Bettye Henderson Neely**
- I. Budget, Finance & Audit – Mr. Aubrey Patterson**
- J. Real Estate & Facilities – Mr. Scott Ross**
- K. Governance/Legal – Mr. Bob Owens**
- L. Gulf Coast Special Committee Update/Presentation – Ms. Robin Robinson**
- M. Administration/Policy – Dr. Aubrey Lucas**
- N. Commissioner’s Report – Dr. Aubrey Lucas**

- O. Recess at 11:30 a.m. for Lunch**
- P. Board Meeting Reconvenes at 1:00 p.m.**
- Q. Additional Agenda Items if Necessary**
- R. Reconsideration**
- S. Other Business/Announcements**
- T. Executive Session if Determined Necessary**
- U. Adjournment**

**BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING
NOVEMBER 19-20, 2008**

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FINAL

**MINUTES OF THE
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF
HIGHER LEARNING**

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**October 13, 2008
Mississippi Valley State University
Presidential Search Committee Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 13, 2008**

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BE IT REMEMBERED, That the Mississippi Valley State University Presidential Search Committee met at the Board Office in Jackson, Mississippi, at 8:00 a.m., and pursuant to notice in writing to each and every member of said Committee, said date being at least five days prior to this October 13, 2008 meeting. At the above-named place there were present the following Committee members to wit: Dr. Bettye Henderson Neely (Chair), Dr. Stacy Davidson, Mr. Bob Owens, Mr. Alan Perry, and Ms. Amy Whitten. The following Mississippi Valley State University Interview Search Advisory Committee members were present to wit: Dr. Moses Newsome, Jr., Vice President, Research, Planning, Community, and Economic Development and Chairman of the Search Advisory Committee; Dr. Gwendolyn Catchings, Vice-President of the Faculty Senate and Assistant Professor of Business Administration; Mr. Edgar Bland, Director of Academic Computing Services; Ms. Carolyn Upkins, President of the Mississippi Valley State University Alumni Association; Dr. Walter Roberts, President of the Mississippi Valley State University Foundation; and Dr. Abigail Newsome, Director and Assistant Professor of Bioinformatics. MVSU Interview Search Advisory Committee member, Ms. Brandy Brown, Student Government Association President, was absent. The search consultant, Ms. Jan Greenwood of Greenwood/Asher & Associates, Inc. in Miramar, Florida; Ms. Marion Frenche, an associate with Greenwood/Asher & Associates, Inc.; and Board members Mr. Ed Blakeslee, Mr. Aubrey Patterson and Mr. C.D. Smith also attended the meeting. The meeting was called to order by Chairman Neely.

EXECUTIVE SESSION

On motion by Ms. Whitten, seconded by Dr. Davidson, and unanimously passed by those present, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Whitten, seconded by Mr. Perry, and unanimously passed by those present, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi Valley State University.

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

The Mississippi Valley State University Presidential Search Committee conducted a second round of interviews for the five final candidates.

On motion by Mr. Owens, seconded by Dr. Davidson, and unanimously passed by those present, the Committee recommended that the Board approve Dr. Donna Oliver, Provost and Vice President for Academic Affairs at Edward Waters College in Jacksonville, Florida, as the preferred candidate for the position of President at Mississippi Valley State University. On Tuesday, October 21, 2008, Dr. Oliver will participate in open, day-long interviews on the MVSU campus with various university and community constituency groups.

On motion by Mr. Owens, seconded by Mr. Perry, and unanimously passed by those present, the Committee voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Committee, on motion by Dr. Davidson, seconded by Mr. Perry, and unanimously passed by those present, the Committee members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**October 13, 2008
Special Called Board of Trustees Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 13, 2008**

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BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special session at the Board Office in Jackson, Mississippi, at 3:45 p.m., and pursuant to notice in writing to each and every member of said Board, said date being at least five days prior to this October 13, 2008 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Robin J. Robinson, Mr. Scott Ross, Mr. C.D. Smith and Ms. Amy Whitten. Ms. Christy Pickering and Dr. Douglas Rouse were absent. The search consultant, Ms. Jan Greenwood of Greenwood/Asher & Associates, Inc. in Miramar, Florida and Ms. Marion Frenche, an associate with Greenwood/Asher & Associates, Inc. also attended the meeting. The meeting was called to order by Ms. Amy Whitten, President.

EXECUTIVE SESSION

On motion by Ms. Robinson, seconded by Mr. Owens, with Ms. Pickering and Dr. Rouse absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Dr. Neely, seconded by Mr. Smith, with Ms. Pickering and Dr. Rouse absent and not voting, the Board **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi Valley State University.

During Executive Session, the following matter was discussed and voted upon:

On motion by Dr. Neely, seconded by Mr. Smith, with Ms. Pickering and Dr. Rouse absent and not voting, the Board approved Dr. Donna Oliver, Provost and Vice President for Academic Affairs at Edward Waters College in Jacksonville, Florida, as the preferred candidate for the position of President at Mississippi Valley State University. On Tuesday, October 21, 2008, Dr. Oliver will participate in open, day-long interviews on the MVSU campus with various university and community constituency groups.

On motion by Mr. Owens, seconded by Mr. Patterson, with Ms. Pickering and Dr. Rouse absent and not voting, the Board voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Ross, seconded by Mr. Blakeslee, with Ms. Pickering and Dr. Rouse absent and not voting, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**October 15-16, 2008
Regular Board of Trustees Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 15-16, 2008**

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BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session in the Thad Cochran Center on the University of Southern Mississippi campus in Hattiesburg, Mississippi, at 8:44 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 27, 2007, to each and every member of said Board, said date being at least five days prior to this October 15-16, 2008 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. The meeting was called to order by Ms. Whitten, President, and opened with prayer by Mr. Owens.

APPROVAL OF THE MINUTES

On motion by Ms. Robinson, seconded by Mr. Patterson, with Mr. Ross absent and not voting, it was

RESOLVED, That the Minutes of the Board meetings held on the following dates, stand approved:

- September 10, 2008 Mississippi State University Presidential Search Committee Meeting;
- September 10, 2008 Mississippi Valley State University Presidential Search Committee Meeting;
- September 16-17, 2008 Mississippi State University Presidential Search Committee Meeting;
- September 17-18, 2008 Regular Board Meeting, as amended;
- September 23-24, 2008 Mississippi Valley State University Presidential Search Committee Meeting;
- September 24, 2008 Mississippi State University Presidential Search Committee Meeting;
- September 24, 2008 Board Emergency Teleconference Meeting;
- September 27, 2008 Board Emergency Teleconference Meeting; and
- October 8, 2008 Mississippi Valley State University Presidential Search Committee Meeting.

ANNOUNCEMENT

Ms. Whitten thanked Dr. Martha Saunders, President of the University of Southern Mississippi, and her faculty and staff for hosting the October Board meeting.

PRESENTATION

Dr. Martha Saunders, President of the University of Southern Mississippi, gave a presentation about the university.

ANNOUNCEMENT

- Ms. Whitten again thanked Dr. Saunders for hosting the October Board meeting and for her wonderful presentation
- Then Ms. Whitten recognized Senator Tommy King, a member of the Universities and Colleges Committee. Senator King challenged the Board to designate a liaison from each institution to speak with the legislators each year. Then he thanked the Board for all of their hard work.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 15-16, 2008**

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**EDUCATIONAL POLICIES &
PROGRAMS COMMITTEE REPORT**

Wednesday, October 15, 2008

The Committee was brought to order at approximately 2:00 p.m. by Chairman Bettye Neely. The following items were discussed/voted upon:

1. Dr. Lynn House, IHL Assistant Commissioner for Academic and Student Affairs, introduced Dr. Al Rankins, IHL Director of Academic Affairs, who gave a presentation on the tenure and post-tenure review process.
2. Dr. House gave a presentation on the pros and cons of approving the Stage I Application-declaration of intent/need to establish a program of professional nursing for the East Mississippi Community College. Selected constituents were allowed to speak for or against the proposed program.

A motion was made by Mr. Perry, seconded by Ms. Robinson, to approve the Stage I Application-declaration of intent/need to establish a program of professional nursing for East Mississippi Community College. **The motion passed on a 4 to 1 vote.** Committee members voting for the motion were: Dr. Bettye Neely, Mr. Alan Perry, Ms. Robin Robinson and Mr. C.D. Smith. **Dr. Stacy Davidson voted against the motion.**

Committee members attending the meeting were: Dr. Bettye Neely (Chair), Dr. Stacy Davidson, Mr. Alan Perry, Ms. Robin Robinson and Mr. C.D. Smith. Other Board members attending the meeting were: Mr. Ed Blakeslee, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Scott Ross, Dr. Douglas Rouse and Ms. Amy Whitten.

EDUCATIONAL POLICIES & PROGRAMS AGENDA

Presented by Dr. Bettye Neely, Chair

On motion by Dr. Neely, seconded by Ms. Robinson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Educational Policies & Programs Agenda.

1. **System Administration** - Approved the Stage I Application-declaration of intent/need to establish a program of professional nursing for East Mississippi Community College in accordance with (a) and (b), Miss. Code Ann., §37-129-1, *et seq.* (1972), as amended, which empowers the Board of Trustees of State Institutions of Higher Learning to establish rules and regulations and promulgate uniform standards for accreditation of schools of nursing- approval.

Mr. Alan Perry commended everyone who worked on gathering the information on the proposed nursing program at the East Mississippi Community College. He expressed particularly appreciation for the presentation by Mississippi University for Women.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 15-16, 2008**

CONSENT AGENDA

On motion by Ms. Pickering, seconded by Mr. Patterson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved the following Consent Agenda.

EDUCATIONAL POLICIES AND PROGRAMS

1. **System Administration (Information item.)** - The Board received the report on institutional accreditation visits and status changes for the period of July 1, 2007 through June 30, 2008. The table summarizing the information is included in the bound *October 15-16, 2008 Board Working File*.
2. **System Administration (Information item.)** - The Board received the report on faculty tenure. In 2001–2002, IHL institutions hired 160 tenure track faculty members. During the 2007–2008 academic year, 115 of the faculty hired in 2001-2002 applied for tenure, of which 92(80%) were awarded tenure and 31(20%) were denied tenure. A copy of the overview is included in the bound *October 15-16, 2008 Board Working File*.
3. **System Administration (Information item.)** - The Board received the report on post-tenure review. In 2007–2008, 20 faculty members were triggered (based on unsatisfactory annual evaluations) for participation in post-tenure review at their respective institutions. Eight of these faculty members participated in a faculty development plan. Of these 8 faculty members, 6 successfully completed a faculty development plan, 5 are currently engaged in various stages of a development plan, and 1 faculty member did not successfully complete the faculty development plan and as a result, was separated from employment at that institution. A copy of the overview is included in the bound *October 15-16, 2008 Board Working File*.

BUDGET, FINANCE AND AUDIT

4. **UMMC** - Approved the request to enter a five-year contract with BMC Software, Inc. to purchase software that will provide functionality and database recovery for the UMMC campus in the event of a disaster. The contract is for the period October 20, 2008 to October 19, 2013. The total contract cost is \$1,250,975. The contract will be funded via hospital patient revenue and interest income. The agreement which has been reviewed and approved by the Attorney General's Office is included in the *October 15-16, 2008 Board Working File*.
5. **UMMC** - Approved the request to amend the existing lease agreement with Modular Devices, Inc. for a modular catheterization lab. The purpose of the amendment is to extend the agreement period for an additional year to allow for additional renovations on another catheterization lab. UMMC entered into the original six-month lease on June 14, 2008 and it is scheduled to expire on December 13, 2008. As the total cost was less than \$250,000, Board approval was not obtained. The amendment is for the period December 15, 2008 to June 15, 2009 and includes an optional six-month continuation period which will be determined on a month to month basis. The monthly rental fee is \$33,000 with a total cost of \$396,000, including the optional additional six-months. The amendment brings the total contract cost to \$599,000. The contract will be funded via patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is included in the *October 15-16, 2008 Board Working File*.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 15-16, 2008**

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6. **UMMC** - Approved the request to enter a three-year contract with National Billing Associates, Inc. to provide billing, claims submission and collection services for the outpatient dialysis unit located at the Jackson Medical Mall. The outpatient unit will serve between 130 to 150 patients. The contract period is November 1, 2008 to October 31, 2011 and shall automatically renew for successive two (2) year terms unless terminated by either party. The fee is based on four percent of the adjusted gross collections for the contract term. Annual costs are estimated at \$300,000 with a total contract cost estimated at \$900,000. The contract will be funded via patient revenue. The contract which has been reviewed and approved by the Attorney General's Office is included in the *October 15-16, 2008 Board Working File*.
7. **UMMC** - Approved the request to enter into a three-year contract with Olympus America, Inc. to lease endoscopy equipment for the GI Outpatient facility at Select Special Hospital. The contract period is November 1, 2008 to October 31, 2011. Fees are based on per procedure cost of \$72.38 and the contract commits UMMC to a minimum of 10,800 procedures overall. The fee also covers service and software costs. The total contract cost is \$781,704. The contract will be funded via patient revenue. The contract which has been reviewed and approved by the Attorney General's Office is included in the *October 15-16, 2008 Board Working File*.

8. **PERSONNEL REPORT**

CHANGE OF STATUS

Jackson State University
Azevedo, Mario J.

Mississippi State University
Person, William A.

**BUDGET, FINANCE & AUDIT
COMMITTEE REPORT**

Wednesday, October 15, 2008

The Committee was brought to order at approximately 3:30 p.m. by Mr. Aubrey Patterson, Chair. The following items were discussed/voted upon:

1. On motion by Mr. Blakeslee, seconded by Mr. Patterson, with Mr. Owens and Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #1 on the Budget, Finance & Audit agenda subject to negotiating a cap on the number of unsold tickets for sporting events that would be given to the vendor.
2. On motion by Mr. Perry, seconded by Mr. Blakeslee, with Mr. Owens and Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #2 on the Budget, Finance & Audit agenda.
3. On motion by Mr. Perry, seconded by Mr. Blakeslee, with Mr. Owens and Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #3 on the Budget, Finance & Audit agenda.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
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4. On motion by Mr. Perry, seconded by Mr. Blakeslee, with Mr. Owens and Ms. Pickering absent and not voting, the Committee recommended that the Board approve agenda item #4 on the Budget, Finance & Audit agenda.
5. Other Business -
 - a. Dr. Linda McFall, IHL Assistant Commissioner for Finance and Administration, noted that at its September 2008 meeting, the Board approved a resolution authorizing the Medical Center Educational Building Corporation to issue bonds the proceeds of which will be used to refund the EBC's variable rate demand revenue bonds, Series 2001 (Adult Hospital Project) and the EBC'S variable rate demand revenue bonds, Series 2004 (UMMC Pediatric and Research Facilities Project). The Board approved delegating the decision to management to move forward with this transaction on the condition that they receive approval by the Chairman of the Budget Finance & Audit Committee at the time of pricing. Further analysis led to the approval by the Chairman to move forward with the bond issuance.
 - b. Dr. McFall noted that on October 10, 2008 Governor Haley Barbour issued a memo to all state agencies indicating the general revenues at this point in time are down 2%. According to state law, if the revenues are down 2%, the Governor shall reduce the budget. As a result, the Governor has requested that each institution submit a revised budget plan for FY 2009 with a 2% reduction and for FY 2010 at a 4% reduction off the FY 2009 budget. The revised budgets are due from the institutions on Wednesday, October 22, 2008. The revised budgets will be reviewed and analyzed by the Board staff then sent to the Board. The revised budgets are due to the Governor's Office by October 31st. Mr. Patterson noted that this issue may result in a special meeting being called.
 - c. Ms. Whitten reported that Speaker of the House, Billy McCoy, and Lt. Governor Phil Bryant created a special joint committee of the LBO Committee consisting of the two appropriation chairs, the chairs for the Ways & Means and Finance committees and the two chairs of the universities and colleges committees. The special joint committee was charged with reviewing the university system's five-year funding idea that was presented at the budget hearing in September. The first meeting was held on Tuesday, September 30, 2008. There were six IHL Board members at that meeting. Another three or four IHL Board members attended a second meeting that was held on Tuesday, October 14, 2008. A third meeting has been tentatively set for Thursday, October 30, 2008. The review was expanded to include some analysis on what effect the proposed 2% and 4% cuts will have on the institutions. Each institution was asked to have a representative attend the meeting to address the joint committee. Ms. Whitten thanked Dr. McFall for doing an exceptional job of addressing the joint committee's issues. Ms. Whitten also thanked the other Board members who made the effort to attend the meetings.

Committee members attending the meeting were: Mr. Aubrey Patterson (Chair), Mr. Ed Blakeslee, Mr. Bob Owens, and Mr. Alan Perry. Ms. Christy Pickering was absent. Other Board members attending the meeting were: Dr. Stacy Davidson, Dr. Bettye Neely, Ms. Robin Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 15-16, 2008**

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BUDGET, FINANCE & AUDIT AGENDA

Presented by Mr. Aubrey Patterson, Chair

On motion by Mr. Patterson, seconded by Ms. Pickering, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda items #1 - #4 as submitted on the following Budget, Finance & Audit Agenda.

1. **ASU** - Approved the request to enter into a five-year sponsorship agreement with Coca-Cola Enterprises, Inc. The purpose of the agreement is to provide the contractor exclusive rights to offer beverages for sale and the associated marketing and merchandising privileges. The term of the contract is October 17, 2008 through October 16, 2013. Annual sponsorship fees are as follows: Year 1- \$100,000, Year 2- \$40,000, Year 3- \$40,000, Year 4- \$40,000 and Year 5- \$75,000 with the total sponsorship fees for the contract period as \$295,000. ASU will receive a commission of 30% per sale from vending machine sales. The agreement which has been reviewed and approved by the Attorney General's Office is included in the *October 15-16, 2008 Board Working File*.
2. **MVSU** - Approved the second amendment to the food service operation contract with Thompson Hospitality, LLC. The original contract was approved by the Board in July 1999 and the first amendment was approved in April 2003. The contract is scheduled to expire on June 30, 2014. The purpose of the second amendment is to extend the contract an additional year, through June 30, 2015. In return, the contractor will invest \$275,000 towards the renovation of the Checkers restaurant located within MVSU's student union. The investment will be amortized on a straight-line basis until expiration of the contract. In addition, effective January 1, 2009, a second meal plan option will be offered to students (14 meals per week with a \$50 flex component). The contract which has been reviewed and approved by the Attorney General's Office is included in the *October 15-16, 2008 Board Working File*.
3. **UM** - Approved the request to amend the existing food service operation contract with Aramark Educational Services. The original five-year contract was approved by the Board on July 9, 2007. The approved contract period is July 1, 2007 through June 30, 2012 and includes an option to renew for an additional five-year period upon mutual written agreement of both parties. The purpose of the amendment is to extend the scope of the contract to include catering and dining services within the Triplett Alumni Center and the recently expanded Inn at Ole Miss. Aramark will make a \$500,000 investment towards the purchase of equipment necessary for food service operations within the Inn at Ole Miss. The equipment will be amortized on a straight-line basis until June 30, 2017 with the end date contingent upon both parties exercising the option to extend the agreement period and Board approval. The university will receive a 7.5% sales commission on all cash net receipts from catering services provided at the Inn at Ole Miss facilities. The contract which has been reviewed and approved by the Attorney General's Office is included in the *October 15-16, 2008 Board Working File*.
4. **System Administration** - Approved the request to utilize \$111,000 allocated for Course Redesign to implement the recommendations of the Blue Ribbon Committee for the Redesign for Teacher Preparation. The funds will be used for training faculty, collaboration forums, consultant review, technical assistance site visits, development of assessment systems, and other resources. The Mississippi Department of Education will also provide some level of financial assistance toward this endeavor; however, the specific amount has not yet been determined.

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5. **Other Business** - Mr. Patterson reminded the Board that Governor Haley Barbour requested that all state agencies submit revised budgets for FY 2009 with a 2% reduction and for FY 2010 at a 4% reduction off the FY 2009 budget. The revised budgets are due from the institutions on Wednesday, October 22, 2008. The revised budgets will be analyzed by Board staff and sent to the Board for comment with the possibility of a special meeting being called.

**REAL ESTATE & FACILITIES
COMMITTEE REPORT**

Wednesday, October 15, 2008

The Committee was brought to order at approximately 1:50 p.m. by Chairman Scott Ross. The following items were discussed/voted upon:

1. On motion by Dr. Davidson, seconded by Mr. Smith, and unanimously passed by those present, the Committee recommended that the Board approve agenda items #1 - #5 on the Real Estate & Facilities agenda.
2. On motion by Dr. Rouse, seconded by Mr. Smith, and unanimously passed by those present, the Committee recommended that the Board approve agenda items #6 - #8 on the Real Estate & Facilities agenda.
3. On motion by Mr. Blakeslee, seconded by Dr. Davidson, and unanimously passed by those present, the Committee recommended that the Board approve agenda items #9 - #12 on the Real Estate & Facilities agenda.
4. On motion by Mr. Smith, seconded by Dr. Rouse, and unanimously passed by those present, the Committee recommended that the Board approve agenda item #13 on the Real Estate & Facilities agenda.
5. On motion by Mr. Blakeslee, seconded by Dr. Davidson, and unanimously passed by those present, the Committee recommended that the Board approve agenda item #14 on the Real Estate & Facilities agenda.

Committee members attending the meeting were: Mr. Scott Ross (Chair), Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. Douglas Rouse, and Mr. C.D. Smith. Other Board members attending the meeting were: Dr. Bettye Neely, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry and Ms. Amy Whitten.

REAL ESTATE & FACILITIES AGENDA

Presented by Mr. Scott Ross, Chair

On motion by Mr. Ross, seconded by Mr. Smith, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda items #1 - #14 as submitted on the following Real Estate & Facilities Agenda.

1. **DSU** - Approved the initiation of **IHL 202-133, New Residence Hall**, which will house approximately four hundred (400) beds. The Board also approved the use of the private financing delivery method for this project.

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2. **DSU** - Approved the initiation of **IHL 202-135, Faculty Apartments**, which will construct approximately twenty units and renovate Cassity Hall, an existing faculty apartment facility. The Board also approved the use of the private financing delivery method for this project.
3. **UMMC** - Approved the initiation of **IHL 209-512, Elevator Upgrades**, for the upgrades of #5 and #6 elevators which are located in the original school north wing and the appointment of Simmons Associates as project professionals. The elevators require revisions to comply with required Elevator Building and Fire Safety Codes and ADA Codes. The total project budget is \$590,710. Funds are available from interest income.
4. **UMMC** - Approved the initiation of **IHL 209-513, Miscellaneous Boiler and Chiller Revisions**, for the replacement of existing Boilers #4 and #5, which are located in the main boiler plant of the university, replacement of the existing Chiller #1 and Cooling Tower #1, and associated equipment and replacement of the existing chiller located at 764 Lakeland Drive Building. The Board also approved the appointment of Eldridge Associates as project professionals. The total project budget is \$3,385,000. Funds are available from service area fees and hospital patient revenue.
5. **UMMC** - Approved the initiation of **IHL 209-514, Hospital Generator 2008**, for a new emergency generator for backup power to the hospital equipment and services and the appointment of Watkins O'Gwynn Electrical Engineers as project professionals. The total project budget is \$475,000. Funds are available from hospital patient revenue.
6. **UM** - Approved the request to increase the budget for **IHL 207-315, Law School Central Mechanical Plant**, from \$4,200,000 to \$4,600,000 for an increase in the amount of \$400,000 and to award a contract to Hooker Construction, Inc., the lower of eight bidders, in the amount of \$3,964,000. Funds are available from private donations and self-generated sources.
7. **USM** - Approved the request to increase the budget for **IHL 208-283, Softball Complex Upgrade**, from \$950,000 to \$1,500,000 for an increase in the amount of \$550,000. The increase is required for installation of an elevator for handicap access, a sprinkler system, subsurface conditions and detail designs of the project. Funds are available from self-generated sources and the USM Athletic Foundation.
8. **USM** - Approved the request to increase the budget for **IHL 214-012, Technical Learning Center Replacement, Gulf Park Campus**, from \$2,332,187 to \$2,532,187 for an increase in the amount of \$200,000. The increase is required for an increase in scope for reconstruction of the Toy Library that was destroyed by Hurricane Katrina. Additional funding has been approved by a grant from the Mississippi Department of Rehabilitation Services. Funds are available from hurricane damage insurance and the Mississippi Department of Rehabilitation Services.
9. **MSU** - Approved the request to lease 0.82 acres of property located in Oktibbeha County, Mississippi to the Bulldog Club, Inc. The purpose of the lease is to create a baseball practice infield. The property is located at the Southeast quarter of Section 35, Township 19 North, Range 14 East, Oktibbeha County, Mississippi. This lease shall be for a primary term of six (6) months for a rental amount of one dollar

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(\$1.00) commencing the date the contract is fully executed by both parties and shall be renewed upon written agreement of both parties. All improvements made to and on the premises shall be owned “free and clear” in fee simple by the Lessor not later than, but in no case beyond, the date the lease terminates. Per Board Policy 905(A) Real Estate Management, a copy of the property description and all legal documentation is on file with the Office of Real Estate and Facilities. The lease has been reviewed and approved by the Attorney General’s Office.

10. **MSU** - Approved the request to lease 1.75 acres of property located in Oktibbeha County, Mississippi to the Bulldog Club, Inc. The purpose of the lease is to construct a basketball practice facility. The property is located at the Northeast quarter of the Northeast quarter of Section 2, Township 18 North, Range 14 East, Oktibbeha County, Mississippi. The primary term of this lease shall be for twenty four (24) months for a rental amount of one dollar (\$1.00) commencing the date the contract is fully executed by both parties and shall be renewed upon written agreement of both parties. All improvements made to and on the premises shall be owned “free and clear” in fee simple by the Lessor not later than, but in no case beyond, the date the lease terminates. Per Board Policy 905(A) Real Estate Management, a copy of the property description and all legal documentation is on file with the Office of Real Estate and Facilities. The lease has been reviewed and approved by the Attorney General’s Office.
11. **MSU** - Approved the request to lease 7.43 acres of property located in Oktibbeha County, Mississippi to the Bulldog Club, Inc. The purpose of the lease is to renovate the football practice fields. The property is located at the Southeast quarter of Section 35, Township 19 North, Range 14 East, Oktibbeha County, Mississippi. The primary term of this lease shall be for six (6) months for a rental amount of one dollar (\$1.00) commencing the date the contract is fully executed by both parties and shall be renewed upon written agreement of both parties. All improvements made to and on the premises shall be owned “free and clear” in fee simple by the Lessor not later than, but in no case beyond, the date the lease terminates. Per Board Policy 905(A) Real Estate Management, a copy of the property description and all legal documentation is on file with the Office of Real Estate and Facilities. The lease has been reviewed and approved by the Attorney General’s Office.
12. **MSU** - Approved the request to enter into a lease agreement with Cellular South Real Estate, Inc. a Mississippi corporation. This agreement will allow Cellular South to upgrade its existing wireless devices currently installed at Davis Wade Stadium and the Seal M-Club Building. The property and improvements are located at 90 B.S. Hood Drive, Mississippi State University, commonly known as Scott Field and at 40 Creelman Street, Mississippi State University at Scott Field commonly known as Thurman Field House/Leo Seal M-Club. The initial term of this lease shall be for five (5) years commencing on September 1, 2008 and renewed for one (1) additional term of five (5) years. The rent for each lease year will be paid in equal monthly installments to be billed on or before the first day of each month. Per Board Policy 905(A) Real Estate Management, a copy of the property description and all legal documentation is on file with the Office of Real Estate and Facilities. The lease has been reviewed and approved by the Attorney General’s Office. A copy of the payment schedule is included in the bound *October 15-16, 2008 Board Working File*.
13. **MSU** - Approved the request to sell the following property to Cotton Mill Marketplace, LLC: 0.63 acres of land and improvements on Russell and Mill streets that currently houses the MSU Writing and Thinking program and 11.24 acres of land and improvements commonly referred to as the Cooley

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Property, which currently houses Facilities Management administration in the J. M. Stone Cotton Mill Building and facilities management shops in the rear of the building. The selling price is \$6,030,000 which is the average of four (4) appraisals (two appraisals per each property). Per Board Policy 905(A) Real Estate Management, a copy of the property description and all legal documents is on file with the Office of Real Estate and Facilities. The documents have been reviewed and approved by the Attorney General's Office.

14. **MUW** - Approved the request to grant, sell and convey to the United States of America (Tennessee Valley Authority) a right-of-way easement for electrical transmission lines together with the perpetual right of ingress and egress to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 209.+40.30. The property in question lies entirely in the Northeast quarter of the Northeast quarter of Section 21, Township 18 South, Range 18 West, Lowndes County, State of Mississippi. In exchange for this easement, the United States of America (Tennessee Valley Authority) will pay the sum of \$600, which includes an amount for guy rights outside the right-of-way for Tracts COCS-7 and for timber on Tract COCS-3 and 4. The documents have been reviewed and approved by the Attorney General's Office.
15. **System Administration (Information item.)** - The Board received the Real Estate & Facilities items that were approved by the Board staff subsequent to the September 17-18, 2008 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

GOVERNANCE /LEGAL AGENDA

Presented by Mr. Bob Owens, Chair

On motion by Mr. Owens, seconded by Ms. Robinson, and unanimously passed by those present, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Legal Agenda.

1. **MSU** - Approved the request to renew a contract with the firm of Butler Snow O'Mara Stevens & Cannada located at AmSouth Plaza, 17th Floor, 210 East Capitol Street, Jackson, MS 39201, to provide services necessary in the practice areas of intellectual property and commercial matters. This representation does not and is not intended to include any representation by the law firm for or on behalf of the university as bond counsel or in any related role in connection with any financing transaction undertaken by or for the university, including any other matters which may concern advice in connection with indebtedness of the university. The term of the contractual agreement will be for one (1) year, at blended hourly rates (for attorneys) of \$240.00 for intellectual property services, \$230.00 for commercial services, and \$100.00 for legal assistants.
2. **System Administration (Information item.)** - The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 2.)**

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GULF COAST SPECIAL COMMITTEE

Thursday, October 16, 2008

Chairman Robin Robinson reported that the group of people from the Gulf Coast who are participating in the Master Planning Committee is doing an outstanding job in moving the process forward. She also handed out a written report on the committee's activities. A copy of this report is included in the *October 15-16, 2008 Board Working File*. Ms. Robinson noted that the strategic plan as outlined by Dr. Martha Saunders, President of the University of Southern Mississippi, is being followed. Ms. Robinson thanked the Master Planning Committee for their efforts and their concern about the students.

EXECUTIVE SESSION

Thursday, October 16, 2008

On motion by Mr. Perry, and unanimously passed by those present, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Mr. Ross, seconded by Ms. Whitten, and unanimously passed by those present, the Board **voted to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at the IHL Board Office;
Discussion of a personnel matter at Mississippi Valley State University; and
Discussion of a personnel matter at Mississippi State University.

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

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

On motion by Mr. Owens, seconded by Dr. Rouse, and unanimously passed by those present, the Board voted to return to Open Session.

AYERS MANAGEMENT COMMITTEE REPORT

Wednesday, October 15, 2008

Ms. Whitten announced that due to time constraints, the *Ayers* Management Committee, which was scheduled to meet after the other committee meetings, was postponed. The Mississippi State University Presidential Search Committee met instead.

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**MISSISSIPPI STATE UNIVERSITY
PRESIDENTIAL SEARCH COMMITTEE**

Wednesday, October 15, 2008

The Committee was brought to order at approximately 4:00 p.m. by Chairman Scott Ross.

EXECUTIVE SESSION

On motion by Mr. Patterson, and unanimously passed by those present, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Whitten, seconded by Mr. Patterson, and unanimously passed by those present, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi State University.

During Executive Session, the Committee discussed a personnel matter at Mississippi State University. **No action was taken.**

On motion by Mr. Smith, seconded by Mr. Perry, and unanimously passed by those present, the Committee voted to return to Open Session.

ADJOURNMENT

On motion by Mr. Smith, seconded by Ms. Robinson, and unanimously passed by those present, the Committee voted to adjourn the meeting.

Committee members attending the meeting were: Mr. Scott Ross (Chair), Mr. H. Ed Blakeslee, Mr. Aubrey B. Patterson, Ms. Robin Robinson, Dr. Douglas Rouse and Mr. C.D. Smith. Others Board members attending the meeting were: Dr. Stacy Davidson, Dr. Bettye Neely, Mr. Bob Owens, Mr. Alan Perry and Ms. Amy Whitten.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Perry, seconded by Mr. Smith, and unanimously passed by those present, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the September 17-18, 2008 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

Real Estate & Facilities items that were approved by the Board staff subsequent to the September 17-18, 2008 Board meeting in accordance with Board Policy 904 Board Approval.**Delta State University**

GS 102-196, Addition and Renovation to Athletic Facilities: The Board staff approved Change Order #2 in the amount of \$4,338.62 and requested approval from the Bureau of Building, Grounds and Real Property Management. This change order is necessary to furnish and install floor tile, acoustical ceiling tile, faucets and drywall furdawn in various areas of the facility. The total project budget is \$555,565. Funds are available from SB 2010, Laws of 2004.

GS 102-196, Addition and Renovation to Athletic Facilities: The Board staff approved Change Order #3 in the amount of \$9,098.59 with an additional thirty (30) days added to the contract of Jackson Construction of Grenada, Inc. Approval was requested from the Bureau of Building, Grounds and Real Property Management. This change order is necessary to furnish and install benches, helmet cubicles and bat racks at the softball building dug-out and to reroute new duct work at two existing convectors. The total project budget is \$555,565. Funds are available from SB 2010, Laws of 2004.

GS 102-213, Interior Finishes: The Board staff approved the award of a contract to Superior Contracting, LLC, the lower of eight (8) bidders, in the amount of \$62,999 (base bid and three add alternates). Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$84,536.52. Funds are available from HB 246, Laws of 2007; HB 1634, Laws of 2006 and a DSU HUD grant.

Jackson State University

GS 103-179, School of Engineering: The Board staff approved Change Order #10 for a credit in the amount of \$196,646.36 and requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$22,671,620.06. Funds are available through SB 1675, Laws of 1999.

GS 103-179, School of Engineering: The Board staff approved Change Order #11 in the amount of \$5,492.40 and requested approval from the Bureau of Building, Grounds and Real Property Management. This change order is necessary for additional electrical and data requirements at conference room tables and additional GFCI outlets in labs. The total project budget is \$22,671,620.06. Funds are available through SB 1675, Laws of 1999.

GS 103-234, ADA Compliance Phase II-B, (F.D. Hall): The Board staff approved the university's request to advertise for the receipt of bids and requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$4,000,000. Funds are available from HB 246, Laws of 2007.

Mississippi State University

GS 105-331, Resurface Miscellaneous Parking Lots – Reimbursable: The Board staff approved Change Order #1 in the amount of \$42,700 and requested approval from the Bureau of Building, Grounds and Real Property Management. This change order is necessary to remove unsuitable sub-base soil material to insure the maximum life span of the new pavement and to replace a disintegrated catch basin. The total project budget is \$139,000. Funds are available from SB 2010, Laws of 2004.

GS 113-113, Wise Center Fire Alarm/Security: The Board staff approved Change Order #2 in the amount of \$8,969 with an additional forty two (42) days added to the contract of Triplett Electric Company. Approval was requested from the Bureau of Building, Grounds and Real Property Management. This change order is necessary to replace nine flow switches and ten tamper switches in the fire sprinkler system. The total project budget is \$590,000. Funds are available from SB 2010, Laws of 2004, and MSU College of Veterinary Medicine.

GS 113-115, Lloyd Ricks Renovation: The Board staff approved the Contract Documents and the university's request to advertise for the receipt of bids. The Board staff requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$13,378,623.64. Funds are available from SB 2988, Laws of 2003, a HUD Grant, and self-generated sources.

IHL 205-237, AG Parking Lot South: The Board staff approved Change Order #2 in the amount of \$39,979. This change order is necessary to replace unsuitable sub-base material for lifetime endurance to the parking lot and to add asphalt and concrete to various areas for extra cost effectiveness to the parking lot. The total project budget is \$1,080,000. Funding is available from self-generated sources.

IHL 213-136, Building 1533 (R&R Stoneville, MS): The Board staff approved Change Order #1 for a credit in the amount of \$77,711.50. This change order is necessary to replace cobblestone with regular concrete, reduce the amount of mortar web and add waterproofing to the existing block wall. The total project budget is \$1,445,000. Funds are available through MAFES self-generated sources.

Mississippi University for Women

IHL 204-118, Fine Arts Building, Storm Damage: The Board staff approved Change Order #2 for fiber optics and a sink to be installed. These change order costs are covered by the remaining contingency from Change Order #1. Funding is available through the FEMA, MEMA and HB 246, Laws of 2007.

Mississippi Valley State University

IHL 206-019, New Men's and Women's Residence Halls: The Board staff approved Change Order #6 in the amount of \$85,971.07 with an additional thirty four (34) days added to the contract of Carothers Construction for weather delays. The total project budget is \$12,284,555.80. Funding is available from EBC Revenue Bonds Account Project Contingency.

IHL 206-020, Magnolia Hall Renovations: The Board staff approved Change Order #10 in the amount of \$31,039.24 with an additional ninety seven (97) days added to the contract of IKBI, Incorporated. This change order is necessary to provide finishes added in Lobby 141 and TV room and to provide modifications to lighting. The total project budget is \$5,207,519.08. Funds are available from EBC Revenue Bonds Account Project Contingency.

University of Mississippi

GS 107-287, Hill Hall Renovations: As per Board Policy 904(B) Board Approval, Mr. Scott Ross, acting as Chair of the Real Estate and Facilities Committee on behalf of the Mississippi Institutions of Higher Learning, approved an increase in budget from \$1,600,000 to \$1,962,907 for an increase in the amount of \$362,907 and the award of a contract to D. Carroll Construction, LLC, the lower of three (3) bidders, in the amount of \$1,508,000 plus alternates 1-4 in the amount of \$173,000. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The request is necessary to keep the project on schedule and to avoid increases in construction costs. Funds are available from HB 1634, Laws of 2006, and self-generated sources.

University of Mississippi Medical Center

IHL 209-435,C: The Board staff approved Change Order #9 in the amount of \$282,300 with an additional forty-one (41) days to the contract of Flintco, Inc. This change order provides for miscellaneous latent condition items required but not included in the original contract. The total project budget is \$53,500,000. Funds are available from self-generated sources.

IHL 209-495, South Pediatric Renovations II: The Board staff approved Change Order #6 for a credit in the amount of \$2,297. The project budget is \$2,771,750. Funds are available through self-generated sources and donations.

IHL 209-501, School of Dentistry Renovations 2007: The Board staff approved Change Order #1 in the amount of \$7,554 with an additional seven (7) days added to the contract of McMillan Pitts Construction Company. This change order is necessary to provide for the removal of asbestos floor tile material in three rooms. The total project budget is \$270,000. Funds are available through self-generated sources.

IHL 209-504, (Contract I), Cath Lab S027 and Pavilion Cath Lab Renovations: The Board staff approved Change Order #1 in the amount of \$1,380.00. The change order is necessary to provide for the removal of a portion of poured concrete foundation wall and concrete filled CMU wall that was realized after the demolition phase was complete. The project is developed as two separate bid packages. The project budget for Contract I is \$317,500. The total project budget is \$1,067,239. Funds are available from self-generated sources.

IHL 209-504, (Contract I), Cath Lab S027 and Pavilion Cath Lab Renovations: The Board staff approved Change Order #2 in the amount of \$9,323 with an additional twelve (12) days added to the contract of Flagstar Construction Co., Inc. This change order is necessary to provide for construction of an additional smoke wall and the relocation of an existing electrical panel. The project is developed as two separate bid packages. The project budget for Contract I is \$317,500. The total project budget is \$1,067,239. Funds are available from self-generated sources.

IHL 209-504, A, (Contract II), Cath Lab S027 and Pavilion Cath Lab Renovations: The Board staff approved the Design Development documents. The project budget for Contract II is \$543,648. The total project budget is \$1,067,239. The funds are available from self-generated sources.

IHL 209-504, A, (Contract II), Cath Lab S027 and Pavilion Cath Lab Renovations: The Board staff approved the Construction Documents and the request to advertise for the receipt of bids. The project budget for Contract II is \$543,648. The total project budget is \$1,067,239. The funds are available from self-generated sources.

IHL 209-509, O.R. Endovascular Suite Renovations: The Board staff approved the Design Development documents as submitted by Simmons Associates, AIA, design professionals. The total project budget is \$641,000. Funds are available from self-generated sources.

IHL 209-509, O.R. Endovascular Suite Renovations: The Board staff approved the Contract Documents as submitted by Simmons Associates, AIA design professionals. The Board staff also approved the request to advertise for the receipt of bids for this project. The total project budget is \$641,000. Funds are available from self-generated sources.

University of Southern Mississippi

GS 108-229, Reed Green Facility Improvements: The Board staff approved Change Order #4 in the amount of \$38,435 with an increase of sixty eight (68) days added to the contract of Finlo Construction. This change order is necessary for additions to the scope that include rain delays, starters to existing chiller plant, additional fiber optic cable, installation of a VCT in concourse lobby and the addition of heating water change-over. The Board staff requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$9,198,513. Funds are available from a bond sale of 2006 and SB 2010, Laws of 2004.

GS 108-230, Polymer Institute Product Processing Unit/Plant: The Board staff approved Change Order #4 for a credit in the amount of \$4,903 with an additional fourteen (14) days added to the contract of Mac's Construction. The Board staff requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$26,800,000. Funds are available from SB 2988, Laws of 2003, a NIST Grant, and self-generated sources.

IHL 208-256, Pete Taylor Field Skybox & Press Box Additions: The Board staff approved Change Order #4 in the amount of \$104,579.47. This change order is required to provide for the addition of a concession stand and restrooms for the ball park. The total project budget is \$3,527,851. Funds are available from the USM Athletic Foundation.

IHL 208-258, MM Roberts Stadium Expansion and Renovation: The Board staff approved Change Order #16 in the amount of \$38,428.34. This change order is necessary for the addition of television requirements, lockable millwork in the suites, additional concrete steps and changes to glass doors and plates at the east end of the stadium. The project budget is \$32,171,670.38. Funds are available in the project budget from the USM Athletic Foundation.

IHL 208-267, Dormitory Replacement-Hattiesburg Campus: The Board staff approved the Contract Documents as submitted by Landry & Lewis Architects, PA. The Board staff also approved the request to advertise for the receipt of bids. The total project budget is \$45,000,000. Funds are available from EBC Bonds.

IHL 208-269, Commons Building: The Board staff approved Change Order #2 in the amount of \$15,356 for unforeseen conditions discovered during abatement of the Commons Building. The total project budget is \$500,000. Funds are available from self-generated sources.

IHL 208-283, Softball Complex Upgrade: The Board staff approved the Contract Documents and the university's request to advertise for the receipt of bids. The total project budget is \$950,000. Funds are available from the USM Athletic Foundation and self-generated sources.

IHL 210-236, Marine Environmental Research Laboratory: The Board staff approved Change Order #3 in the amount of \$7,939. This change order is necessary for the addition of a gas line to service the facility generator. The total project budget is \$2,442,775. Funds are available through the Katrina Foreign Contributions Award (GRO 2745).

IHL 210-236, Marine Environmental Research Laboratory: The Board staff approved Change Order #4 in the amount of \$4,264. This change order is necessary to upgrade all CAT 5 cables and devices to the current standards of CAT 6. The total project budget is \$2,442,775. Funds are available through the Katrina Foreign Contributions Award (GRO 2745).

IHL 214-012, Replace Toy Library: The Board staff approved Change Order #1 in the amount of \$761,714.01 with an additional 337 days to the contract of J.O. Collins Contractor, Inc. This change order is necessary as a result of a change in scope facilitated by additional grant money acquired. The total project budget is \$2,332,187.50. Funds are available from the Mississippi Department of Rehabilitation Services.

EXHIBIT 2²⁴

October 15-16, 2008

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

Payment of legal fees for professional services rendered by David Ware & Associates (Statement dated 8/22/08) from the funds of Mississippi State University. (This statement represents services and expenses in connection with labor certification.)

TOTAL DUE \$1,500.00

Payment of legal fees for professional services rendered by Phelps Dunbar (Statement dated 8/28/08) from the funds of Mississippi State University. (This statement represents services and expenses in connection with *Wade v. MS Cooperative Extension Service*.)

TOTAL DUE \$180.12

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 8/27/08) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with a personnel issue.)

TOTAL DUE \$17,044.43

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 8/19/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Advice - \$7,069.55 and General Representation of the Medical School and Facility Practice Plans - \$3,934.50.)

TOTAL DUE \$11,004.05

Payment of legal fees for professional services rendered by Page, Kruger & Holland (Statement dated 8/14/08) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the *Bowles* case.)

TOTAL DUE \$84.09

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

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 7/18/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with following patent applications: "DNA Sequence Encoding a Human Imidazoline Receptor and Method for Cloning the Same" - \$519.60; "Inhibition of Metastasis by Cell Penetrating Peptides" - \$206.20; and "Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers" - \$120.70.)

TOTAL DUE \$846.50

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 5/29/08, 5/29/08, 6/23/08, 6/23/08, 7/14/08, 7/14/08, 7/14/08, 7/14/08, and 7/15/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with following patent applications: "Non-Invasive Drainage of Aqueous Humor by Electroporation" - \$3,240.00; "Cache Mapping Technology Matter" - \$731.00; "Cache Mapping Technology Matter" - \$1,140.50; "Negotiations with Triton BioPharma AG" - \$752.50; "Commercialization of Technologies" - \$1,290.00; "Non-Invasive Drainage of Aqueous Humor by Electroporation" - \$6,130.00; "Cache Mapping Technology Matter" - \$215.00; "Negotiations with Triton BioPharma AG" - \$107.50; and "Chick Separation-Anxiety-Depression (SAD) Model" - \$42.50.)

TOTAL DUE \$13,649.00

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 5/15/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with following patent applications: "Cembranoids/Chemopreventive" - \$833.42; "Medicaments to Nail & Perionychiu" - \$1,548.90; "Spherical Pellet Production" - \$25.00; "Corrugated and Ported Prism Engine Nozzel for Reduction of Supersonic Jet Exhaust Noise" - \$1,262.38; "Antifungal Cyclopentenediones" - \$92.00; "High-Speed Data Compression Algorithms Based on Set-Associative Cache Mapping" - \$436.20; "Compositions Comprising Highly Purified Amphotericin B - AU" - \$426.50; "Compositions Comprising Highly Purified Amphotericin B - MX" - \$32.68; "Novel Cyclopentenedione Antifungal Compounds and Methods for Their Use - CA" - \$1,527.01; "Novel Cyclopentenedione Antifungal Compounds and Methods for Their Use - EP" - \$1,944.47; "Solubilization & Disposal of Radioactive Scale & Sludge" - \$252.76; "Method and Device for Reducing Engine Noise - CA" - \$487.30; "Method and Device for Reducing Engine Noise - EP" - \$1,013.94; "Methods for Detecting Vibration and Sounds Signatures of Human Footsteps" - \$121.40; "Multidomainplate Acoustic Wave Devices" - \$805.50; "Salvinorin A Ligands to Optoid Receptors" - \$1,311.00; "Miscellaneous IP Matters" - \$13.50; "Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia" - \$3,227.92; "Amphotericin BHP" - \$2,394.00; "Compositions Comprising Highly Purified Amphotericin B - EP" - \$3,494.81; and, "Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia" - \$1,006.83.)

TOTAL DUE \$22,257.52

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 6/17/08, 6/17/08, 6/17/08, 6/17/08, 6/17/08, 7/18/08, 7/18/08, 7/18/08, 7/18/08, 7/18/08, 7/18/08, 7/18/08, 7/18/08, 7/18/08, 7/18/08 and 7/18/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with following patent applications: "Novel Antigiardial Agents" - \$2,586.02; "Marine Compound Inhibiting Cellular Responses to Hypoxia" - \$166.42; "Compositions Comprising Highly Purified Amphotericin B" - \$550.80; "High-Speed Data Compression Based on Set Associative Cache Mapping" - \$1,248.90; "Miscellaneous IP Matters" - \$16.89; "Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia" - \$320.10; "Multidomainplate Acoustic Wave Devices" - \$85.50; "Acoustic Instruments for Use in Aquaculture" - \$276.00; "High-Speed Data Compression Based on Set Associative Cache Mapping" - \$2,256.00; "High-Speed Data Compression Based on Set Associative Cache Mapping" - \$104.00; "Solubilization & Disposal of Radioactive Scale & Sludge" - \$91.78; "Novel Cyclopentenedione Antifungal Compounds and Methods for Their Use" - \$260.80; "Compounds Comprising Highly Purified Amphotericin B" - \$774.28; "Marine Compound Inhibiting Cellular Responses to Hypoxia" - \$61.40; "Spherical Pellet Production" - \$516.16; "Compositions Comprising Highly Purified Amphotericin B" - \$525.00; and "In-Furnace Reduction of Nitrogen Oxide by Mixed Fuel Involving a Biomass Derivative" - \$11.50.)

TOTAL DUE \$9,851.55

Payment of legal fees for professional services rendered by Hunton & Williams (Statements dated 6/10/08, 6/13/08, 6/10/08, 6/10/08, 6/10/08, 6/13/08, 6/10/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/6/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08, 7/7/08 and 7/7/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with following patent applications: “Transmucosal Delivery of Cannabinoids – AU” - \$624.60; “Transmucosal Delivery of Cannabinoids – CA” - \$1,152.43; “Method of Preparing Delta-9-Tetrahydrocannabinol – EPO” - \$315.83; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – MX” - \$150.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – PL” - \$218.19; “Controlling Toxicity of Quinoquinoline Compounds – CA” - \$1,530.61; “Artemisinin-Based Peroxide Compounds” - \$1,890.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – CA” - \$296.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – SA” - \$61.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Belgium” - \$614.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Den.” - \$905.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – FR” - \$545.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Germany” - \$1,902.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Netherlands” - \$799.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Sweden” - \$663.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Switzerland” - \$378.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – UK” - \$586.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Ireland” - \$615.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Italy” - \$1,182.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – Luxembourg” - \$373.00; “Design and Synthesis of Optimized Ligands and PPAR – CA” - \$289.00; “Transmucosal Delivery of Cannabinoids – AU” - \$280.00; “Transmucosal Delivery of Cannabinoids – CA” - \$397.00; “Synthesis of Epothilones and Related Analogs” - \$550.00; “Method of Preparing Delta-9-Tetrahydrocannabinol – EPO” - \$182.15; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – PL” - \$820.00; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – JP” - \$298.49; “Stable Suppository Formulations Effecting Bioavailability of Δ-9-THC – AU” - \$440.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – CZ” - \$909.50; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters – MX” - \$75.20; “Potent Immunostimulatory Extracts from Microalgae” - \$1,100.00; “Anticancer and Antiprotozoal Dihydroartemisinene and Dihydroartemisinene Dimers with Desirable Chemical Functionalities – CA” - \$284.00; “Method of Controlling Toxicity of Aminoquinoline Compounds” - \$1,230.00; “Potent Immunostimulants Microalgae” - \$1,100.00; “Method of Delta-9-THC – NZ” - \$550.00; “8-Aminoquinolines – IE” - \$7.00; “Nail Fungus Treatment” - \$655.00; “Potent Immunostimulatory Components” - \$1,100.00; and “New Artemisinin Application” - \$1,925.00.)

TOTAL DUE \$26,993.00

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**October 20, 2008
Board of Trustees Meeting Emergency Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 20, 2008**

28

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in an emergency meeting via teleconference on October 20, 2008 at 12:00 p.m. with public attendance available in Room 935 on the 9th floor of the Paul B. Johnson tower building in the Education and Research Center in Jackson, Mississippi, in the President's Conference Room in the Lucas Administration Building on the campus of the University of Southern Mississippi in Hattiesburg, Mississippi, and in Room 112 of Allen Hall on the Mississippi State University campus in Starkville, Mississippi. The following members participated in the teleconference: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christy Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. The meeting was called to order by Ms. Amy Whitten, President.

In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call fashion. This emergency teleconference meeting was held to discuss a personnel matter at Mississippi State University.

EXECUTIVE SESSION

On motion by Mr. Perry, with Ms. Robinson absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Mr. Perry, seconded by Ms. Pickering, with Ms. Robinson absent and not voting, the Board **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi State University.

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

On motion by Mr. Blakeslee, seconded by Dr. Davidson, and unanimously passed by those present, the Board accepted the resignation of Mississippi State University Interim President, Dr. Vance Watson, effective immediately, and acknowledged his decision to retire from Mississippi State University effective October 31, 2008.

On motion by Mr. Smith, seconded by Dr. Rouse, and unanimously passed by those present, the Board appointed former Mississippi State University Vice President Dr. Roy Ruby as Interim President of Mississippi State University.

On motion by Mr. Smith, seconded by Ms. Robinson, and unanimously passed by those present, the Board voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Perry, seconded by Dr. Rouse, with Mr. Owens and Ms. Robinson absent and not voting, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**October 21, 2008
Special Called Board of Trustees Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 21, 2008**

30

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special session at the Mississippi Valley State University Business Education Building in Itta Bena, Mississippi, at 5:30 p.m., and pursuant to notice in writing to each and every member of said Board, said date being at least five days prior to this October 21, 2008 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. The meeting was called to order by Ms. Whitten, President.

FIRST EXECUTIVE SESSION

On motion by Mr. Blakeslee, and unanimously passed by those present, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Mr. Perry, seconded by Dr. Rouse, and unanimously passed by those present, the Board **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi Valley State University.

During Executive Session, the following matter was discussed and voted upon:

On motion by Dr. Neely, seconded by Ms. Robinson, and unanimously passed by those present, the Board appointed Dr. Donna Oliver as the new Mississippi Valley State University president at an annual salary of \$192,937.50 and granted her a four-year contract of employment to begin January 1, 2009.

On motion by Mr. Perry, seconded by Dr. Rouse, and unanimously passed by those present, the Board voted to return to Open Session.

SECOND EXECUTIVE SESSION

On motion by Mr. Perry, and unanimously passed by those present, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Mr. Patterson, seconded by Dr. Rouse, and unanimously passed by those present, the Board **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at the Board Office.

During Executive Session, the following matter was discussed:

The Board discussed a personnel matter at the Board Office. **No action was taken.**

On motion by Mr. Smith, seconded by Dr. Neely, and unanimously passed by those present, the Board voted to return to Open Session.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 21, 2008**

ADJOURNMENT

There being no further business to come before the Board, on motion by Ms. Pickering, seconded by Ms. Whitten, and unanimously passed by those present, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**October 24, 2008
Special Called Board of Trustees Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 24, 2008**

33

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special session at the Board Office in Jackson, Mississippi, at 2:00 p.m., and pursuant to notice in writing to each and every member of said Board, said date being at least five days prior to this October 24, 2008 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christy Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. **Although Ms. Christy Pickering joined the meeting by telephone, she was unable to vote because she was not physically present and the meeting was not noticed as a telephonic meeting.** The meeting was called to order by Ms. Whitten, President.

EXECUTIVE SESSION

On motion by Mr. Perry, with Dr. Davidson and Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Dr. Rouse, seconded by Mr. Ross, with Dr. Davidson and Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board **voted to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at the Board Office,
Discussion of a personnel matter at Mississippi State University, and
Discussion of a personnel matter at Mississippi Valley State University.

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

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

On motion by Mr. Blakeslee, seconded by Mr. Patterson, with Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board accepted the retirement of Dr. Thomas Meredith, Commissioner of Higher Education, effective November 15, 2008.

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

On motion by Mr. Blakeslee, seconded by Dr. Rouse, with Ms. Pickering participating by telephone but not voting, the Board voted to return to Open Session.

ANNOUNCEMENT

Ms. Whitten announced that the second round interviews for the next President of Mississippi State University to be held at the Board Office on Wednesday, November 5, 2008, beginning at 1:00 p.m.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 24, 2008**

34

OTHER BUSINESS

On motion by Dr. Rouse, seconded by Mr. Blakeslee, with Ms. Pickering participating by telephone but not voting, the Board appointed Dr. Aubrey Lucas as the Interim Commissioner of Higher Education at a salary of \$341,250 per year, effective immediately .

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Blakeslee, seconded by Dr. Davidson, with Ms. Pickering participating by telephone but not voting, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**November 5, 2008
Mississippi State University
Presidential Search Committee Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 5, 2008**

36

BE IT REMEMBERED, That the Mississippi State University Presidential Search Committee met at the Board Office in Jackson, Mississippi, at 1:00 p.m., and pursuant to notice in writing to each and every member of said Committee, said date being at least five days prior to this November 5, 2008 meeting. At the above-named place there were present the following Committee members to wit: Mr. Scott Ross (Chair), Mr. H. Ed Blakeslee, Mr. Aubrey B. Patterson, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Robin Robinson, a committee member, was absent. The following Mississippi State University Interview Search Advisory Committee (MSU ISAC) members were present to wit: Dr. Bill Kibler, Vice President for Student Affairs and Chairman of the Search Advisory Committee; Dr. Susan Bridges, Professor of Computer Science and Engineering; Mr. Braxton Coombs, Student Body President; Dr. Linda Cornelious, Professor and Interim Head of Instructional Systems and Workforce Development; Mr. David Jones, Past President of the MSU Alumni Association; Dr. Melissa Moore, Associate Professor of Marketing; and Ms. Joy Odom, MSU Staff Council President. MSU ISAC member, Dr. Lynne Richardson who is the Dean of the College of Business and Industry was absent. Dr. Aubrey Lucas, Interim Commissioner of Higher Education, the search consultant, Mr. Jerry Baker of Baker and Associates, LLC in Atlanta, Georgia; and Board members Dr. Stacy Davidson, Dr. Bettye Neely, Mr. Bob Owens, Mr. Alan Perry, Ms. Christy Pickering and Ms. Amy Whitten also attended the meeting. The meeting was called to order by Chairman Scott Ross.

EXECUTIVE SESSION

On motion by Mr. Patterson, seconded by Mr. Blakeslee, with Ms. Robinson absent and not voting, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Mr. Smith, seconded by Dr. Rouse, with Ms. Robinson absent and not voting, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi State University.

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

The Mississippi State University Presidential Search Committee conducted a second round of interviews for the final candidates.

On motion by Mr. Blakeslee, seconded by Dr. Rouse, with Ms. Robinson absent and not voting, the Committee recommended that the Board approve Dr. Mark Keenum, current Under Secretary of Farm and Foreign Agricultural Services, as the preferred candidate for the position of President at Mississippi State University. On Wednesday, November 12, 2008, Dr. Keenum will participate in open, day-long interviews on the MSU campus with various university and community constituency groups.

On motion by Mr. Patterson, seconded by Mr. Smith, with Ms. Robinson absent and not voting, the Committee voted to return to Open Session.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 5, 2008**

ADJOURNMENT

There being no further business to come before the Committee, on motion by Mr. Patterson, seconded by Mr. Blakeslee, with Ms. Robinson absent and not voting, the Committee members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

Interim Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**November 5, 2008
Special Called Board of Trustees Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 5, 2008**

39

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special session at the Board Office in Jackson, Mississippi, at 3:00 p.m., and pursuant to notice in writing to each and every member of said Board, said date being at least five days prior to this November 5, 2008 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christy Pickering, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Ms. Robin J. Robinson was absent. Dr. Aubrey Lucas, Interim Commissioner of Higher Education, and the search consultant, Mr. Jerry Baker of Baker and Associates, LLC in Atlanta, Georgia, also attended the meeting. The meeting was called to order by Ms. Amy Whitten, President.

EXECUTIVE SESSION

On motion by Ms. Whitten, seconded by Dr. Rouse, with Ms. Robinson absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Dr. Neely, seconded by Dr. Rouse, with Ms. Robinson absent and not voting, the Board **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi State University.

During Executive Session, the following matter was discussed and voted upon:

On motion by Mr. Ross, seconded by Mr. Patterson, with Ms. Robinson absent and not voting, the Board approved Dr. Mark Keenum, current Under Secretary of Farm and Foreign Agricultural Services, as the preferred candidate for the position of President at Mississippi State University. On Wednesday, November 12, 2008, Dr. Keenum will participate in open, day-long interviews on the MSU campus with various university and community constituency groups.

On motion by Ms. Pickering, seconded by Mr. Perry, with Ms. Robinson absent and not voting, the Board voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Perry, seconded by Dr. Rouse, with Ms. Robinson absent and not voting, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

Interim Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF
TRUSTEES OF STATE
INSTITUTIONS OF HIGHER
LEARNING**

**November 12, 2008
Special Called Board of Trustees Meeting**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 12, 2008**

41

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special session at the Hunter Henry Center in the Correro Room on the Mississippi State University campus in Starkville, Mississippi, at 5:15 p.m., and pursuant to notice in writing to each and every member of said Board, said date being at least five days prior to this November 12, 2008 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christy Pickering, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. **Although Ms. Christy Pickering joined the meeting by telephone, she was unable to vote because she was not physically present and the meeting was not noticed as a telephonic meeting.** Ms. Robin J. Robinson was absent. Dr. Aubrey Lucas, Interim Commissioner of Higher Education, and the search consultant, Mr. Jerry Baker of Baker and Associates, LLC in Atlanta, Georgia, also attended the meeting. The meeting was called to order by Ms. Amy Whitten, President.

EXECUTIVE SESSION

On motion by Mr. Patterson, with Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Mr. Blakeslee, seconded by Mr. Perry, with Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Mississippi State University.

During Executive Session, the following matter was discussed and voted upon:

On motion by Mr. Ross, seconded by Dr. Davidson, with Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board appointed Dr. Mark Keenum as the new Mississippi State University president at a salary of \$220,500 a year and granted him a four-year contract of employment to begin in early January 2009.

On motion by Mr. Patterson, seconded by Dr. Neely, with Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on motion by Mr. Blakeslee, seconded by Dr. Neely, with Ms. Robinson absent and not voting and Ms. Pickering participating by telephone but not voting, the Board members voted to adjourn.

President, Board of Trustees of State Institutions of Higher Learning

Interim Commissioner, Board of Trustees of State Institutions of Higher Learning

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BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
November 19-20, 2008
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A. EDUCATIONAL POLICIES AND PROGRAMS

1. SYSTEM ADMINISTRATION – APPROVAL OF DEGREES TO BE CONFERRED IN DECEMBER 2008

Institution	Degree to be Conferred	Number	Subtotal	Total
Delta State University				
	<i>College of Arts and Sciences</i>			
	Bachelor of Arts	16		
	Bachelor of Fine Arts	16		
	Bachelor of Music	1		
	Bachelor of Music Education	6		
	Bachelor of Science	33		
	Bachelor of Science in Education	8		
	Bachelor of Science in Criminal Justice	18		
	Bachelor of Science in Interdisciplinary Studies	17		
	Bachelor of Social Work	2		
			117	
	<i>College of Business</i>			
	Bachelor of Business Administration	68		
	Bachelor of Commercial Aviation	7		
			75	
	<i>College of Education</i>			
	Bachelor of Arts	8		
	Bachelor of Science	45		
	Bachelor of Science in Education	19		
	Bachelor of Science in General Studies	2		
			74	
	<i>School of Nursing</i>			
	Bachelor of Science in Nursing	16		
			16	
	<i>School of Graduate Studies</i>			
	Master of Business Administration	38		
	Master of Commercial Aviation	7		
	Master of Education	80		
	Master of Arts in Teaching	9		
	Master of Professional Accountancy	9		
	Master of Science in Community Development	5		
	Master of Science in Criminal Justice	2		
	Master of Science in Natural Sciences	2		
	Educational Specialist	12		
	Doctor of Education	3		
			167	
				449
Mississippi State University				
	<i>College of Agriculture and Life Sciences</i>			
	Bachelor of Landscape Architecture	1		
	Bachelor of Science	71		

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
November 19-20, 2008
Page 2 of 13

Institution	Degree to be Conferred	Number	Subtotal	Total	
	Master of Agribusiness Management	8			
	Master of Landscape Architecture	2			
	Master of Science	30			
	Doctor of Philosophy	9			
			121		
	<i>College of Architecture, Art, and Design</i>				
	Bachelor of Fine Arts	12			
	Bachelor of Science	3			
	Master of Science	4			
			19		
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	108			
	Bachelor of Science	123			
	Bachelor of Social Work	13			
	Master of Arts	15			
	Master of Public Policy and Administration	9			
	Master of Science	16			
	Doctor of Philosophy	6			
			290		
	<i>College of Business</i>				
	Bachelor of Business Administration	164			
	Bachelor of Science	1			
	Master of Business Administration	42			
	Master of Science	5			
	Master of Science in Business Administration	1			
	Doctor of Philosophy	2			
			215		
	<i>College of Education</i>				
	Bachelor of Science	188			
	Bachelor of Music Education	3			
	Master of Arts in Teaching	4			
	Master of Arts in Teaching Secondary	3			
	Master of Science	35			
	Master of Science in Instructional Technology	8			
	Educational Specialist	9			
	Doctor of Education	1			
	Doctor of Philosophy	16			
			267		
	<i>College of Engineering</i>				
	Bachelor of Science	95			
	Master of Engineering	1			
	Master of Science	50			
	Doctor of Philosophy	13			
			159		
	<i>College of Forest Resources</i>				
	Bachelor of Science	9			
	Master of Science	6			
	Doctor of Philosophy	2			
			17		

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>College of Veterinary Medicine</i>				
	Master of Science	1			
			1		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	24			
	Master of Professional Accountancy	6			
			30		
				1119	
Mississippi University for Women					
	<i>Undergraduate</i>				
	Bachelor of Arts	13			
	Bachelor of Fine Arts	7			
	Bachelor of Music	1			
	Bachelor of Science	60			
	Bachelor of Science in Nursing	6			
			87		
	<i>Graduate</i>				
	Master of Education	1			
	Master of Science	3			
			4		
				91	
University of Mississippi					
	<i>College of Liberal Arts</i>				
	Bachelor of Arts	133			
	Bachelor of Science	11			
	Bachelor of Fine Arts	5			
	Bachelor of Music	5			
			154		
	<i>School of Engineering</i>				
	Bachelor of Science in Civil Engineering	2			
	Bachelor of Science in Computer Science	3			
	Bachelor of Science in Electrical Engineering	1			
	Bachelor of Science in Geological Engineering	2			
			8		
	<i>School of Education</i>				
	Bachelor of Arts in Education	42			
			42		
	<i>School of Business</i>				
	Bachelor of Business Administration	125			
			125		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	17			
			17		
	<i>School of Applied Sciences</i>				
	Bachelor of Arts	7			
	Bachelor of Science in Criminal Justice	32			
	Bachelor of Science in Exercise Science	13			

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Science in Dietetics and Nutrition	2			
	Bachelor of Social Work	8			
	Bachelor of Science in Family and Consumer Sciences	21			
	Bachelor of Arts in Parks and Recreation Management	4			
	Bachelor of Paralegal Studies	1			
			88		
	Graduate School				
	Master of Arts	5			
	Master of Science	13			
	Master of Fine Arts	1			
	Master of Accountancy	3			
	Master of Taxation	1			
	Master of Education	22			
	Master of Music	2			
	Specialist in Education	6			
	Doctor of Philosophy	12			
			65		
	Law School				
	Juris Doctor	18			
			18		
				517	
University of Mississippi Medical Center					
	Undergraduate				
	Bachelor of Science in Clinical Laboratory Sciences	2			
	Bachelor of Science in Health Sciences	7			
			9		
	Graduate/Professional				
	Master of Science in Nursing	6			
			6		
				15	
University of Southern Mississippi					
	College of Arts and Letters				
	Bachelor of Arts	153			
	Bachelor of Fine Arts	10			
	Bachelor of Music	5			
	Bachelor of Music Education	8			
	Bachelor of Science	16			
	Master of Arts	17			
	Master of the Arts in the Teaching of Languages	9			
	Master of Fine Arts	1			
	Master of Music	5			
	Master of Music Education	3			
	Master of Science	9			
	Doctor of Musical Arts	5			
	Doctor of Philosophy	14			
			255		
	College of Business				

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Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Science	12			
	Bachelor of Science in Business Administration	266			
	Master of Business Administration	1			
	Master of Professional Accountancy	4			
			283		
	<i>College of Education and Psychology</i>				
	Bachelor of Arts	10			
	Bachelor of Science	163			
	Master of Arts	7			
	Master of Arts in Teaching	1			
	Master of Education	21			
	Master of Library and Information Science	25			
	Master of Science	12			
	Specialist in Education	5			
	Specialist in Library and Information Science	1			
	Doctor of Education	4			
	Doctor of Philosophy	26			
			275		
	<i>College of Health</i>				
	Bachelor of Arts	16			
	Bachelor of Science	88			
	Bachelor of Social Work	10			
	Master of Public Health	22			
	Master of Science	18			
	Master of Social Work	14			
	Doctor of Philosophy	3			
			171		
	<i>School of Nursing</i>				
	Bachelor of Science in Nursing	97			
	Master of Science in Nursing	27			
			124		
	<i>College of Science and Technology</i>				
	Bachelor of Arts	37			
	Bachelor of Science	141			
	Master of Arts	2			
	Master of Science	52			
	Doctor of Philosophy	16			
			248		
				1356	
System Total					3547

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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2. SYSTEM ADMINISTRATION – DECLARATION OF INTENT TO OFFER DEGREE PROGRAMS BY DISTANCE LEARNING (INFORMATION ITEM)

- a. In August 2009, *Delta State University* will begin offering the *Master of Science in Community Development* (CIP 44.0201) online. Offering this existing academic program online will expand student access by providing an alternant program delivery method to traditional classroom instruction. The online program will not require different tuition and fees than the on-campus program.
- b. In August 2010, *Delta State University* will begin offering the *Master of Education in Secondary Education (History)* (CIP 13.1205) online. Offering this existing academic program online will expand access for K-12 History teachers by providing an alternant program delivery method to traditional classroom instruction. The online program will not require different tuition and fees than the on-campus program.

STAFF RECOMMENDATION: Board staff recommends these items be accepted as information.

3. SYSTEM ADMINISTRATION – WINNERS OF THE HALBROOK AWARDS FOR ACADEMIC ACHIEVEMENT AMONG ATHLETES FOR 2007-2008 (INFORMATION ITEM)

David C. Halbrook Awards for Academic Achievement Among Athletes			
(Trophy)			
Public University Division - Men's		University of Southern Mississippi	
Public University Division - Women's		Mississippi State University	
Independent College Division Overall		Millsaps College	
Community and Junior College Division Overall		Hinds Community College	
John C. and Ernestine McCall Halbrook Improvement Award			
(Cash award to institution with greatest improvement over the previous year in percentage of student athletes graduating)			
Holmes Community College			
David M. Halbrook Certificate Award for Academic Achievement Among Athletes			
(Certificates awarded to a male and female student athlete who have excelled in academics, leadership, and/or service)			
Public University Division	Institution	Male Recipient	Female Recipient
	Alcorn State University	Joe Keys	Rebecca Mason
	Delta State University	Roman Sereda	Lauren Brittany Eikner
	Jackson State University	John Thompson	Zachene Crooks
	Mississippi State University	Noah P. Goldman	Samantha Jo Bailey
	Mississippi Valley State University	Christopher Watson	Meghan Eddy
	University of Mississippi	Matthias Wellermann	Casey Phillips
	University of Southern Mississippi	William Sutton	Kristen Chaney

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Independent College Division	Institution	Male Recipient	Female Recipient
	Belhaven College	Stephen Shelt	Jessica Gunning
	Blue Mountain College	Kenny Whitis	Katelynn Wright
	Millsaps College	Chad Songy	Anna Allred
	Mississippi College	Chris Penton	Casie Hilton
	Rust College	Omar R. Cumberbatch	McKenna T. Gosa
	Tougaloo College	Jeremy Cable	Jasmine Woods
	William Carey University	David Trisler	Jeana Erickson
Community and Junior College Division	Institution	Male Recipient	Female Recipient
	Coahoma Community College	Keith Johnson	Kimberly Kern
	Copiah-Lincoln Community College	Brett Hart	Kristen Wilson
	East Central Community College	Joseph Thomas Cieglo	Ashley Dru Anderson Whitney Leigh White
	East Mississippi Community College	Benjamin Fleming	Katie Kelleher
	Hinds Community College	David T. Mooney	Apryl A. Trimble
	Holmes Community College	Josh A. Boren	Martha A. Daniels
	Itawamba Community College	Tyson Lee	Anna Miller
	Jones County Junior College	Christopher Glaze	Jackie Lee
	Meridian Community College	-	-
	Mississippi Delta Community College	Charles Lane	Nickie Coates
	Mississippi Gulf Coast Community College	Nicholas Cupps	Andrea Woullard
	Northeast Mississippi Community College	Patrick Wayne Hinton	Anna Nicole Johnson
	Northwest Mississippi Community College	Ryan Roberson	Amanda Oleis
	Pearl River Community College	Jonathan Trahan	Kara Strebeck
	Southwest Mississippi Community College	Kyle Lindsey	Keri Prestridge

STAFF RECOMMENDATION: Board staff recommends this item be accepted as information.

B. BUDGET, FINANCE, AND AUDIT

1. UMMC – APPROVAL OF CONTRACTS

A. CSC Consulting, Inc. – Amendment to Professional Services Agreement

The University of Mississippi Medical Center requests approval for the 5th amendment to its contract with Computer Science Corporation (CSC) to extend the period for the interim support position for the Human Resources Information System. The amendment period is November 24, 2008 to March 13, 2009. Total project hours for this extension are estimated at 640 hours at a rate of \$270 per hour with total fees and expenses not to exceed \$172,800 for the amendment period.

Amendment # 5 brings the total amount of this agreement since September 25, 2007 to \$670,200. The agreement will be funded via patient revenue and service area fees.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

B. Eastman Kodak, Inc. – Lease Agreement

The University of Mississippi Medical Center requests approval to enter into a lease agreement with Eastman Kodak, Inc. to lease the Kodak NexPress M700 Digital Color Press. The agreement period is December 1, 2008 to November 30, 2013.

The total cost for the contract period will not exceed \$490,132.20. The agreement will be funded via auxiliary enterprises.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

C. Hansen Medical – Purchase Agreement

The University of Mississippi Medical Center requests approval to enter a purchase agreement with Hansen Medical to purchase the Sensei Robotic Catheter System to be used during interventional procedures. Upon approval, the system will be installed between November 24, 2008 and December 20, 2008.

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The total cost of the system including installation and training is \$725,000. The agreement will be funded via patient revenue.

STAFF RECOMMENDATION: Pending changes to the contract language recommended by the Attorney General's Office, Board staff recommends approval of this item.

D. Lawson Software Americas, Inc. – Software License and Maintenance Agreement

The University of Mississippi Medical Center requests approval to enter a licensing and maintenance agreement with Lawson Software Americas, Inc. to purchase Enterprise Resource Planning (ERP) software suites to be used in the areas of financials, procurement, and business intelligence. The initial agreement period is December 1, 2008 to November 30, 2011.

The software cost is \$1,580,800 and the maintenance fees for the three-year period total \$925,000 for a total cost of \$2,505,800. The maintenance fees include an annual increase of 4%. The agreement will be funded via interest income and service area fees.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

E. Microsoft – Technical Support Agreement

The University of Mississippi Medical Center requests approval to enter an agreement with Microsoft Corporation for support assistance and problem resolution support of Microsoft products and services. In June, 2006, the Board approved a contract threshold of \$400,000 projected to cover support costs for Microsoft through June, 2009. Due to increases in price and staffing needs, the projection of the dollar amount was not sufficient.

UMMC would like to amend the contract through June 30, 2010 and increase the dollar amount by \$471,100 for a total of \$871,100. The contract will be funded via patient revenue and interest income.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

F. RecordMax – Medical Records Filing Services Agreement

The University of Mississippi Medical Center requests approval to enter into a one-year agreement with RecordMax for off-site medical record storage and retrieval services. The agreement period is November 24, 2008 to November 23, 2009.

The total cost for the contract period is \$653,000. The agreement will be funded via patient revenue.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

G. Select Specialty Hospital – Jackson, Inc. – Lease Agreement

The University of Mississippi Medical Center requests approval to enter into a five-year lease agreement with Select Specialty Hospital-Jackson, Inc. to lease 2,669 square feet of space to be used by the University Heart Diagnostic Clinic for clinical and office space. The additional space will allow expansion of services to include nuclear imaging and the Heart Failure Disease Management Program. The contract is for the period January 1, 2009 to December 31, 2013.

The rent is \$17.50 per square foot. For the first year of the agreement, an additional \$11.16 per square foot will be paid to compensate Select Specialty for requested improvements made to the premises. As such, annual cost for year 1 are \$76,493.54 and thereafter, \$46,707.50 per year. The total costs for the contract period is \$263,323.54. The contract will be funded via patient revenue.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

H. St. Jude Medical S.C., Inc. – Purchase Agreement (Mapping System)

The University of Mississippi Medical Center requests approval to enter into a purchase agreement with St. Jude Medical S.C., Inc. to purchase the EnSite mapping system which uses computer-based technology for mapping arrhythmia and navigating electrophysiology catheters in real time. The installation is scheduled between November 24, 2008 and December 12, 2008.

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The total cost of the system, including installation and support, is \$295,975. The contract will be funded via patient revenue.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

I. St. Jude Medical S.C., Inc. – Purchase Agreement (Recording System)

The University of Mississippi Medical Center requests approval to enter into a purchase agreement with St. Jude Medical S.C., Inc. to purchase an electrophysiology (EP) lab recording system. The purchase includes the necessary equipment and software for the EP WorkMate Recording System which will be used to conduct electrophysiology studies. The installation is scheduled between November 24, 2008 and December 12, 2008.

The total cost is \$350,935. The contract will be funded via patient revenue.

STAFF RECOMMENDATION: This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

2. USM – USM Foundation – Approval of Lease Agreement

The University of Southern Mississippi requests approval to enter a five-year lease agreement with the University of Southern Mississippi Foundation to lease a Beechcraft King Air 200 aircraft (N777AQ). The term of the lease is effective upon USM Foundation's acquisition of the aircraft projected to be December 1, 2008 to November 30, 2013.

Lease payments will be issued monthly with the first 59 payments in equal monthly installments of \$16,662.98 and the 60th payment including a final balloon payment of \$907,053.85. The total cost for the lease is \$1,890,169.67.

STAFF RECOMMENDATION: Pending changes recommended by the Attorney General's Office and receipt of a revised lease payment schedule, Board staff recommends approval of this item.

C. **REAL ESTATE AND FACILITIES**

APPROVAL OF BUDGET INCREASES/CHANGE OF SCOPES

1. **UMMC – IHL 209-508, R019 CT Renovations**

The University of Mississippi Medical Center requests approval to increase the budget from \$310,000 to \$330,000 for an increase in the amount of \$20,000. The increase is required to correct existing fire stop penetrations, to add a monitor mount and bracing and to add medical gas outlets and zone valves. Funds are available from hospital patient revenues.

2. **USM – IHL 208-283, Softball Complex Upgrade**

The University of Southern Mississippi requests approval to increase the budget from \$1,500,000 to \$1,900,000 for an increase in the amount of \$400,000. The increase is required based on the results of design fees and contingencies resulting from bids received. Approval is also requested to award a construction contract to B.W. Construction Company, the lowest of three (3) bidders, in the amount of \$1,598,400. Funds are available from the USM Athletic Foundation.

3. **USM – IHL 208-285, Hub Renovation**

The University of Southern Mississippi requests permission to increase the budget from \$850,000 to \$995,000 for an increase in the amount of \$145,000. The increase is required due to additional mechanical repair work and safety items that have been identified during the design of the project. Funds are available from self-generated sources.

STAFF RECOMMENDATION: Board staff recommends approval of Items 1-3.

APPROVAL OF OTHER REAL ESTATE AND FACILITIES REQUESTS

4. JSU – Right of Way Easement

Jackson State University requests permission to allow a right-of-way easement for Entergy Mississippi, Inc. for the purpose of placing permanent light poles at the Honors Residence Hall parking lot. The property in question is a certain parcel of land situated in the NW ½ of the SW quarter of Section 4, Township 5 North, Range 1 East, Hinds County, Mississippi. Per Board Policy 905 (A) Real Estate Management, a copy of the property description and all documentation are on file with the Office of Real Estate and Facilities.

STAFF RECOMMENDATION: Board staff recommends approval of Item 4.

D. PERSONNEL

APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

Mississippi State University

Per M. Nilsson, Men's Tennis Coach, Athletics, *from* \$65,000 per annum; Auxiliary Funds; July 1, 2007 to June 30, 2008 contract period; *to* \$75,000 per annum; Auxiliary Funds; issuance of a four-year contract for the period August 16, 2008 to August 15, 2012

2. Sabbatical

Mississippi State University (Correction)

In March 2008, the Board approved a sabbatical for Dwayne A. Wise. In September, 2008, MSU requested the sabbatical be rescinded by the Board. MSU is now requesting approval of the sabbatical for Dwayne A. Wise with a corrected sabbatical period as follows:

Dwayne A. Wise, Professor, Biological Sciences; August 16, 2009 to December 31, 2009; \$77,695 per annum; General Funds; (sabbatical pay for period will be \$38,847.50); professional development

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1. **SYSTEM ADMINISTRATION – APPROVAL OF MODIFICATIONS
(RENAMING) TO EXISTING ACADEMIC UNITS**

Delta State University requests permission to rename the *School of Nursing* to the **Robert E. Smith School of Nursing** to honor Mr. Smith's generous financial contribution to Delta State's nursing school.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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1. UM – Permission to Refund Bond; Approval of Butler, Snow, O’Mara, Stevens & Cannada as Bond Counsel; and Approval of Morgan Keegan as Underwriters

The University of Mississippi requests authority for its affiliated Educational Building Corporation (UMEBS) to issue fixed interest rate bonds to refinance or refund the UMEBC Series 2000A variable rate demand obligations. Due to a downgrade of the credit enhancer, MBIA, by rating agencies, these variable interest rate obligations have become much more costly. UM also requests approval to engage Butler, Snow, O’Mara, Stevens & Cannada as bond counsel and Morgan Keegan as underwriters for the purpose of this transaction. The fee for bond counsel is not expected to exceed \$57,130.

The original Series 2000A was issued for \$34.7 million to finance the construction of the south end zone expansion of Vaught-Hemingway Stadium, the Gertrude Castellow Ford Center for the Performing Arts, the Johnny M. Williams Electrical Generation Facility, and student housing renovations. The EBC intends to refund or refinance all outstanding coupons from the Series 2000A issue for a total of \$25.3 million. The remaining term (12 years, October 2020) will be preserved in any new bond issue.

Additionally, there are two swaps associated with the Series 2000A issue which the university intends to unwind. The expected cost to terminate both swaps has been estimated recently at \$470,000.

STAFF RECOMMENDATION: Pending approval of the Bond Counsel by the Attorney General’s Office, Board Staff recommends approval of this item.

2. USM – Duncan Williams – Approval of Underwriter

The University of Southern Mississippi requested approval to issue revenue bonds not to exceed \$50 million to finance the construction of a 900-bed housing project on the Hattiesburg campus on the June, 2008 agenda. This item was approved by the Board at that time. The Southern Mississippi Educational Building Corporation (SMEBC) is now requesting approval of Duncan-Williams as the underwriter for this bond issue.

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

3. System Administration – Ayers Budget Escalations

Alcorn State University, Jackson State University and Mississippi Valley State University are requesting budget escalations applicable to the *Ayers* Endowment Diversity Program(s) budgets. The escalations will cover increased costs associated with program personnel, departmental operating costs, library resources and diversity student

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aid awards. The original budgets were approved by the Board in June, 2008 at which time the original budget information was based on estimated interest revenues. The institutions are requesting approval to revise these budgets to actual revenues. Each institution's recommended budget is presented below:

Alcorn State University

Object of Expenditure	Current Budget FY 08-09	Budget Revision #1	Revised Budget FY 08-09
Salaries, Wages & Fringe Benefits	\$ 18,208		\$ 18,208
Travel	-		-
Contractual Services	-		-
Commodities	-		-
Capital Outlay:	-		-
Equipment	-		-
Library Resources	-		-
Student Aid	179,264	157,334	336,598
Total	\$ 197,472	\$ 157,334	\$ 354,806

Jackson State University

Object of Expenditure	Current Budget FY 08-09	Budget Revision #1	Revised Budget FY 08-09
Salaries, Wages & Fringe Benefits	\$ 186,601	\$ 62,800	\$ 249,401
Travel	-	20,000	20,000
Contractual Services	-		-
Commodities	-		-
Capital Outlay:	-		-
Equipment	-		-
Library Resources	-	175,841	175,841
Student Aid	186,067	63,943	250,010
Total	\$ 372,668	\$ 322,584	\$ 695,252

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Mississippi Valley State University

Object of Expenditure	Current Budget FY 08-09	Budget Revision #1	Revised Budget FY 08-09
Salaries, Wages & Fringe Benefits	\$ 85,053	\$ 913	\$ 85,966
Travel	-	1,500	1,500
Contractual Services	-	1,440	1,440
Commodities	-	1,000	1,000
Capital Outlay:	-		-
Equipment	-	55,000	55,000
Library Resources	-		-
Student Aid	157,956	164,470	322,426
Total	\$ 243,009	\$ 224,323	\$ 467,332

STAFF RECOMMENDATION: According to Board Policy 701.06 Budget Escalations and Revisions all escalations to the annual budgets of the several institutions must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board staff has reviewed the escalations and recommends approval of this item.

4. System Administration – Discussion of the Board’s Funding Formula

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APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

1. JSU – IHL 203-149, The Council of Federated Organizations Building (COFO)

Jackson State University requests permission to initiate a project to rehabilitate and restore the Council of Federated Organizations (COFO) Building Complex, consisting of three buildings. The buildings will be renovated to be used as the location of a Student Run Business (SRB) enterprise and an Education Center to interpret civil rights activities in Mississippi. Funds are available in the amount of \$380,000 from the Small Business Administration.

2. JSU – IHL 203-150, Transportation/Mobility Center

Jackson State University requests permission to initiate a project for the construction of a new transportation/mobility center and the renovation of the current Facilities Management building. The new facility will be connected to the current facilities building and will accommodate the university's transportation fleet. The project will also provide storage and office space for administration and staff. Funds are available in the amount of \$5,000,000 from the United States Department of Transportation.

3. JSU – GS 103-251, Campus-Wide Security Surveillance Cameras

Jackson State University requests permission to initiate a project for the installation of campus-wide security and surveillance cameras. This project is to include security lighting, indoor and outdoor surveillance cameras, monitoring systems at the guard houses, access control to buildings, fire alarms and sprinklers to various buildings, card readers and kiosks at various entrances and parking lots. Approval is also requested for the appointment of Watkins O'Gwynn Electrical Engineers as project professionals. The total project budget is \$950,000. Funds are available from HB 1641, Laws of 2008.

4. JSU – GS 103-252, Stewart and McAllister/Whiteside Residence Halls - Roof Replacements

Jackson State University requests permission to initiate a project for the roof replacement of Stewart and McAllister-Whiteside Residence Halls and to appoint Burris/Wagnon Architects as the project professionals. The roofs are currently leaking and the warranties have expired. The project will prevent further damage to the interior of these buildings. Funds are available in the amount of \$235,000 from the IHL Discretionary Fund: HB 246, Laws of 2007, as previously approved by the Board.

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5. JSU – GS 103-253, Emergency Notification System

Jackson State University requests permission to initiate a project for the purchase and installation of an on-site Emergency Notification System which utilizes text, email and telephone messages to students, faculty and staff in the event of emergency situations on campus. Funds are available in the amount of \$65,000 from the IHL Discretionary Fund: HB 246, Laws of 2007, as previously approved by the Board.

6. UM – IHL 207-316, Chilled Water Plant

The University of Mississippi requests permission to initiate a project for pre-planning to establish the scope and cost for construction of a new chilled water plant. The current plant is over twenty years old and is a gas-fired absorption chiller which operates at a reduced capacity. The initial estimate for the new plant is approximately \$6.5 million. The pre-planning budget for this project is \$500,000. Funds are available from self-generated sources.

7. UMMC – IHL 209-515, Surgical Short Stay Renovations

The University of Mississippi Medical Center requests permission to initiate a project for construction of a new Surgical Short Stay Area. This project will be a part of the Adult Hospital Addition and will include support services, relocation of ICU waiting area, electrical, HVAC and boiler plant services. Approval is also requested to appoint Cooke Douglas Farr Lemons, Ltd as project professionals. The design fees in the amount of \$500,000 are available from self-generated sources. The balance of the funding will be provided from hospital patient revenues at the completion of the construction documents. The total project budget is \$7,735,000.

8. UMMC – IHL 209-516, Emergency Room Fast Track Renovations

The University of Mississippi Medical Center requests permission to initiate a project for construction of a new Adult Emergency Fast Track area in existing shell space at the hospital basement floor. Approval is also requested to appoint The McCarty Company as project professionals. The total project budget is \$2,000,000. Funds are available from hospital patient revenues.

9. UMMC – IHL 209-517, Pavilion Parking Expansion

The University of Mississippi Medical Center requests permission to initiate a project for the expansion of the existing pavilion parking area located to the north along University Drive and construction of a new parking area east of University Drive. The new construction is located just north of the Veteran's Administration property line. This

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project will create 359 spaces and will include lighting and gate controlled access. Approval is also requested to appoint Cooke Douglas Farr Lemons as project professionals. The total project budget is \$1,625,000. Funds are available from auxiliary parking fees.

STAFF RECOMMENDATION: Board staff recommends approval of Items 1-9.

APPROVAL OF BUDGET INCREASES/CHANGE OF SCOPES

10. DSU – GS 102-199, Central Mechanical Plant

Delta State University requests approval to increase the budget from \$4,300,000 to \$5,100,000 for an increase in the amount of \$800,000. The increase is required due to the increase in the cost construction, design fees and contingencies resulting from bids received. Approval is also requested to award the construction contract to Acy Mechanical, LLC, the lowest of four (4) bidders, in the amount of \$4,499,790. Funds are available from SB 2988, Laws of 2003; SB 2010, Laws of 2004; HB 246, Laws of 2007 and HB 1641, Laws of 2008.

11. JSU – GS 103-219, Johnson Dansby Residence Halls Replacement Phase I

Jackson State University requests approval to increase the budget from \$11,773,590 to \$13,773,590 for an increase in the amount of \$2,000,000. The increase is required for demolition of Johnson and Dansby Residence Halls and the re-construction of Johnson Hall as a Fine Arts Department building. The new building will also house the campus ITS hub and the Emergency Operations Center. Funds are available from HB 1641, Laws of 2008; SB 2010, Laws of 2004 and HB 246, Laws of 2007.

12. UM – IHL 207-306, Center for Manufacturing Excellence

The University of Mississippi requests approval to increase the budget from \$14,000,000 to \$17,700,000 for an increase in the amount of \$3,700,000. The increase is required based on the latest project estimate received from Cooke Douglas Farr Lemons, the design professionals. Funds are available from self-generated sources.

13. UMMC – IHL 209-508, R019 CT Renovations

The University of Mississippi Medical Center requests approval to increase the budget from \$310,000 to \$330,000 for an increase in the amount of \$20,000. The increase is required to correct existing fire stop penetrations, to add a monitor mount and bracing and to add medical gas outlets and zone valves. Funds are available from hospital patient revenues.

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14. USM – IHL 208-251, Trent Lott Center for Economic Development

The University of Southern Mississippi requests approval to increase the budget from \$23,000,000 to \$29,000,000 for an increase in the amount of \$6,000,000. The increase is required to finish the second and third floors of the building and to construct an expansion to the adjacent energy plant. This additional work was originally bid as alternates, but could not be awarded due to a lack of funding. The revised pricing recently received established the amount needed to complete the facility. Funds are available from HB 246, Laws of 2007.

15. USM – IHL 208-283, Softball Complex Upgrade

The University of Southern Mississippi requests approval to increase the budget from \$1,500,000 to \$1,900,000 for an increase in the amount of \$400,000. The increase is required based on the results of design fees and contingencies resulting from bids received. Approval is also requested to award a construction contract to B.W. Construction Company, the lowest of three (3) bidders, in the amount of \$1,598,400. Funds are available from the USM Athletic Foundation.

16. USM – IHL 208-284, Textbook Center Renovation

The University of Southern Mississippi requests approval to increase the budget from \$750,000 to \$1,500,000 for an increase in the amount of \$750,000. The increase is required for substantial upgrades to the mechanical and electrical systems to accommodate the large number of computers and building occupants. Funds are available from HB 1641, Laws of 2008.

17. USM – IHL 208-285, Hub Renovation

The University of Southern Mississippi requests permission to increase the budget from \$850,000 to \$995,000 for an increase in the amount of \$145,000. The increase is required due to additional mechanical repair work and safety items that have been identified during the design of the project. Funds are available from self-generated sources.

STAFF RECOMMENDATION: Board staff recommends approval of Items 10-17.

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APPROVAL OF OTHER REAL ESTATE AND FACILITIES REQUESTS

18. JSU – IHL 103-246, Land Acquisition Project, Phase IV

Jackson State University requests permission to add the parcels of land as listed below to Phase IV of the JSU Land Acquisition project. The parcels will be used to expand the operations of that project which was approved at the January, 2008 Board meeting. The parcels have been reviewed and approved by the Bureau of Building, Grounds and Real Property Management.

Morehouse Avenue (south of the campus in the Washington Addition neighborhood):

162-7-1
162-9
162-11
162-17
162-19
162-189
222-2-6

Across from the Mississippi E-Center Complex:

635-45
635-50
635-65

Per Board Policy 905 (A) Real Estate Management, a copy of the property description and all documentation are on file with the Office of Real Estate and Facilities.

19. MSU – Purchase of Land

Mississippi State University requests permission to purchase approximately 417.73 acres of land located in Clay County, Mississippi from the Mississippi State University Foundation. The property was donated to the MSU Foundation as a gift from Dr. William Lester Self Andrews to be sold for the benefit of the university. The university wishes to purchase the property for use by the Mississippi Agricultural and Forestry Experiment Station. Once the sale is closed, the MSU Foundation will execute the terms of the gift agreement with the donor, Dr. W. Lester Self Andrews. The purchase price is \$572,500 which is the average of two (2) appraisals. Funding for this land purchase is available from MAFES timber sale funds. Per Board Policy 905 (A) Real Estate Management, the property appraisals and environmental report are on file with the Office of Real Estate and Facilities.

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20. MSU – Donation of Land

Mississippi State University requests permission to receive a donation of approximately 246.45 acres of land located in Oktibbeha County, Mississippi from the Mississippi State University Foundation. The property was donated to the MSU Foundation as a gift from Dr. Williams Lester Self Andrews to be used as a benefit for the university. The university wishes to use the property for the Mississippi Agricultural and Forestry Experiment Station. The university also requests permission to name the property the W.B. Andrews Agricultural Systems Research Center as agreed under the terms of the gift agreement. Per Board Policy 905 (A) Real Estate Management, the property appraisals and environmental report are on file with the Office of Real Estate and Facilities.

21. USM – Purchase of Property

The University of Southern Mississippi requests permission to purchase property located at 3601 Morningside Drive, Hattiesburg, Mississippi. The purchase price is \$121,000 which is below the average of the two (2) appraisals (\$121,000 and \$123,000) for the property. University sources will be used for the purchase. Per Board Policy 905 (A) Real Estate Management, the property appraisals and environmental report are on file with the Office of Real Estate and Facilities.

STAFF RECOMMENDATION: Board staff recommends approval of Items 18-21.

22. SYSTEM ADMINISTRATION: Real Estate and Facilities Items Approved Subsequent to the October 15-16, 2008 Board Meeting (Information Items)

Alcorn State University

GS 101-254, Biotechnology Research Center: The Board staff approved Change Order #8 in the amount of \$12,000 with an additional thirty (30) days added to the contract of Fountain Construction Company, Inc. Approval was requested from the Bureau of Building, Grounds and Real Property Management. This change order is necessary to install a fence next to the chiller, to provide an enclosure under stairwell #3 and to install railing around the front lobby stair landing. Funds are available from the *Ayers* settlement.

Mississippi State University

GS 105-323, Roof Replacements, Phase I: The Board staff approved Change Order #1 in the amount of \$33,542 with an additional fourteen (14) days added to the contract of E. Cornell Malone. Approval was requested from the Bureau of Building, Grounds and Real Property Management. This change order is necessary to replace flashing in the

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existing masonry walls that was discovered to have deficiencies. The total project budget is \$950,000. Funds are available from HB 1634, Laws of 2006.

Mississippi University for Women

GS 104-160, Fant Library Renovation and Expansion: The Board staff approved the Design Development Documents and requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$300,000. Funds are available from HB 246, Laws of 2007.

University of Mississippi

GS 107-266, Farley Hall Renovation: The Board staff approved Change Order #6 to add an additional seventy (70) days to the contract of Panola Construction Company, Inc. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The additional contract time is necessary due to requested material changes. The total project budget is \$9,000,000. Funds are available from SB 3197, Laws of 2002; private donations and self-generated sources.

GS 107-291, Guyton Hall Renovations: The Board staff approved the award of a contract to Murphy and Sons, Inc., the lowest of nine (9) bidders, in the amount of \$2,535,200. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$3,000,000. Funds are available from HB 246, Laws of 2007.

University of Mississippi Medical Center:

IHL 209-495, South Pediatric Renovations II: The Board staff approved Change Order #7 in the amount of \$47,844 with an additional forty nine (49) days to the contract of Wilkinson Construction Company. This change order is necessary for the installation of a new electrical distribution panel which will allow for future expansion of electrical revisions without requiring total outages to major patient care areas. The total project budget is \$2,771,750. Funds are available through self-generated sources and donations.

IHL 209-509, O.R. Endovascular Suite Renovations: The Board staff approved the award of a contract to Sunbelt General Contractors, the second lowest of three bidders, in the amount of \$379,200. The lowest bidder, Coleman Hammons Construction Company, requested a withdrawal of their bid due to a substantial error on their bid amount. The total project budget is \$641,000. Funds are available in from self-generated sources.

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University of Southern Mississippi

IHL 208-236, Tennis Court Relocation: The Board staff approved Change Order #1 for a credit in the amount of \$503,000. The credit was issued due to deleted items of work. The total project budget is \$3,200,000. Funds are available from private donations and university sources.

IHL 208-258A, M.M. Roberts Stadium Expansion and Renovation: The Board staff approved Change Order #1 for a credit in the amount of \$18,657.55. The total project budget is \$1,231,361.45. Funds are available from the USM Athletic Foundation.

IHL 208-268, Data Center Upgrade: The Board staff approved Change Order #1 in the amount of \$11,071.20. This change order is necessary for the installation of a generator for emergency power to the Mississippi Automated System Project office. The total project budget is \$3,800,000. Funds are available from a U.S. Department of Education grant.

IHL 208-269, Commons Building: The Board staff approved Change Order #3 in the amount of \$144,211. This change order is necessary for unforeseen conditions discovered during abatement of the Commons Building. The total project budget is \$500,000. Funds are available from self-generated sources.

University of Southern Mississippi – Gulf Coast Campus

IHL 110-089A, Research Office/Lab Facility-Cedar Point Campus Phase II: The Board staff approved the Contract Documents and the request to advertise for the receipt of bids. The Board staff requested approval from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$5,100,000. Funds are available from SB 2988, Laws of 2003; SB 2010, Laws of 2004; HB 246, Laws of 2007 and HB 1641, Laws of 2008.

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1. **MSU – APPROVAL TO RENEW A CONTRACT WITH OUTSIDE COUNSEL**

Mississippi State University requests permission to renew a contract with the firm of DAVID WARE & ASSOCIATES, L.L.C., located in Jackson, MS, Metairie and Baton Rouge, LA, and Pensacola, FL, to provide services necessary in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations. Specifically, employers are required to pay the cost of preparing, filing, and obtaining certification, and employers are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The rule does allow an alien to pay his or her own personal costs incurred in connection with a labor certification, including attorney fees for personal legal representation, but where the same attorney represents both the alien and the employer, the costs must be borne by the employer. The term of the contractual agreement will be for one (1) year, for a maximum amount payable of \$50,000 during the contract term. The rate/fee structure has not changed from the initial contract.

STAFF RECOMMENDATION: The contract has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

2. **UM – RATIFICATION OF AN OIL, GAS & MINERAL LEASE**

The University of Mississippi seeks the Board's permission to ratify an oil, gas and mineral lease between Juanita Champion Warner and Mosbacher U.S.A., Inc. concerning four tracts of land situated in Wayne County, Mississippi. Ms. Warner owns a life interest in the oil, gas and mineral rights with the university owning a remainder interest in those rights. Ms. Warner has entered a standard 3-year mineral lease and asked that we ratify that lease. The Chancellor recommends that the Board approve the ratification and authorize him to execute on behalf of the university.

STAFF RECOMMENDATION: This lease has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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3. **SYSTEM ADMINISTRATION – APPROVAL OF PROPOSED NEW POLICY
201.0609 APPLICATION BY INTERIM INSTITUTIONAL EXECUTIVE
OFFICER FOR INSTITUTIONAL EXECUTIVE OFFICER POSITION**

**201.0609 Application by Interim Institutional Executive Officer for
Institutional Executive Officer Position**

An individual currently serving as the interim Institutional Executive Officer (IEO) at a university shall not be considered as a candidate for the permanent IEO position for which he/she serves as interim at the same university. However, an individual currently serving as interim IEO may apply and be considered for a permanent IEO position at a different university. This policy does not prohibit an individual who has completed service as an interim IEO from being considered as a candidate for any IEO positions.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. **DISCUSSION OF THE BOARD’S FUNDING FORMULA FROM A
GOVERNANCE/POLICY PERSPECTIVE**

5. **SYSTEM ADMINISTRATION – REPORT OF PAYMENTS TO OUTSIDE
COUNSEL (INFORMATION ITEMS)**

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

Payment of legal fees for professional services rendered by Barry J. Walker (Statement dated 8/18/2008) from the funds of Delta State University. (This statement represent services and expenses in connection with a personnel issue.)

TOTAL DUE.....\$ 3,000.00

Payment of legal fees for professional services rendered by Phelps Dunbar (Statement dated 9/23/08) from the funds of Mississippi State University. (This statement represents services and expenses in connection with *Wade v. MS Cooperative Extension Service*.)

TOTAL DUE.....\$ 221.09

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Payment of legal fees for professional services rendered by David Ware & Associates (Statements dated 9/22/08, 9/24/08, 9/28/08, 9/30/08, 10/8/08 and 10/10/08) from the funds of Mississippi State University. (These statements represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 8,857.80

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statements dated 8/19/08, 8/20/08, 9/18/08, 9/18/08 and 9/18/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with Negotiations with Triton BioPharma AG - \$215.00; Negotiations with Bloodstone Ventures PLC - \$107.50; Cache Mapping Technology Matter - \$5,014.00; Negotiations with Triton BioPharma AG - \$4,301.00 and Negotiations with Bloodstone Ventures PLC - \$1,150.00.)

TOTAL DUE.....\$ 10,787.50

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (Statement dated 9/9/08) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the *Sterling* case.)

TOTAL DUE.....\$ 56.00

Payment of legal fees for professional services rendered by Page, Mannino, Peresich & McDermott (Statements dated 8/29/08, 8/31/08, 8/31/08 and 8/31/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with a personnel issue--\$2,417.00, the *Beason* case--\$5,781.00, the *Flowers* case--\$4,572.00 and the *Knight* case--\$3,603.46.)

TOTAL DUE.....\$ 16,673.46

Payment of legal fees for professional services rendered by Phelps Dunbar (Statement dated 9/29/08) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with Dean & Dean Architects.)

TOTAL DUE.....\$ 606.46

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statements dated 9/12/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Advice – North Clinic - \$2,838.00 and General Representation of the Medical School and Facility Practice Plans - \$12,663.62.)

TOTAL DUE.....\$ 15,501.62

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Payment of legal fees for professional services rendered by Watkins, Ludlam, Winter & Stennis, P.A. (Statement dated 8/25/08) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with financing issues.)

TOTAL DUE.....\$ 2,516.40

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 10/9/08) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with a personnel issue.)

TOTAL DUE.....\$ 6,409.21

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 7/22/08, 6/20/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 9/23/08, 9/23/08, 9/23/08, 9/23/08 and 9/23/08) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Catfish Vaccine" - \$1,602.50; "Catfish Vaccine" - \$4,320.00; "Compact Time-of-Flight Mass Spectrometer - CA" - \$306.50; "Compact Time-of-Flight Mass Spectrometer -Germany" - \$51.00; "Termite Control Methods" - \$155.00; "Method and System for Controlling Manned and Unmanned Aircraft Using Speech Recognition Tools" - \$112.50; "Complementary Accumulation-Mode JFET Integrated Circuit Topology Using Wide-Bandgap Semiconductors" - \$431.50; "Silicon Carbide and Related Wide-Bandgap Transistors on Semi-Insulating Epitaxy for High-Speed, High-Power Applications" - \$900.00; "High Power Density" - \$3,762.00; "Self-Aligned Transistor and Diode Topologies in. . ." - \$127.50; "Complementary Accumulation-Mode JFET Integrated Circuit Topology Using Wide-Bandgap Semiconductors" - \$352.50; "Silicon Carbide and Related Wide-Bandgap Transistors on Semi-Insulating Epitaxy for High-Speed, High-Power Applications" - \$127.50 and "Catfish Vaccine" - \$135.00.)

TOTAL DUE.....\$ 12,383.50

Payment of legal fees for professional services rendered by Stites & Harbison (Statements dated 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/15/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 8/25/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08, 9/15/08 and 9/15/08) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: Miscellaneous IP Matters - \$0.00; "Novel Antigiardial Agents" - \$1,591.76; "Spherical Pellet Production" - \$992.50; "Corrugated and Ported Prism Engine Nozzel for Reduction of Supersonic Jet Exhaust Noise" - \$587.96; "Highly Purified Amphotericin B - DE" - \$141.34; "Highly Purified Amphotericin B - FR" - \$81.00; "Highly Purified Amphotericin B - IE" - \$109.12; "Compositions Comprising Highly Purified Amphotericin B - MX" - \$346.50; "Agents with Selective K-Opioid Receptor Affinity" -

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\$1,301.38; “High-Speed Data Compression Based on Set Associative Cache Mapping” - \$214.00; “High-Speed Data Compression Based on Set Associative Cache Mapping -WO” - \$786.50; “Acoustic Instruments for Use in Aquaculture” - \$755.28; “Methods for Detecting Vibration and Sounds Signatures of Human Footsteps” - \$63.52; “New Indolizidine Antiinfective and Antiparasitic Compounds” - \$944.46; “Delivery of Medicaments to the Nail - CA” - \$250.00; “Compositions Comprising Highly Purified Amphotericin B - AU” - \$889.00; “Compositions Comprising Highly Purified Amphotericin B - CA” - \$250.00; Miscellaneous IP Matters - \$372.00; “Medicaments to Nail & Perionychiu” - \$1,086.41; “Novel Antigiardial Agents and Methods of Use Thereof” - \$698.54; “Compositions Comprising Highly Purified Amphotericin B - AU” - \$858.84; “Highly Purified Amphotericin B - DE” - \$250.00; “Highly Purified Amphotericin B - FR” - \$258.40; “Highly Purified Amphotericin B - GB” - \$627.47; “Highly Purified Amphotericin B - IE” - \$300.12; “Compositions Comprising Highly Purified Amphotericin B” - \$784.50; “Process and Apparatus for Producing Spherical Pellets Using Molten Solid Matrices” - \$294.42; “Novel Cyclopentenedione Anti-Fungal Compounds and Methods for their Use - AU” - \$40.64; “Novel Cyclopentenedione Anti-Fungal Compounds and Methods for their Use - CA” - \$68.90; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - \$612.00 and “New Indolizidine Antiinfective and Antiparasitic Compounds” - \$134.06.)

TOTAL DUE.....\$ 15,690.62

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (Statements dated 9/12/08) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “Gut Prosthetic Patent” - \$135.00; General Advice –North Clinic - \$2,838.00 and General Rep. of Med. School & Facility Practice Plan.)

TOTAL DUE.....\$ 135.00

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1. JSU – APPROVAL OF LEGISLATIVE REPRESENTATIVE

Jackson State University requests that Mr. Worth Thomas of WT Consultants be designated a representative of Jackson State University for the purpose of representing the university to the legislative and executive branches of state government.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. MSU – APPROVAL OF LEGISLATIVE REPRESENTATIVE

Mississippi State University requests that Camille S. Young be designated a representative of Mississippi State University for the purpose of representing the university to the legislative and executive branches of state government.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. UM - APPROVAL OF LEGISLATIVE REPRESENTATIVE

The University of Mississippi requests that Mr. Crowell Armstrong be designated an unpaid, voluntary representative of the University of Mississippi for the purpose of representing the university to the legislative and executive branches of state government.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. USM – APPROVAL OF LEGISLATIVE REPRESENTATIVE

The University of Southern Mississippi requests that Clare Hester (Managing Partner) of Capitol Resources LLC and Joe Gill be designated as representatives of the University of Southern Mississippi for the purpose of representing the university to the legislative and executive branches of government.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

5. SYSTEM ADMINISTRATION – APPROVAL OF SYSTEM GENERAL LEGISLATION REQUESTS FOR THE 2009 LEGISLATIVE SESSION

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6. **SYSTEM ADMINISTRATION – APPROVAL OF DATES AND LOCATIONS
FOR JANUARY THROUGH DECEMBER 2009 BOARD MEETINGS AS
OUTLINED BELOW:**

**Board Meeting Dates
January – December 2009**

Wednesday-Thursday, January 14-15, 2009	Board Office
Wednesday-Thursday, February 18-19, 2009	Campus Meeting - JSU
Wednesday, March 18, 2009	Board Office
Thursday, April 16, 2009	Board Office
Wednesday-Thursday, May 13-14, 2009	Board Office
Tuesday-Thursday, June 16-18, 2009	Board Retreat - TBA
Thursday, July 16, 2009	Subject to Call
Wednesday-Thursday, August 19-20, 2009	Board Office
Wednesday-Thursday, September 16-17, 2009	Board Office
Wednesday-Thursday, October 14-15, 2009	Campus Meeting - ASU
Wednesday-Thursday, November 18-19, 2009	Board Office
Thursday, December 17, 2009	Subject to Call

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7. **SYSTEM ADMINISTRATION – 2008 FALL COMMENCEMENT SCHEDULES
(INFORMATION ITEMS)**

Delta State University

Time: 10:00 a.m., Saturday, December 13, 2008
Location: Walter Sillers Coliseum
Speaker: Dr. Phyllis C. Burn
Professor of Office Administration and 2008 recipient of
S. E. Kossman Outstanding Teacher Award
Delta State University

Mississippi State University

Time: 7:00 p.m., Friday, December 12, 2008
Location: Humphrey Coliseum
Speaker: The Honorable Marsha Blackburn
U. S. Congressman and
Mississippi State University graduate

Time: 10:00 a.m., Saturday, December 13, 2008
Location: Humphrey Coliseum
The Honorable Marsha Blackburn
U. S. Congressman and
Mississippi State University graduate

Meridian Campus:

Time: 11:00 a.m., Friday, December 12, 2008
Location: MSU Riley Center for Education and Performing Arts
Speaker: Mr. John Johnson, Director of News and Community Relations
WTOK-TV in Meridian, Mississippi and
Mississippi State University graduate

Mississippi University for Women

Time: 6:00 p.m., Friday, December 5, 2008
Location: Rent Auditorium, Whitfield Hall
Speaker: Dr. Suzanne Bean
Emeriti Faculty of Education and recipient of
The Kossen Faculty Award

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University of Southern Mississippi

Time: 10:00 a.m. and 3:00 p.m., Friday December 12, 2008
Location: Bernard Reed Green Coliseum
Speaker: Dr. Betty L. Siegel
President Emeritus and Distinguished Chair of Leadership,
Ethics and Character
Kennesaw State University

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8. **SYSTEM ADMINISTRATION – INTERIM COMMISSIONER’S
NOTIFICATION OF APPROVAL (INFORMATION ITEMS)**

In compliance with Board Policy, the following items have been approved by the Interim Commissioner on behalf of the Board and are available for inspection in the Board Office.

- a. Quarterly Employment Hires Report for the period of July 1, 2008 through September 30, 2008, as required by Board Policy 401.0102 Delegation of Authority.
- b. Annual Summary Participation and Optional Fees Report for Fiscal Year 2008-2009, as required by Board Policy 702.03 Approval of Tuition, Fees, and Other Student Charges.
- c. Annual Summary of E & G Scholarships, Fellowships and Tuition Waivers for Fiscal Year 2007-08, as required by Board Policy 703.04 Policy Guidelines Subsection F.
- d. Complimentary Athletic Ticket Report for Fiscal Year 2007-2008, as required by Board Policy 606.03 Athletic Tickets.