AGENDA
BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING EDUCATION AND RESEARCH CENTER UNIVERSITIES CENTER 3825 RIDGEWOOD ROAD JACKSON, MISSISSIPPI NOVEMBER 18-19, 2009

Wednesday, November 18, 2009
COMMITTEE MEETING SCHEDULE

A. Committee Meetings:
   ● 1:30 p.m. – Academic Affairs
   ● 2:30 p.m. – Budget, Finance, & Audit

Times are approximate. Committees will begin when the previous committee is finished.

Thursday, November 19, 2009

A. 9:00 a.m. – Call to Order
B. Prayer – Trustee Aubrey Patterson
C. Approval of Minutes
   ♦ October 14-15, 2009 Regular Board of Trustees Meeting
D. Consent Agenda – Trustee Scott Ross
E. Academic Affairs – Trustee Robin Robinson
F. Budget, Finance, & Audit – Trustee Bob Owens
G. Real Estate – Trustee Doug Rouse
H. Legal – Trustee Alan Perry
I. Administration/Policy – Commissioner Hank M. Bounds
J. Information – Commissioner Hank M. Bounds
K. Commissioner’s Report - Commissioner Hank M. Bounds
L. Additional Agenda Items if Necessary
M. Reconsideration
N. Other Business/Announcements
O. Executive Session if Determined Necessary
P. Adjournment
TABLE OF CONTENTS

I. APPROVAL OF THE MINUTES

October 14-15, 2009 Regular Board of Trustees Meeting

II. CONSENT ITEMS

A. ACADEMIC AFFAIRS AGENDA

SYSTEM – Approval of Degrees to be Conferred in December 2009

B. REAL ESTATE AGENDA

Approval of Initiations of Projects/Appointments of Professionals

Bureau of Buildings Projects

1. MSU – GS 105-338, Roof Replacement – Various, Design Professional – NA
2. MSU – GS 105-340, Allen Hall Interior Renovation/ADA, Design Professional – N/A
3. MSU – GS 105-341, Hand Lab-Life Safety Upgrades, Design Professional – N/A

IHL Projects

4. ASU - IHL 201-245, Campus Master Plan, Design Professional – LPK Architects/Hanberry Evans
5. MSU – IHL 212-139, Stoneville Office Building, Design Professional – Pryor and Morrow
6. UM – IHL 207-330, School of Law-F&E Audio Visual Package, Design Professional - Eley Guild Hardy Architects, P.A
7. UM – IHL 207-331, Data Center – Generator Upgrade, Design Professional – Corbett Legge & Associates
8. UM – IHL 207-332, Golf Course Road Improvements, Design Professional-Engineering Solutions, Inc.
10. UMMC – IHL 209-531, O. R. #8 and #9, 2009 Renovation, Design Professional – Canizaro Cawthon Davis Architects

Approval of Budget Increase and/or Change of Scope

Bureau of Building Project

11. UM - GS 107-297, Waste Water Treatment Plant, Design Professional - Engineering Solutions

IHL Projects


*Without objection, these items will not be discussed (unless there are questions) and will stand approved as presented

Approval of Other Real Estate Requests

14. DSU – Bayou Pipeline Inc. – Lease .................................................................................. 53
15. JSU - 103-246, Land Acquisition Project, Phase IV .......................................................... 54

C. PERSONNEL AGENDA

Approval of Personnel Requests

1. Change of Status (MSU, MVSU & UM) ........................................................................... 55
2. Rehired Retiree (JSU & MSU) .......................................................................................... 55
3. Termination Status (DSU) ................................................................................................. 57
4. Tenure Status (MSU) ........................................................................................................ 57

III. APPROVAL & INFORMATION ITEMS

A. ACADEMIC AFFAIRS AGENDA

1. SYSTEM – Approval of New Academic Programs .......................................................... 59
2. SYSTEM – Proposed Revisions to the Mississippi Nursing Degree Programs
   Accreditation Standards ................................................................................................... 64

B. BUDGET, FINANCE, & AUDIT

1. JSU – Approval of Custodial Services Agreement, Contractor’s Legal Name –
   Southeast Service Corporation, dba SSC Service Solutions ........................................... 65
2. SYSTEM – Approval to Purchase Excess Workers’ Compensation Insurance,
   Contractor’s Legal Name – Safety National Casualty Corporation, St. Louis, MO
   The agent is AmFed Companies, LLC ............................................................................ 66

C. REAL ESTATE AGENDA

Approval of Budget Increase and/or Change of Scope

Bureau of Building Project
1. MUW – GS 104-149, Poindexter Hall Renovation – Design Professional - Pryor & Morrow,
   General Contractor – N/A ............................................................................................... 69

IHL Project
2. UMM – IHL 207-311, New Building for UMMC School of Pharmacy, Design Professional –
   Eley Guild Hardy Architects, P. A., General Contractor – N/A ......................................... 70

Approval of Other Real Estate Request

3. MSU – Delta Health Alliance Building (Stoneville) ......................................................... 71
C. LEGAL AGENDA

1. MSU – Approval to Hire Outside Counsel (David Ware & Associates, LLC) ................. 73
2. USM – Approval to Hire Outside Counsel (Adams & Reese, LLP) ........................................ 74

D. ADMINISTRATION/POLICY AGENDA

SYSTEM – Approval of Dates and Locations for January Through December 2010
Board Meetings......................................................................................................................... 75

E. INFORMATION AGENDA

ACADEMIC AFFAIRS

Winner of the Halbrook Awards for Academic Achievement Among Athletes
for 2008-2009 .......................................................................................................................... 76

REAL ESTATE

SYSTEM – Real Estate Items Approved Subsequent to the October 14-15, 2009 Board Meeting
Alcorn State University ......................................................................................................... 78
Delta State University ............................................................................................................ 78
Mississippi State University ................................................................................................. 79
Mississippi University for Women ....................................................................................... 81
Mississippi Valley State University ..................................................................................... 82
University of Mississippi .................................................................................................... 83
University of Mississippi Medical Center ............................................................................ 84
University of Southern Mississippi ....................................................................................... 84

LEGAL

SYSTEM – Report of Payments to Outside Counsel............................................................. 85

ADMINISTRATION/POLICY

SYSTEM – Individuals to Serve on the Mississippi University Research Authority (MURA)
in Accordance with the Mississippi University Research Authority Act and the
MURA By-Laws ......................................................................................................................... 90
SYSTEM – Commissioner’s Notification of Approved Items.............................................. 90
SYSTEM – 2009 Fall Commencement Schedules................................................................. 91
FINAL

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

OCTOBER 14-15, 2009
REGULAR BOARD OF TRUSTEES MEETING
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 Bristow Dining Hall at Alcorn State University in Lorman, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 21, 2008, to each and every member of said Board, said date being at least five days prior to this October 14-15, 2009 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 Mr. Scott Ross, President. Mr. Bob Owens introduced his niece and only goddaughter, Dr. April Owens, Assistant Professor of Psychology, School of Education and Psychology at Alcorn State University, who said the prayer.

ANNOUNCEMENT

Mr. Ross thanked Dr. and Mrs. George Ross for hosting the October 14-15, 2009 Board meeting.

APPROVAL OF THE MINUTES

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

RESOLVED, That the Minutes of the Board meeting held on September 16-17, 2009, stand approved.

CONSENT AGENDA

On motion by Mr. Blakeslee, seconded by Ms. Pickering, with Ms. Whitten absent and not voting, it was

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

BUDGET, FINANCE AND AUDIT

1. MSU - Approved the request to enter into a three-year lease agreement with R.S. Carter Properties, LLC for rental space in the City of Madison to house the MSU Early Childhood Institute (ECI). The property is located at: 509 Cobblestone Ct., Ste. B, Madison, MS 39110. The purpose of lease is to rent office space for ECI working with the Mississippi Department of Human Services to improve the quality of early child care and education through the development and implementation of a rating system for the participating centers. The term of the contract is three years: November 1, 2009 to October 31, 2012. Continuation is contingent upon receipt of federal and state funds and the lease may be terminated within ninety (90) days if space becomes available in a state-owned building. The contract amount is $1,350 per month for a total of $48,600. Funds are available from a $1.5 million federal grant through Mississippi Department of Human Services. A copy of the contract which has reviewed and approved by the Attorney General’s Office is included in the October 14-15, 2009 Board Working File.
2. **UM** - Approved the resolution authorizing the University of Mississippi Educational Building Corporation (UM EBC) to issue up to a maximum aggregate principal amount of $18.5 million of bonds, Series 2009C, to partially finance construction of the second residential college (North College). The term of the bonds will be 25 years at a fixed rate. As approved at the July 2009 Board meeting, First Southwest Company is the financial advisor, Butler, Snow, O’Mara, Stevens, Cannada, PLLC is the bond counsel, and Morgan Keegan is the lead underwriter. The Attorney General’s Office has reviewed and approved this item.

3. **UMMC** - Approved the request to enter into a maintenance contract with Carousel, Industries for the support of their Avaya enterprise telephone system. The term of the contract is 4 years: November 1, 2009 through October 31, 2013. The contract amount is as follows: Year 1: (partial year): $17,578.52 per month/$140,628.16 annual for FY 2010; Year 2: $17,578.52 per month/$210,942.24 annual for FY 2011; Year 3: $17,578.52 per month/$210,942.24 annual for FY 2012; Year 4: $17,578.52 per month/$210,942.24 annual for FY 2013; and Year 5: (partial year): $17,578.52 per month/$70,314.04 annual. The total cost of contract is not to exceed $843,768.92. Funds are available from patient revenue and interest income. A copy of the contract which has been reviewed and approved by the Attorney General’s Office is included in the October 14-15, 2009 Board Working File.

4. **UMMC** - Approved the request to renew an agreement with Hill-Rom Company, Inc. to provide contracted staff and a proprietary tracking system that manages the utilization of critical patient care equipment. The contract is for 3 years: October 19, 2009 through October 18, 2012. The contract amount is as follows: Year 1: $40,328 per month/$483,936 annual; Year 2: $41,523 per month/$498,276 annual; and Year 3: $42,755 per month/$513,060 annual. The total cost of the contract is $1,495,272. Funds are available from patient revenue. A copy of the contract which has been reviewed and approved by the Attorney General’s Office is included in the October 14-15, 2009 Board Working File.

5. **UMMC** - Approved the request to enter into an agreement with Huron Consulting Services, LLC. to provide consulting services for the implementation of the Lawson ERP (software) suite including the financial, procurement and business intelligence suites and an upgrade to human resources. The contract is for 22 months: November 1, 2009 through August 31, 2011. Estimated costs on a per fiscal year basis are as follows: FY 2010 - $2,837,119.60 (November through June); FY 2011 - $4,255,679.40 (July through June); FY 2012 - $709,280.00 (July through August). Funds are available from interest income and hospital patient revenue. A copy of the contract which has been reviewed and approved by the Attorney General’s Office is included in the October 14-15, 2009 Board Working File.

6. **UMMC** - Approved the request to renew an agreement with RecordMax, Inc. and RecordMax Imaging, LLC. to provide storage and retrieval services for patient medical records, as required by state statute and hospital policy. The contract term is for 3 years: November 1, 2009 through October 31, 2012. Costs are based on fee schedule for storage, scanning, indexing, shredding, boxing, and retrieval. Annual cost is estimated at $666,666.67. The total cost is not to exceed $2 million. Funds are available from patient revenue. A copy of the contract which has been reviewed and approved by the Attorney General’s Office is included in the October 14-15, 2009 Board Working File.
7. **UMMC** - Approved the request to enter into an agreement with On Assignment to provide personnel to assist in coding patient medical records for billing purposes. The term of the contract is 3 years: November 1, 2009 through October 31, 2012. Annual costs are estimated at $666,666.66. The total costs will not exceed $2 million. Funds are available from patient revenue. A copy of the contract which has been reviewed and approved by the Attorney General’s Office is included in the *October 14-15, 2009 Board Working File*.

8. **UMMC** - Pending receipt of approval from the Mississippi Information for Technology Services, the Board approved the request to enter into a renewal agreement with TheraDoc, Inc., a computer platform that continuously monitors and analyzes patient data from multiple and disparate sources including pharmacy, clinical laboratory, microbiology laboratory, surgery, admissions, and radiology in near real time data. The term of the contract is for 4 years and 8 months: November 1, 2009 through June 30, 2014. The contract amount is as follows: Year 1: $8,451.33 per month/$67,611 annual; Year 2: $8,451.33 per month/$101,416 annual; Year 3: $8,451.33 per month/$101,416 annual; Year 4: $8,451.33 per month/$101,416 annual; and Year 5: $8,451.33 per month/$101,416 annual. Travel to onsite training is not to exceed $2,000 with a total contract amount of $475,275. Funds are available from patient revenue. A copy of the contract which has been reviewed and approved by the Attorney General’s Office is included in the *October 14-15, 2009 Board Working File*.

9. **UMMC** - Approved the request to enter into an agreement with Jackson Medical Mall Foundation to temporarily increase the rent on 2,320 square feet of space for the Outpatient Dialysis Clinic to cover costs of renovating the space per UMMC’s request. This is the 38th amendment to the Master Lease Agreement. The term of the contract is 3 years: November 1, 2009 through October 31, 2012. The current monthly rent is $6,802.07. The contract amendment increases rent by $4,491.80 per month. This brings the total monthly rent including renovation to $11,293.87. Over the three year period rent will be increased by $161,704.80 bringing the total rental agreement to $406,580.40. Funds are available from patient revenue. A copy of the contract which has been reviewed and approved by the Attorney General’s Office is included in the *October 14-15, 2009 Board Working File*.

**REAL ESTATE**

*Note:* Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

10. **ASU** - Approved the initiation of **GS 101-271, Felix Dunn Health Center**, for renovation and the appointment of Mills & Mills Architects of Jackson, MS as project professionals. The project is intended to renovate the Felix Dunn Health Center to make the building ADA accessible, code compliant, and provide a modern health center for the ASU community. The total project budget is $500,000. Funds are available from HB 1641, Laws of 2008.
11. **ASU** - Approved the initiation of **GS 101-272, Facility Management Renovations**, and the appointment of Waycaster and Associates of Natchez, MS as project professionals. The project is intended to renovate the Facilities Management Building by converting an existing bus barn into workshop space for maintenance employees, a recycling center, and a surplus property storage facility. The total project budget is $600,000. Funds are available from HB 1722, Laws of 2009.

12. **UM** - Approved the appointment of Barlow Eddy Jenkins of Jackson, MS as project professionals for **GS 107-302, Lamar Hall Renovations**. The total project budget is $3 million. Funds are available from HB 1722, Laws of 2009.

13. **UM** - Approved the appointment of Shafer and Associates of Starkville, MS as project professionals for **GS 107-303, Various Roof Replacements**. The total project budget is $1 million. Funds are available from HB 1722, Laws of 2009.

14. **UMMC** - Approved the initiation of **IHL 209-529, 4 East Renovations**, and the appointment of Mark Vaughn of Clinton, MS as project professional. The project is intended to renovate the 4th floor East Wing, which is known as the original patient wing area, to create a modern office area for Adult Emergency Department Administration and faculty offices. The renovation will include revised/upgraded layouts, finishes, utilities and services. The total project budget is $580,425. Funds are available from university tuition and fees.

15. **MSU** - Approved the request to rename the old Band Hall, Building 28 to Academic Computer Laboratory. The building has been renovated and reconfigured into a computer laboratory.

16. **MSU** - Approved the request to delete building 2091 (faculty housing) from inventory and demolish the structure. The building is located at 16 Blackjack Road, Starkville, MS. The building would be demolished following approval notification by the Mississippi Department of Environmental Quality. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities. The project budget has not been determined but the university estimates it to be less than $15,000.

17. **UM** - Approved the request to enter into a new lease agreement with Rampant Lion Foundation of Delta Kappa Epsilon for a term of thirty years beginning on November 1, 2009 and ending on October 31, 2039 at a rate of $50 per year. Rampant Lion Foundation of Delta Kappa Epsilon holds an existing lease on Lot 317 on the Oxford Campus of the University of Mississippi. The original term of the lease expired August 31, 2009 with the option to extend an additional 25 years. Delta Kappa Epsilon chose to exercise this option; however, the old lease did not contain the fire protection language that the other campus lease agreements do so Delta Kappa Epsilon is being asked to sign a new lease. This item has been reviewed and approved by the Attorney General’s Office.

18. **UM** - Approved the request for the house corporation of Chi Chapter of Delta Delta Delta to execute a deed of trust of leasehold interest on Lot 206 in favor of M&F Bank to secure a loan in order to consolidate existing financing on the Delta Delta Delta house. The current lease ends on June 31, 2031. The amount of the loan will not exceed $180,000 at an interest rate of 5.10% amortized over twenty-six months.
19. **USM** - Approved the request to enter into a new lease agreement that will allow the university to lease the Ogletree House (formerly the President's Home) to the USM Alumni Association. This lease is an agreement between the university and its alumni association through which the alumni association raised in excess of $3,200,000 for renovation and expansion of the Ogletree House. The Ogletree House is currently occupied by the Alumni Association. The terms of the lease are $1,000 per year in addition to the $3,200,000 already spent by the alumni association on the home for three (3) periods of twenty five (25) years each with the first period beginning on November 1, 2009 and ending on June 30, 2034.

20. **USM** - Approved the request to rename the Advanced Education Center located at the Gulf Park Campus. The new proposed name is The Horace W. Fleming, Jr. Education Center. The new name is in honor of former university president Horace W. Fleming, Jr.

21. **PERSONNEL REPORT**

**EMPLOYMENT**

**Alcorn State University**
Ward, Marcus D.

**CHANGE OF STATUS**

**Alcorn State University**
Stamps, Clara Ross

**Mississippi State University (Athletics)**
Richard L. Stansbury, Head Basketball Coach, extend a four-year contract to Coach Stansbury through June 30, 2013, effective July 1, 2009 (Note: Coach Stansbury is currently under a four year contract. This agenda item extends the current contract to 2013 changing the four year period. There is no increase in salary.)

**University of Southern Mississippi (Athletics)**
Demetrius Adams; Assistant Football Coach, Department of Intercollegiate Athletics; from contract period April 1, 2009 through March 31, 2010; annual salary of $100,000; Auxiliary Funds; to contract period April 1, 2009 through March 31, 2011; one-year contract extension.

**AWARD OF TENURE**

**University of Mississippi Medical Center**
(This item was previously submitted for February, 2009 Board approval and was inadvertently left off of the agenda.)

Walter Merrill, Professor of Surgery, School of Medicine; effective March 1, 2009
REHIRED RETIREE

University of Southern Mississippi
Frederick Barthelme; former position: Professor, Department of English; contractual engagement: Director, Center for Writers, Department of English; compensation of $40,219 annually; contract effective November 1, 2009

ADMINISTRATION/POLICY

22. System - Approved the request to appoint Trustee Amy Whitten to serve as the IHL Board’s current representative member of the Mississippi Authority for Educational Television. Ms. Whitten’s term as the IHL Board’s representative member of the Mississippi Authority for Educational Television will expire on June 30, 2012.

ACADEMIC AFFAIRS COMMITTEE REPORT

Wednesday October 14, 2009

The Committee was brought to order at approximately 3:40 p.m. by Chairman Robin Robinson. The following items were discussed/voted upon:

1. Trustee Robinson introduced Dr. Rick Young, President of East Mississippi Community College; Dr. Steve Vacik, Vice President of Instruction at East Mississippi Community College; and Dr. Fiona Qualls, Associate Executive Director for Academic Affairs, State Board for Community and Junior Colleges.

2. The Committee agreed by consensus to move agenda item #1 to the executive session agenda.

3. Dr. Janette McCrory, IHL Director of Nursing Education, gave a presentation on agenda items #2 and #3.

4. On motion by Dr. Rouse, seconded by Ms. Pickering, and unanimously passed by those present, the Committee approved agenda item #2.

5. On motion by Dr. Neely, seconded by Ms. Pickering, and unanimously passed by those present, the Committee approved agenda item #3.

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

ACADEMIC AFFAIRS
Presented by Ms. Robin Robinson, Chair
Thursday, October 15, 2009

AGENDA ITEM #1 WAS TAKEN UP DURING EXECUTIVE SESSION. On motion by Ms. Robinson, seconded by Dr. Neely, with Ms. Whitten absent and not voting, it was
RESOLVED, That the Board hereby approved agenda item #2 as submitted on the following Academic Affairs Agenda. Agenda item #3 was approved on a separate motion by Ms. Robinson, seconded by Ms. Pickering, with Ms. Whitten absent and not voting.

1. **USM** - Request to rescind the doctor of philosophy degree that was awarded to Donald Stewart in 2006. (THIS ITEM WAS TAKEN DURING EXECUTIVE SESSION.)

2. **System** - Approved the Stage II Application and supportive evidence to qualify the professional nursing program for initial accreditation and allow admission of students for East Mississippi Community College.

3. **System** - Approved the proposed revisions to the Mississippi Nursing Degree Programs’ Accreditation Standards. A copy of the revisions is included in the October 14-15, 2009 Board Working File.

**REAL ESTATE AGENDA**
Presented by Dr. Doug Rouse, Chair
Thursday, October 15, 2009

On motion by Dr. Rouse, seconded by Dr. Davidson, with Ms. Whitten absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1 and #2 as submitted on the following Real Estate Agenda. Agenda item #3 was approved on a separate motion by Dr. Rouse, seconded by Ms. Robinson, with Ms. Whitten absent and not voting.

*Note: Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.*

1. **JSU** - Approved the request to increase the scope and project budget for **GS 103-234, ADA Compliance Phase II-B (Bid Package #2)**, from $2,398,125 to $3,098,125 for an increase in the amount of $700,000. This project is part of JSU’s ongoing effort to comply with ADA regulations as mandated by the Office of Civil Rights. This increase is necessary to cover additional work as requested by JSU. This work will include replacing and/or upgrading the existing elevators located in the Administration Tower and repairing foundation problems hindering access to the Old Industrial Arts Building. Funds are available from SB 3197, Laws of 2002; HB 246, Laws of 2007; and HB 1722, Laws of 2009. **Project Professional: Wayne Timmer Architect**

2. **UMMC** - Approved the request to increase the project budget for the **IHL 209-523, S013 Area Renovations**, from $1,500,000 to $1,947,239 for an increase in the amount of $447,239. The escalation in project budget is required based on the Professional’s latest Design Development. The current budget was an estimate of the project costs and has since been updated to reflect more accurate costs. This is the first budget increase request for this project by the university. Funds are available from patient revenue. **Project Professional: Simmons Associates**
3. DSU - Approved the exterior design for IHL 202-133, New Residence Hall and Apartment Complex. A copy of the rendering is included in the bound October 14-15, 2009 Board Working File.

LEGAL COMMITTEE REPORT
Wednesday, October 14, 2009

The Committee was brought to order at approximately 3:50 p.m. by Chairman Alan Perry, the following items were discussed/voted upon:

1. On motion by Ms. Whitten, seconded by Dr. Neely, and unanimously passed by those present, the Committee approved agenda items #1, #3 and #4.
2. By consensus, item #2 will be taken up on the executive session agenda and item #5 will be discussed during the regular meeting on Thursday.
3. Other Business: Dr. Mark Keenum, President of Mississippi State University, introduced Dr. Greg Bohach, Vice President for the Division of Agriculture, Forestry & Vet Medicine. Dr. Bohach will replace Dr. Melissa Mixon who served as the Interim Vice President.

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

LEGAL AGENDA
Presented by Mr. Alan Perry, Chair
Thursday, October 15, 2009

On motion by Mr. Perry, seconded by Mr. Owens, with Ms. Whitten absent and not voting, it was

RESOLVED, That the Board hereby approved agenda items #1, #3 and #4 as submitted on the following Legal Agenda. AGENDA ITEM #2 WAS TAKEN UP IN EXECUTIVE SESSION LATER IN THE MEETING. Agenda item #5 was approved on a separate motion by Mr. Perry, seconded by Mr. Blakeslee, with Ms. Whitten absent and not voting.

1. UMMC - Approved the request to renew its outside counsel contract with Butler, Snow, O’Mara, Stevens and Cannada, PLLC to provide legal services in the areas of general healthcare, corporate transactional employment, intellectual property, health-care matters and commercial matters for fiscal year 2009-2010. The hourly rate to be charged by attorneys is $225 for intellectual property work, $215 for healthcare work and $215 for commercial work. The hourly rate for legal assistants will be $85. The contract period is from October 20, 2009 through September 30, 2010 and the contract will not exceed $200,000.00. Source of funding is state funds and hospital patient revenue. The Attorney General’s Office has approved this request.
2. **UMMC - Settlement of Tort Claim No. 1286.** *(THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)*

3. **USM - Approved the request to renew a contract with the law firm of Adams and Reese, LLP for legal services in the matter of *Depree v. Saunders, et al.*, United States District Court, Southern District of Mississippi, Hattiesburg Division, Civil Action No. 2:07-CV-185-KS-MTP. The attorney hourly rate provided in this contract is $175. The contract period is for FY 2010 and the contract will not exceed $75,000. Source of funding is state funds. The Attorney General’s Office has approved this request.

4. **USM - Approved the request to renew a contract with the law firm of Bryan, Nelson, P.A. for legal services in the matter of *Krell, et ux. v. USM, et al.*, in the Circuit Court of Forrest County, Mississippi, Civil Action No. CI-97-0024. The attorney hourly rate provided in this contract is $150. The contract period is from the date of execution to June 30, 2010 and the contract will not exceed $50,000. Source of funding is state funds. The Attorney General’s Office has approved this request.

5. **System - Approved the proposed amendments to Board Policy 301.0806 University Foundation/Affiliated Entity Activities.** *(See Exhibit 1.)*

**ADMINISTRATION/POLICY AGENDA**

Presented by Dr. Hank M. Bounds, Commissioner

On motion by Ms. Robinson, seconded by Dr. Rouse, with Ms. Whitten absent and not voting, it was

**RESOLVED,** That the Board hereby approved agenda item #1 as submitted on the following Administration/Policy Agenda.

1. **System - Approved the Vision and Mission Statements for Mississippi State University as shown below:**

   **Vision**

   Mississippi State University will be a leading public research university that is globally aware and involved, accessible and responsive to the many constituencies it serves, and fully integrated with the intellectual, social, and economic development of the state, while delivering excellent programs of teaching, research, and service.

   **Mission**

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

   Enhancing its historic strengths in agriculture, natural resources, engineering, mathematics, and natural and physical sciences, Mississippi State offers a comprehensive range of undergraduate and graduate programs; these include architecture, the fine arts, business, education, the humanities, the social and behavioral sciences, and veterinary medicine.
The university embraces its role as a major contributor to the economic development of the state through targeted research and the transfer of ideas and technology to the public, supported by faculty and staff relationships with industry, community organizations, and government entities.

Building on its land-grant tradition, Mississippi State strategically extends its resources and expertise throughout the entire state for the benefit of Mississippi’s citizens, offering access for working and place-bound adult learners through its Meridian Campus, Extension, and distance learning programs.

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

INFORMATION AGENDA
Presented by Dr. Hank M. Bounds, Commissioner

ACADEMIC AFFAIRS

1. **System** - The Board received the annual report on Institutional Accreditation for the period July 1, 2008 through June 30, 2009. A copy of the report is included in the bound *October 14-15, 2009 Board Working File.*

REAL ESTATE

2. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the September 16-17, 2009 Board meeting in accordance with Board Policy 904 Board Approval. (*See Exhibit 2.*)

LEGAL

3. **System** - The Board received a report of the payment of legal fees to outside counsel. (*See Exhibit 3.*)

ANNOUNCEMENTS

- President Scott Ross thanked Trustee Blakeslee, the Efficiencies Task Force and the dozens of other Board and institutional staff who worked on the 12 efficiency strategies.
- President Scott Ross announced that Dr. Claudia Limbert, President of Mississippi University for Women, is retiring at the end of June 2010. He thanked her for her leadership to the university and the state through such tough times.
- The Institutional Executive Officers commented on events occurring on their respective campuses.
- Trustee C.D. Smith reminded the Board of the Ayers Endowment Committee meeting to be held via teleconference on October 29, 2009.
EXECUTIVE SESSION

On motion by Dr. Rouse, with Ms. Whitten 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. Robinson, with Ms. Whitten absent and 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 litigation matter at the University of Mississippi Medical Center,
- Discussion of a prospective litigation matter at the University of Southern Mississippi,
- Discussion of an investigation by a public body involving the Mississippi University for Women,
- Discussion of a personnel matter at the Board Office, and
- Discussion of a personnel matter at the Mississippi University for Women.

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

- On motion by Mr. Owens, seconded by Ms. Robinson, with Ms. Whitten absent and not voting, the Board voted to approve the settlement of the Tort Claim #1286 styled as Mangum vs. UMMC as presented by counsel.

  The Board discussed the prospective litigation matter at the University of Southern Mississippi. No action was taken.

  The Board discussed the investigation by a public body involving the Mississippi University for Women. No action was taken.

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

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

- On motion by Dr. Rouse, seconded by Mr. Perry, with Ms. Whitten absent and not voting, the Board voted to return to Open Session.

OTHER BUSINESS

On motion by Ms. Robinson, seconded by Ms. Pickering, with Ms. Whitten absent and not voting, the Board approved agenda item #1 on the Academic Affairs agenda which requests that the doctor of philosophy degree awarded to Donald Stewart in 2006 be rescinded.
The Efficiencies Task Force was brought to order at approximately 1:00 p.m. by Chairman Ed Blakeslee. The members discussed the Governor’s announcement of further budget cuts then received presentations on each of the 12 efficiency strategies.

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

ADJOURNMENT

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

__________________________________________
President, Board of Trustees of State Institutions of Higher Learning

__________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
## EXHIBITS

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exhibit 1</td>
<td>Proposed amendments to Board Policy 301.0806 University Foundation/Affiliated Entity Activities for final reading.</td>
</tr>
<tr>
<td>Exhibit 2</td>
<td>Real Estate items that were approved by the IHL Board staff subsequent to the September 16-17, 2009 Board meeting.</td>
</tr>
<tr>
<td>Exhibit 3</td>
<td>Report of the payment of legal fees to outside counsel.</td>
</tr>
</tbody>
</table>
EXHIBIT 1

301.0806 UNIVERSITY FOUNDATION/AFFILIATED ENTITY ACTIVITIES

A. Purpose of Foundations and Similar University Affiliated Entities:

This policy shall apply to the relationship between Mississippi public universities (“universities”) and university development foundations, research foundations, athletics foundations, alumni associations and all other similar entities affiliated with any of the eight state universities (collectively referred to as the "Foundation/Affiliated Entities” or “Entities”).

The Board of Trustees (hereinafter “Board” or “IHL”) recognizes that such Entities have played and continue to play an important role in providing financial and other support for its institutions. This support has assisted the institutions in achieving a level of excellence not possible through state funding and tuition alone. While the Board of Trustees recognizes and appreciates the contributions made to higher education by such foundations and similar entities, the Board of Trustees reaffirms that the goal of the Entities is not to replace necessary support from the state.

The Board of Trustees also acknowledges that the independent nature of the Entities provides flexibility to state universities in fiscal management and responsiveness.

The primary purpose of the foundations and other entities affiliated with the state universities is to engage in raising and managing funds and/or other activities consistent with the mission and priorities of their respective affiliated institutions, as determined by the Institutional Executive Officer (the "IEO") of each. Each Entity is expected to have a mission statement relevant to this purpose and to adopt policies, plans, and budgets designed to achieve that mission.

The Board fully recognizes the importance to the universities and to the Entities of preserving the confidentiality of information related to donors or potential donors. Providing appropriate confidential treatment for information related to donors who have voluntarily provided funds to support the state universities is in the best interests of this state and its citizens. Thus, it is the policy of the Board that its oversight of the relationship between the foundations and the universities shall be accomplished in a manner that will effectively and appropriately preserve and protect the confidentiality of such information to the fullest extent possible which is consistent with the duty of the universities and the IHL to assure that assets intended to benefit the state universities are appropriately and effectively managed and utilized.

B. Relationship Between Board And Affiliated Entities

As provided in Miss. Const. Art. 8, Section 213-A and Section 31-101-1of the Miss. Code Ann. of 1972, as amended (the "Miss Code"), the Board of Trustees has governing authority over the eight state universities. Under such authority, the Board of Trustees has responsibility for ensuring that the public interest is served by any individual or organization that is established to support one of the eight state universities.

The Board recognizes that the Entities are not state agencies. The Entities have their own governing authorities. The Board recognizes that it does not have the power to exercise governing control over the Entities.
While the Board of Trustees does not have the power or authority to exercise governing control over the Entities, the Board has the full authority to establish the terms under which state universities will contract with private organizations. That is particularly necessary with respect to these Entities, since they, or some of them, will solicit and manage funds on behalf of and for the benefit of the state universities, and may use the name, logo, or other insignia identified with the state universities. The Board has the authority to require that any organization that manages funds for any state university, or whose name is associated with a state university under the governance of the Board, must adhere to ethical standards appropriate for such organizations and must properly manage, utilize and account for funds contributed to or for the benefit of the universities.

To ensure the independence of the affiliated Entities, no member or employee of the Board of Trustees of State Institutions of Higher Learning shall hold a voting position on an institutionally affiliated Entity board. The Board of Trustees may allow exceptions to this restriction if needed to comply with NCAA requirements or other proper purposes. Senior administrators of the institution should only participate on the Foundation/Affiliated Entity's board in an ex-officio capacity.

C. Affiliation Agreements Required

Each university must enter into a formal contractual affiliation agreement (the “Affiliation Agreement”) with its development foundation(s), research foundation(s), athletics foundation(s), alumni association(s) and any other similar university affiliated Entity in a form submitted to and approved by this Board. The Affiliation Agreement shall be reviewed for approval by the Board of Trustees at least every five (5) years, or whenever the Affiliation Agreement is changed (other than changes for non-substantive, conforming or purely administrative matters).

Each university shall submit all existing or amended Affiliation Agreements to the Board for approval on or before June 30, 2010, in a form that the university believes will fully comply with the requirements of this policy as amended.

In order to appropriately conserve the resources of the universities and the IHL, and to expedite the Board’s review of the proposed Affiliation Agreements within the time period set forth above, the IEO’s of the universities are expected to direct the resources of their university to work in coordination with the other universities in developing and reviewing templates of proposed affiliation agreements to be used by all similar Entities and universities. Counsel for the Board will be directed to assist in that process. The universities are expected to use those templates insofar as practical, given the acknowledged differences between universities and the Entities, as the basis and pattern for preparing the proposed Affiliation Agreements which are required by this Policy.

D. General Requirements of Affiliation Agreements

The Affiliation Agreements for each Entity shall address and comply with the following general requirements and subjects:

1. Outlining the services and benefits the institution and the Entity are to provide to each other and the compensation or other requirements related thereto;
2. Describing the mechanisms by which the institution shall, through its IEO, keep the Entity apprised of the needs and priorities of the institution, and requiring that the Entity, in concert with donor intent or directives, if any, agree to consider and communicate to the university its ability and plans to fund university needs and priorities, as determined by the IEO;

3. Describing whether, and the terms under which, any institutional assets of the institution itself are to be managed by the Entity on behalf of the institution and providing for appropriate rights of inspection and auditing for such funds by the IHL and all appropriate state officials;

4. Delineation of the terms upon which the Entity is authorized to accept gifts, restricted and unrestricted, on behalf of or for the benefit of the institution;

5. Outlining the method under which all gifts, grants, endowments and other assets are accepted and accounted for by the Entity, the methods and procedures to be utilized in determining how the income related to those assets is to be computed and distributed to the universities, and the terms and conditions under which any portion of such assets or the income related thereto may be used for the operating or other expenses of the Entity;

6. Requiring that all gifts made to the university shall be accounted for and ownership maintained by that university, even though they may be managed by the Entity;

7. Requiring that the records of such Entity shall be maintained separately from the records of the respective affiliated institution;

8. Requiring maintenance of financial and accounting records in accordance with Generally Accepted Accounting Principles;

9. Requiring that the entity prepare annual financial statements of the condition of the entity (which shall include such detail as the Board may from time to time require), and requiring an annual audit of those statements by a Certified Public Accounting firm approved by the IHL.

10. Requiring the Entity to submit the annual audited financial statements to the IEO and the IHL by each December 1 [to allow compliance with Governmental Accounting Standards Board (GASB) 39] along with a list of Entity officers, directors, or trustees.;

11. Requiring that the Entity only accept or solicit gifts for the benefit of the university that are consistent with the university's mission, goals or objectives;

12. Requiring that the Entity manage all funds in its control in a fiscally sound and prudent manner;

13. Requiring that the Entity establish and maintain a conflict-of-interest policy that complies with all requirements of Miss. Code Ann. §79-11-269 (1972) as amended, entitled "Conflict of Interest Transaction";

14. Requiring that no form of additional compensation for an IEO or any IHL system office employee be underwritten or increased by the Entity without the prior approval of the Board; The request for approval shall come through the Commissioner to the IHL Board; As to other university employees, the Affiliation Agreement will provide that no form of additional compensation may be provided or paid by the Entity without the prior approval by the IEO; All such approvals by the IEO must be reported to the Board of Trustees at its next official meeting; This provision does not apply to transfers from the Entity to the supported university for items such as professorships, chairs, and other programmatic support that are paid directly to the university and included in its annual budget;

15. Requiring the Entity to submit to the IHL an annual report providing a detailed list of supplemental compensation provided to administrators, faculty, athletic staff, and other employees; provided however that the Affiliation Agreement may provide for appropriate
exceptions for such compensation made by the institution out of funds routinely provided to
the institution to be included in its budget; and,

16. Requiring compliance with all state and federal laws applicable to such organizations.
17. Establishing appropriate maximum limits on the period of time for which the Entity shall
enter into contracts for professional, advisory, or other personal services.

E. Affiliation Agreements Shall Require Notice Of Certain Events

In addition to the foregoing general requirements, the Affiliation Agreement shall contain provisions
requiring that the IHL be notified of certain events or actions that may affect the operations,
reputation, legal status, and assets of any entity or any university. The Affiliation Agreement shall
require that the chief executive officer of the Entity and its other governing authorities will
immediately notify the IEO and the IHL, in writing, if any of the following events (hereinafter
"Reportable Events") occur:

1. The Entity has materially breached any of its contractual obligations under the Affiliation
   Agreement;
2. The Entity has materially failed to properly receive, apply, manage or disburse any funds or
   has materially failed to properly comply with any binding instructions from donors relating
   to those funds;
3. The Entity has engaged in any conduct that is prohibited or subject to sanction under state or
   federal law, including any and all requirements applicable to tax exempt organizations;
4. There has been a failure by the Entity or any of its officers and directors to comply with any
   conflict of interest requirements created by applicable state or federal law or by the
   governing documents or procedures of the Entity;
5. Any state or federal regulatory body begins any investigation of any matter that may have a
   significant financial or regulatory effect on the Entity or upon its status as a tax exempt
   organization; or
6. The Entity has contracted with or entered into any business or pecuniary relationship with
   any of its board members, other than a full time employee of the Entity, or any Entity
   controlled directly or indirectly by the board member, which would reasonably be expected
   to provide for payment or benefits to that person exceeding the value of $50,000 in any
   calendar year; The previous sentence creates a duty for the Entity to report any such
   transaction but does not suggest or imply that all such transactions are either prohibited or
   permitted.

The Affiliation Agreement shall require that the chief executive officer of the Entity shall submit to
the IEO of the supported university and the IHL a signed certification statement annually, before
January 31 of each year, which affirmatively states that the Entity has examined its donor records
and business transactions occurring during its fiscal year ending within the prior calendar year, and
that to the best of its knowledge, there is no evidence that any Reportable Events occurred, other
than those which have been duly reported to the IEO and the IHL as required above. The chief
executive officer of each Entity shall re-affirm that, in the event he/she becomes aware of any such
Reportable Events, the chief executive officer will immediately notify, in writing, the IEO of the
university.
F. **Affiliation Agreements Must Require Entity To Provide Certain Additional Information to IEO Upon Request**

In addition to the foregoing general requirements, the Affiliation Agreement of each Entity will contain provisions requiring that the Entity furnish to the IEO of the corresponding university, or such person as the IEO may designate, any and all information relating to the operation or management of the Entity or any funds contributed to, received by, expended by, or managed by the Entity.

It is the policy of the Board that to the extent that information is inspected, reviewed or received by the IEO or his designees with respect to the identity of donors who have expressly stated they wish to remain anonymous, or with respect to any information relating to the identification, cultivation and solicitation of donors, or with respect to personal information relating to a donor or his/her family business, such information shall be treated as confidential by the IEO and any designee who may acquire such information. The IEO is expected to take appropriate safeguards to assure that such information is utilized or disseminated only in a manner that is appropriate under the circumstances.

The IEO shall promptly notify the Board and Commissioner of Higher Education if the Entity refuses or fails to produce any information requested by the IEO.

G. **Affiliation Agreement Must Provide For Right Of Board To Require Information From Entity Or To Examine Records Of Entity**

Ordinarily, the Board will not request information from any Entity and will allow the IEO to oversee the compliance by the Entity with the Affiliation Agreement and to determine that funds are being appropriately received, managed, and expended. In some circumstances, however, the Board may determine it to be necessary to secure additional information from the Entity or to review appropriate records of the Entity. The Entities hold funds that are intended to benefit the institutions of the state, and the Board has an interest in the proper administration of those funds. Thus, the Affiliation Agreement will provide that the Board may require the Entity to provide information or allow inspection of its records as required by the Board to determine that the Entity is in compliance with the Affiliation Agreement and that the funds held for the institution or for its benefit are appropriately utilized and protected. No such request for information will be made by individual Board members to any Entity or to any IEO.

As a matter of general policy, the Board will attempt, when appropriate, to resolve any issues or concerns about the activities of any Entity informally. Examples of such informal methods include responses by the Entities to requests from the auditors employed by the Board or a report from an accounting firm approved by the Board to review records related to the matters at issue. The decision of any Entity as to whether and how to comply with such informal requests is within the discretion of the governing authorities of the Entities. The Board anticipates that, normally, any questions related to the Entities can be resolved through such informal procedures.

The Affiliation Agreement shall provide, however, that the Board may determine by appropriate action, at a duly called meeting of the Board, that informal measures are or will be untimely, insufficient, or inappropriate to secure information necessary to allow the Board to determine that
the Entity is appropriately complying with the Affiliation Agreement and that funds intended to be used for the benefit of the institution are appropriately maintained and expended. The Affiliation Agreement will provide that, if the Board makes such a finding, the Entity will permit an audit, inspection or review of the financial and other records of the entity by persons selected by the Board, which persons shall have the power to determine the appropriate scope of the investigation and the records to be examined, and that the Entity will fully cooperate with any such inquiries.

As noted above, it is the policy of the Board that it will not unnecessarily disclose or disseminate any information relating to the Entities, and in particular, any information related to donors to the Entity. In some circumstances, however, such as those involving alleged misuse or misappropriation of funds, appropriately limited disclosure of information related to donors may be necessary in order to conduct the investigation and to recover the funds, or to allow prosecution with respect to any misappropriation of funds. Thus, the Affiliation Agreement must specifically recognize that the final determination as to the appropriate extent of any disclosure or other use of the information is in the discretion of the Board. Any decision to release any information that would identify any particular donor shall be made by the Board. No individual Board member or employee of the IHL will release such information without authorization from the Board.

H. Required Termination Provisions To Be Included In Affiliation Agreement

The Affiliation Agreement will provide that the Affiliation Agreement may be terminated by the IEO, with the prior approval of the IHL, for cause with no notice or without cause upon thirty days notice. Upon termination, (1) the Entity shall cease to use and shall not assign or delegate the authority to use the respective university’s name or registered marks or logos to any person or entity without the written approval of the IEO, (2) the Entity shall remit any and all unrestricted funds held for the benefit of the university to such entity as designated in writing by the IEO on behalf of the university, (3) the Entity shall work in concert with its donors, to the extent practicable and allowed by law, to move any restricted funds held for the benefit of the university to such entity as designated in writing by the IEO on behalf of the university, (4) the Entity shall work in concert with persons or entities with which it had contractual relations to the extent practical and allowed by law, to assign any contracts to such entity as designated by the university IEO; and (5) the Entity shall work in concert with the university to provide the university or its designee with records and materials of the Entity as are necessary to continue the business and/or wind up the affairs of the Entity.

Because an Entity may hold assets intended to benefit the universities, the Affiliation Agreement will provide that the Entity will have no right to terminate the Affiliation Agreement without the consent of the IEO and the Board.

I. Restructuring Relationship In Event Of Irreconcilable Differences

The Board expects there to exist a cooperative relationship between the Entities and the universities. The Board is aware of situations in other states where foundations have attempted to use the leverage provided by control of funds contributed for the benefit of the universities to require the university to take action desired by the foundation. Exercise of such power would interfere with the power of the IEO’s and, ultimately, the power of the Board. To provide for the eventuality in which it appears that the IEO and the Entity have irreconcilable differences that interfere with the Entity
serving the purposes for which it is intended, the Affiliation Agreement must provide for some mechanism to allow a resumption of normal relationships to benefit the university. In such a case, it would be detrimental to the university to allow the Entity to simply terminate the relationship – since it may hold funds and other assets intended for the benefit of the university. Thus the Affiliation Agreement shall provide for a mechanism to deal with that possibility that will effectively accomplish the purpose of insuring that the Entity’s goals remain appropriately aligned with those of the university.

The Affiliation Agreement must therefore provide for such a mechanism. The universities are expected to finalize the relationship with the Entities to accomplish the purpose on or before December 31, 2010.

Any university, after consultation with an affiliated Entity, may propose, on or before December 31, 2009, to include an appropriate plan to accomplish this purpose in the Affiliation Agreement for that Entity.

For example, a university may choose to propose a mechanism to allow the Entity to restructure its governing board. As an illustration of such a mechanism, such a plan might provide as follows:

In the event that the IEO notifies the IHL that the relationship between the IEO and the Entity’s governing authorities is detrimental to the well being of the university, then IHL shall attempt to reconcile the parties. However, if the IHL determines that it is in the best interests of the university to substitute new governing authorities of the Entity, and unless the matters are resolved, the IHL Board may direct, in its sole discretion, that at the expiration of a 90 days notice period, the terms of office of the then existing board of directors of the affiliated Entity (or the persons serving that role in governance of the Entity, regardless of title) shall be deemed to have expired. Those persons shall be replaced by a nine member board selected by the following persons: 1) one member appointed by the mayor of the municipality in which the subject university is located or to which it is nearest, 2) one member appointed by the subject university's IEO, 3) one member appointed by the subject university's chief academic officer, 4) one member appointed by the president of the board of supervisors of the county in which the subject university is located, 5) one member appointed by the governor, 6) one member appointed by the Commissioner of Higher Education, 7) such other person, as the Affiliation Agreement may provide, who is affiliated with another Entity associated with the affected university; 8) one member appointed by the current president of the subject university's student body, and 9) one member appointed by the most recent past president of the subject university's student body.

However, each university and Entity may choose to agree upon some different arrangement which would accomplish the same end. Because of the differences in the various Entities, the types and amounts of assets held by the Entities, the debt obligations of some Entities, ongoing contractual obligations, and other similar factors, the Board will address such proposals on an individual basis to determine their effectiveness, feasibility and practicality. Any such proposal must be submitted with all of the information necessary to fully evaluate the proposal. The exact language of all documents required to implement such a proposal shall be included in the submission to the Board.
Any such proposals will be considered by the Board and acted upon before March 31, 2010. Failure to submit sufficient information to allow a full understanding as to the effectiveness and practicality of such a plan will prevent the Board from considering the proposal. In the absence of approval by the Board of some other alternative provisions to accomplish such purpose by March 31, 2010, or any extension granted by the Board, it is expected that each university will enter into a contract with all related Entities under terms similar to those in the illustration set out above.

If the Entity is a university research foundation formed pursuant to Miss. Code Ann. Section 37-147-15 (1972), as amended, the new board of directors shall be appointed by the subject university's IEO, in accordance with applicable state law.
SYSTEM: Real Estate items approved subsequent to the September 16-17, 2009 Board meeting submission deadline.

1. **DSU - GS 102-223, Re-Roof Union Building**
   - **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff *approved* Change Order #1 in the amount of $18,993 with an additional forty five (45) days to the contract of Crawford Plumbing, Inc.
   - **Staff Approval Date:** September 14, 2009
   - **Change Order Justification:** This change order was necessary to install an additional roof drain to the existing area of the concrete deck and waterproof and seal the exterior masonry wall adjacent to the kitchen roof area. Approval was requested by the Bureau of Building, Ground and Real Property Management.
   - **Total Project Change Orders and Amount:** One (1) change order for a total of $18,993.
   - **Project Initiation Date:** August 21, 2008
   - **Project Professional:** Burris/Wagnon Architects, P.A.
   - **General Contractor:** Crawford Roofing Inc.
   - **Contract Award Date:** April 1, 2009
   - **Project Budget:** $465,000.
   - **Funding Source(s):** HB 1641, Laws of 2008.

2. **DSU - GS 102-233, Ward Hall Pre-Plan**
   - **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff *approved* the initiation of a project to preplan the renovation and adaptive re-use of Ward Hall. Board staff also *approved the appointment* of Burris/Wagnon as project professionals.
   - **Justification of Staff Approval:** The project budget was not $250,000 or more thus did not require Board approval to initiate the project.
   - **Staff Approval Date:** September 4, 2009
   - **Project Professional:** Burris/Wagnon
   - **General Contractor:** N/A
   - **Contract Award Date:** Contract has not been awarded
   - **Project Budget:** $100,000
   - **Funding Source(s):** HB 1722, Laws of 2009

3. **DSU - GS 102-225, Water Tower Repairs**
   - **Staff Approval:**
     - **Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff *approved* the request for a waiver of the approval of Design Development documents.
     - **Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff *approved an increase in the project budget* from $100,000 to $110,000 for an increase in the amount of $10,000. Board staff also approved the request to advertise for the receipt of bids. Approval was requested from the Bureau of Building, Grounds and Real Property Management.
   - **Staff Approval Date:** (#1) September 1, 2009; (#2) September 4, 2009
   - **Project Initiation Date:** August 21, 2008
   - **Project Professional:** W. L. Burle Engineers, P.A.
4. **MSU - GS 113-117, Wise Center Storm Repairs**
   
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved** the Design Development documents as submitted by Pryor & Morrow Architects, project professional. Approval was requested from the Bureau of Building, Grounds and Real Property Management.
   
   **Staff Approval Date:** September 1, 2009
   
   **Project Initiation:** October 20, 2006
   
   **Project Professional:** Pryor & Morrow Architects
   
   **General Contractor:** N/A; University has not awarded contract yet
   
   **Contract Award Date:** Contract has not been awarded
   
   **Project Budget:** $6,790,000
   
   **Funding Source(s):** HB1634, Laws of 2006; HB 1641, Laws of 2008; HB 1722, Laws of 2009; and Mississippi University College of Veterinary Medicine.

5. **MUW - GS 104-149, Poindexter Hall Renovation (Demolition Package)**
   
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 for a credit in the amount of $5,046.
   
   **Staff Approval Date:** September 14, 2009
   
   **Change Order Justification:** The credit is given after the change order was resubmitted due to negotiations that were made with the contractor to remove plaster and gypsum board from walls, to remove Magnolia trees and to test retained hardwood floors and to remove concealed asbestos found in mastic. Approval was requested from the Bureau of Building, Grounds and Real Property Management.
   
   **Total Project Change Orders and Amount:** One (1) change order for a credit in the amount of $5,046
   
   **Project Initiation Date:** August 21, 2008
   
   **Project Professional:** Pryor and Morrow
   
   **General Contractor:** Burks-Mordecal Builders
   
   **Contract Award Date:** May 19, 2009
   
   **Project Budget:** $6,930,000
   
   **Funding Source(s):** SB 2010, Laws of 2003-3rd Extraordinary Session.

6. **MUW - GS 104-167, Cromwell Electrical & Mechanical**
   
   **Staff Approval:**
   
   **Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved** the request for a waiver of Design Development documents. Approval was requested from the Bureau of Building, Grounds and Real Property Management.
   
   **Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved** the Contract Documents as submitted by Atherton Consulting Engineers. Board staff also approved the request to advertise for the receipt of bids. Approval was requested from the
Bureau of Building, Grounds and Real Property Management.

**Staff Approval Date:** (#1) September 2, 2009; (#2) September 16, 2009

**Project Initiation:** January 18, 2008

**Project Professional:** Atherton Consulting Engineers

**General Contractor:** N/A

**Contract Award Date:** Contract has not been awarded

**Project Budget:** $250,000

**Funding Source(s):** HB 1634, Laws of 2006; and HB 246, Laws of 2007.

7. **UM - GS 107-284, Faser Hall Third Floor**

   **Staff Approval:**
   
   Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #7 in the amount of $2,115.
   
   Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #8 in the amount of $12,450 with an additional fourteen (14) days to the contract of CIG Contractors, Inc.

   **Staff Approval Date:** September 4, 2009

   **Change Order Justification:** Change Order #7 was necessary to reconnect drains on active sinks, for costs associated with fire proofing floor penetrations on the 4th floor, to install a temporary duct for phase two offices on the 3rd floor and to delete mechanical changes and original scope of work, per architects. Change Order #8 is necessary to replace the chill water coils in the penthouse air chiller. Approval was requested by the Bureau of Building, Grounds and Real Property Management.

   **Total Project Change Orders and Amount:** Eight (8) total change orders for a total amount of $196,190.35

   **Project Initiation Date:** August 21, 2008

   **Project Professional:** Cooke, Douglass Farr Lemons, LTD

   **General Contractor:** CIG Contractors, Inc.

   **Contract Award Date:** November 17, 2005

   **Project Budget:** $3,600,000

   **Funding Source(s):** SB 2010, Laws of 2004.

8. **UM - IHL 207-258, New Law School**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of $63,764.05, with an additional five (5) days to the contract of W.G. Yates and Sons Construction Co.

   **Staff Approval Date:** September 4, 2009

   **Change Order Justification:** This change order was necessary for added costs to labor, materials and equipment necessary and for miscellaneous modifications to the sidewalk, parking lot and electrical requirements.

   **Total Project Change Orders and Amount:** Two (2) total change orders for a total amount of $200,258.86.

   **Project Initiation Date:** April 21, 2005

   **Project Professional:** Eley and Associates

   **General Contractor:** W.G. Yates and Sons Construction Company

   **Contract Award Date:** November 17, 2005
9. UM - IHL 207-279, Old Chemistry Interiors

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of $31,005.60.

Staff Approval Date: September 4, 2009

Change Order Justification: This change order was necessary for added costs to labor, materials and equipment necessary for modifications to the sewer system.

Total Change Orders and Amount: Two (2) total change orders for a total amount of $20,672.64. Change Order #1 was a credit in the amount of $10,332.96 so the total amount is lower than the total shown for change order #2.

Project Initiation Date: May 18, 2006

Project Professional: McCarty Company

General Contractor: Panola Construction Company

Contract Award Date: February 18, 2009

Project Budget: $4,500,000

Funding Source(s): University self-generated sources.

10. UM - IHL 207-322, Johnson Commons West-ID Center Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $8,902.30.

Staff Approval Date: September 4, 2009

Change Order Justification: This change order is necessary to add sheetrock, moldings, and furring channel and for the abatement of unforeseen asbestos.

Total Change Orders and Amounts: One (1) total change orders for a total amount of $8,902.30

Project Initiation Date: April 16, 2009

Project Professional: University Facilities Planning

General Contractor: D. Carroll Construction, LLC

Contract Award Date: June 24, 2009

Project Budget: $400,000

Funding Source(s): University self-generated sources.

11. UM - IHL 207-294, Residential Colleges

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #14 in the amount of $34,885.

Staff Approval Date: September 4, 2009

Change Order Justification: This change order was necessary for miscellaneous modifications.

Total Change Orders and Amounts: Fourteen (14) total change orders for a total amount of $1,991,300

Project Initiation Date: January 18, 2007

Project Professional: Cooke Douglass Farr Lemons, LTD and Eley & Associates

General Contractor: Harrell Construction Group, LLC

Contract Award Date: February 28, 2008

Project Budget: $46,500,000

Funding Source(s): University of Mississippi EBC funds
12. **UM - IHL 207-321, North Residential College, Bid Package A**  
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved an award of contract to M&N Excavators, Inc., the lower of three (3) bidders, for a base bid amount of $784,650. This contract is Bid Package A for Prime Site Development only.  
   **Staff Approval Date:** September 4, 2009  
   **Project Initiation:** March 19, 2009  
   **Project Professional:** Cooke Douglass Farr Lemons, LTD  
   **General Contractor:** M&N Excavators, Inc.  
   **Contract Award Date:** September 4, 2009  
   **Project Budget:** $25,000,000  
   **Funding Source(s):** University of Mississippi EBC and private gifts.

13. **UM - IHL 207-321, North Residential College, Bid Package D**  
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved an award of contract to Drywall Systems Plus, Inc. the lower of three (3) bidders for a base bid amount of $1,289,900 plus deductive Alternate 2 ($4,3500) and add Alternate #3 ($23,000) for a total bid package of $1,309,400. This contract is Bid Package D for Steel and Superstructure only.  
   **Staff Approval Date:** September 4, 2009  
   **Project Initiation:** March 19, 2009  
   **Project Professional:** Cooke Douglass Farr Lemons, LTD  
   **General Contractor:** Drywall Systems Plus, Inc.  
   **Contract Award Date:** September 4, 2009  
   **Project Budget:** $25,000,000  
   **Funding Source(s):** University of Mississippi EBC and private gifts.

14. **UM - IHL 207-321, North Residential College, Bid Package G**  
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved an award of contract to Clinton Interiors, Inc., the lower of three (3) bidders for a base bid amount of $3,615,000 with add Alternate 2 ($218,000) and deduct Alternate 3 ($86,000) for a total bid package of $3,747,000. This contract is Bid Package G for drywall only.  
   **Staff Approval Date:** September 4, 2009  
   **Project Initiation:** March 19, 2009  
   **Project Professional:** Cooke Douglass Farr Lemons, LTD  
   **General Contractor:** Clinton Interiors, Inc.  
   **Contract Award Date:** September 4, 2009  
   **Project Budget:** $25,000,000  
   **Funding Source(s):** University of Mississippi EBC and private gifts.

15. **UM - IHL 207-306, Center for Manufacturing Excellence**  
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of $108,873.07.  
   **Staff Approval Date:** September 4, 2009  
   **Change Order Justification:** This change order was necessary for costs associated with moving utilities for a chilled water line.  
   **Total Project Change Orders and Amount:** Two (2) total change orders for a total amount of $187,259.57
   
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved** the request to advertise for the receipt of bids.

   **Staff Approval Date:** September 2, 2009

   **Project Initiation:** June 17, 2008

   **Project Professional:** Simmons Associates and Eley & Associates, A Joint Venture

   **General Contractor:** N/A

   **Contract Award Date:** Contract has not been awarded

   **Project Budget:** $16,500,000

   **Funding Source(s):** Medical Center Education Building Corporation and interest income.

17. **UMMC - IHL 209-524, Guyton Chiller #14 – 2009**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved** the **Contract Documents** as submitted by Simmons Associates and Eley & Associates, A Joint Venture, project professionals. The Board staff also **approved the request to advertise for the receipt of bids.** The total project budget is $2,400,000.

   **Staff Approval Date:** September 4, 2009

   **Project Initiation:** August 20, 2009

   **Project Professional:** Simmons Associates and Eley & Associates, A Joint Venture

   **General Contractor:** N/A

   **Contract Award Date:** Contract has not been awarded

   **Project Budget:** $2,400,000

   **Funding Source(s):** Federal Grant C76Hf09196.

18. **USM - IHL 208-288, Post Office Build-Out - Cochran Center**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved an award of contract** to Hanco Corporation, the lower of eight (8) bidders, in the amount of $1,130,000. This bid amount includes deductive Alternate #1 ($41,600) and deductive Alternate #2 ($19,600).

   **Staff Approval Date:** September 2, 2009

   **Project Initiation:** February 19, 2009

   **Project Professional:** Albert & Associates

   **General Contractor:** Hanco Corporation

   **Contract Award Date:** September 2, 2009

   **Project Budget:** $1,500,000

   **Funding Source(s):** Post Office Reserve Fund ($840,000) and Vending Service Revenue ($660,000).
Legal fees approved for payment to outside counsel in relation to litigation and other matters:

Payment of legal fees for professional services rendered by Phelps Dunbar (statement dated 7/30/09) from the funds of Mississippi State University. (This statement represents services and expenses in connection with Charlie F. Wade vs. MS Cooperative Extension.)

**TOTAL DUE** ........................................................................................................... $481.25

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 8/5/09 and 8/15/09) from the funds of Mississippi State University. (Each statement in the amount of $2,500.00 represents services and expenses in connection with labor certifications.)

**TOTAL DUE** ........................................................................................................... $5,000.00

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statement dated 7/29/09) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with MS Commission on Environmental Quality vs. UMMC.)

**TOTAL DUE** ........................................................................................................... $64,612.96

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara & Cannada (statements dated 7/17/09 and 7/23/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Rep. of the Medical School and Facility Practice Plans - $5,310.50 and General Advice-UMMC-North Clinic - $6,315.50.)

**TOTAL DUE** ........................................................................................................... $11,626.00

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statement dated 8/7/09) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the Sterling case.)

**TOTAL DUE** ........................................................................................................... $1,806.04

Payment of legal fees for professional services rendered by Page, Mannino, Peresich & McDermott (statements dated 7/28/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with cases styled Rhoden - $6,929.30, McGarry - $5,577.39, Flowers - $16,881.33, Thornton - $322.40, General Legal Services - $285.00 and Jaralah - $2,520.00.)

**TOTAL DUE** ........................................................................................................... $32,515.42

Payment of legal fees for professional services rendered by Adams & Reese (statement dated 8/12/09) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with personnel issues.)

**TOTAL DUE** ........................................................................................................... $474.50
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 7/22/09) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Compact Time-of-Flight Mass Spectrometer-Canada” - $596.12; “Compact Time-of-Flight Mass Spectrometer-Germany” - $392.06; “Compact Time-of-Flight Mass Spectrometer-United Kingdom” - $432.00; “High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High-Current Applications” - $64.13; “CIP Termite Control System, Method and Apparatus” - $1,676.00; “Through-Log Density Detector” - $50.00; “Micro-Fluidic Device for Measuring Osmotic Second Viral Coefficients” - $590.00 and “Heat Recovery Ventilator with Make-Up Air Capability” - $1,340.00.)

TOTAL DUE .................................................................. $5,140.31

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 7/14/09) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “MSU-Temporal Mapping and Analysis” - $1,022.50; “MSU-Remote Sensing Imagery Accuracy” - $910.00; “MSU-Linear Correspondence” - $861.25; “JUVA Trademark Application-Mitchener” - $667.50; “MSU - Provisional Patent Switchgrass Seed Safener” - $402.50; “MSU MSA 2-3-98 St. Augustine Grass (Polaris) Trademark” - $162.50; “MSU MSA-31 St. Augustine Grass (Veranda) Trademark” - $878.75; “Oral Delivery of Attenuated Edwardsiella ictaluri” - $158.75; “Plant Patent-St. Augustine Grass Cultivars” - $893.75; “Production of Biodiesel and Other Valuable Chemicals from Wastewater Treatment Plant Sludges” - $2,127.50; “Windspeed Utility Patent Application” - $227.50; “MSU-Peer to Peer Learning Management System” - $2,535.00; “MSU-Crepe Myrtle Plant Patent” - $1,267.50 and “MSU-Method of Epitaxial Growth of Silicon Carbide” - $214.59.)

TOTAL DUE ................................................................. $12,329.59

Suppository Formulations Effecting Bioavailability of -9-THC" - $112.50; “Australia-8-Aminoquinolines” - $75.00; “Canada-8-Aminoquinolines” - $75.00; “Australia-Design and Synthesis of Optimized Ligands and PPAR Based on PCT/US04/023661” - $150.00; “Canada Design and Synthesis of Optimized Ligands and PPAR Based on PCT/US04/023661” - $112.50; “EP (Europe)-Design and Synthesis of Optimized Ligands and PPAR Based on PCT/US04/023661” - $291.56; “Transmucosal Delivery of Cannabinoids” - $112.50; “Transmucosal Delivery of Cannabinoids” - $112.50; “Transmucosal Delivery of Cannabinoids” - $261.25; “Synthesis of Epothilones and Related Analogs” - $112.50; “Method of Preparing Delta-9 Tetrahydrocannabinol” - $148.75; “Stable Suppository Formulations Effecting Bioavailability of -9-THC” - $112.50; “Stable Suppository Formulations Effecting Bioavailability of -9-THC” - $112.50; “Method of Preparing Delta-9 Tetrahydrocannabinol Esters” - $626.73; “Potent Immunostimulatory Extracts from Microalgae” - $297.50; “Methods for Isolating Individual Taxanes” - $37.50; “Anticancer and Antiprotozoal Dihydroartemisinin and Dihydroartemisitene Dimers with Desirable Chemical Functionalities” - $75.00; “Anticancer and Antiprotozoal Dihydroartemisinin and Dihydroartemisitene Dimers with Desirable Chemical Functionalities” - $75.00; “Potent Immunostimulants Microalgae” - $297.50; “8 Aminoquinolones” - $75.00; “8-Aminoquinolones” - $37.50; “8 - Aminoquinolones” - $37.50; “Aminoquinolones- $37.50; “8-Aminoquinolones” - $75.00; “8-Aminoquinolones” - $313.00; “8-Aminoquinolones” - $40.00; “Design and Synthesis of Optimized Ligands and PPAR” - $37.50; “Design and Synthesis of Optimized Ligands and PPAR” - $37.50; “Design and Synthesis of Optimized Ligands and PPAR” - $37.70; “Transmucosal Delivery of Cannabinoids” - $250.50; “Transmucosal Delivery of Cannabinoids” - $1,554.50; “Synthesis of Epothilones and Related Analogs” - $37.50; “Synthesis of Epothilones and Related Analogs” - $1,018.98; “Method of Preparing Delta-9 Tetrahydrocannabinol” - $1,371.25; “Stable Suppository Formulations Effecting Bioavailability of Delta-9-THC” - $37.50; “Stable Suppository Formulations Effecting Bioavailability of Delta-9-THC” - $37.50; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $297.50; “Potent Immunostimulatory Extracts from Microalgae” - $595.00; “Potent Immunostimulatory Extracts from Microalgae” - $595.00; “8-Aminoquinolones” - $490.00; “8-Aminoquinolones” - $1,157.00; “8-Aminoquinolones” - $339.00; “8-Aminoquinolones” - $825.00; “8-Aminoquinolones”; - $1,067.00; “8 Aminoquinolones” - $320.00 and “Potent Immunostimulatory Component in Microalgae Extract” - $105.00.)

TOTAL DUE ................................................................. $31,495.72
Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 4/20/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09, 5/18/09) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Novel Antigiardial Agents and Methods of Use Thereof” - $682.00; “Acoustic Instruments for Use in Aquaculture” - $1,895.18; “In-Furnace Reduction of Nitrogen Oxide by Mixed Fuel Involving a Biomass Derivative” - $248.00; “Particle Feeder” - $645.02; “New Indolizidine Anti-Infective and Anti-Parasitic Compounds” - $40.64; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $62.00; “Japanese Application for Saururus Cernuus Compounds” - $209.00; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $314.97; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $1,148.88; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $586.74; “Multidomainplate Acoustic Wave Devices” - $325.00; “Multidomainplate Acoustic Wave Devices” - $1,341.50; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $416.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $969.00; “Stabilized Formulation of Triamcinolone Acetonide” - $142.19; “Agents with Selective K-Opioid Receptor Affinity” - $134.06; “Agents with Selective K-Opioid Receptor Affinity” - $294.84; “Miscellaneous IP Matters” - $81.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $487.05; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $366.47; “Novel Antigiardial Agents and Methods of Use Thereof” - $491.60; “Patent Application for Acoustic Instruments for Use in Aquaculture” - $585.00; “Antifungal Cyclopentenediones Patent Application/Search” - $186.10; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $150.80; “Stabilized Formulation of Triamcinolone Acetonide” - $5,791.60; “Stabilized Formulation of Triamcinolone Acetonide” - $50.28; “Stabilized Formulation of Triamcinolone Acetonide” - $124.00; “Stabilized Formulation of Triamcinolone Acetonide” - $1,375.00; “Methods for Detecting Human Footsteps” - $744.04; “Methods for Detecting Human Footsteps” - $250.50; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $614.00; “Cembranoids/Chemopreventive” - $2,940.16; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $133.68; “Patent Application for In-Furnace Reduction of Nitrogen Oxide by Mixed Fuel Involving a Biomass Derivative” - $899.00; “Novel Antigiardial Agents and Methods of Use Thereof” - $65.00; “Agents with Selective K-Opioid Receptor Affinity” - $335.00; “Methods for Detecting Human Footsteps” - $81.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $50.00; “Saururus Cernuus Compounds High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $132.79; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $40.50; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $361.73; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $40.50; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $361.73; “Saururus Cernuus Compounds that Inhibit Cellular Responses to Hypoxia” - $54.00; “High Speed Data Compression Based on Set Associative Cache Mapping Techniques” - $96.12; “Stabilized Formulation of Triamcinolone Acetonide” - $250.00; “Stabilized Formulation of Triamcinolone Acetonide” - $160.64; “Stabilized Formulation of Triamcinolone Acetonide” - $465.32; “Stabilized Formulation of Triamcinolone Acetonide” - $927.50; “Methods for Detecting Human Footsteps” - $392.71 and “Methods for Detecting Human Footsteps” - $766.09.)

TOTAL DUE ................................................................. $29,834.14
Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 5/13/09 and 6/15/09) 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” - $5,132.50 and “Gut Prosthetic Patent” - $5,349.50.)

**TOTAL DUE.................................................................** $10,482.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/29/09, 6/29/09, 6/29/09, 7/23/09, 7/23/09, 7/23/09, 7/23/09, 7/23/09, 7/23/09 and 7/23/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “1Raucher/US/Thermally Targeted Delivery of Medicaments” - $700.00; “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - $186.06; “Raucher/US/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - $135.88; “Cholesterol Treatment of S. Aureus Keratitis” - $4,928.10; “Raucher Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - $911.50; “Raucher/US/ Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymer” - $437.00; “Raucher/European/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - $213.71; “Raucher/European/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - $475.50; “Method of Diagnosing & Monitoring Malignant Breast Carcinomas/Patent Application” - $740.00 and “Cholesterol Treatment of S. Aureus Keratitis” - $323.10.)

**TOTAL DUE.................................................................** $9,050.85
ACADEMIC AFFAIRS

SYSTEM – APPROVAL OF DEGREES TO BE CONFERRED IN DECEMBER 2009

Board Policy 510: Awarding of Degrees states that “Degrees granted by institutions under the governance of the Board are awarded by and with the consent of the Board and are countersigned by the President of the Board. Recommendations for the awarding of degrees to students by the various institutions must be made no later than the Board meeting prior to the commencement at which such awards will be made. Board approval represents permission to award degrees if all requirements are met and does not constitute direction to award a degree.”

In accordance with the above policy, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi request permission to award degrees at the following levels in December 2009, provided each candidate has met all requirements for the degree.

Note: If approval to award these degrees is granted, the Board will have approved the awarding of 15,306 (9,340 January-May; 2,203 August; 3,763 December) degrees in calendar year 2009, provided all degree requirements are met.

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**System Total** | 3763

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.
REAL ESTATE

Note: Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

Board Policy §902, Initiation of Construction Projects

The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total project budget of $250,000 or more regardless of how the projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs, and renovation projects with a total budget under $250,000 may be approved by the Institutional Executive Officer.

Board Policy §903(A), Planning and Funding Request

A master facilities plan must be developed for each campus and shall be revised periodically. The Board’s staff shall review plans annually and master plans must be approved by the Board every five (5) years. The master plan shall include the proposed location and estimated cost for new facilities to be added to the campus and any plans for major renovations. Prior to the initiation of any project for the construction of a new facility, the Institutional Executive Officer of each institution shall recommend for Board approval, the location for the proposed facility in keeping with the Board approved master plan.

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:
1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.
2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;
3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and
4. The design professional previously approved by the Board has not changed.

If the above four conditions have been met, the Board’s Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution’s property even if the land is leased to an institution’s affiliated entity or a private developer.

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. **MSU - GS 105-338, Roof Replacement-Various**

   **Project Request:** Mississippi State University requests permission to initiate a project for 2009 Roofing Program that will re-roof Simrall Engineering Building, Patterson Laboratory, and Butler Hall.

   **Design Professional:** N/A

   **Purpose:** Mississippi State University is requesting this project because the roofs on these three (3) buildings are deteriorated. All the roofs are over 20 years old and out of warranty. Mississippi State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

   **Date of Project Initiation:** November 19, 2009
Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

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Funding Source(s): HB 1722, Laws of 2009 ($1,000,000)

Staff Recommendation: Board staff recommends approval of this item.

2. MSU - GS 105-340, Allen Hall Interior Renovations/ADA

Project Request: Mississippi State University requests permission to initiate a project for interior repairs and ADA improvements to Allen Hall.

Design Professional: N/A

Purpose: Mississippi State University is requesting this project in order to construct accessible restrooms and renovate public areas and classrooms. Mississippi State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Date of Project Initiation: November 19, 2009

Date of Original Construction: 1972

Date of Last Renovation: 2002
Project Budget:

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Total Project Budget $350,000.00

Funding Source(s): HB 1722, Laws of 2009 ($350,000)

Staff Recommendation: Board staff recommends approval of this item.

3. MSU - GS 105-341, Hand Lab-Life Safety Upgrades

Project Request: Mississippi State University requests permission to initiate a project for life safety improvements that will add fire sprinklers to all levels of Hand Laboratory.

Design Professional: N/A

Purpose: Mississippi State University is requesting this project to ensure all levels of Hand Laboratory are fire sprinkled. Mississippi State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Date of Project Initiation: November 19, 2009

Date of Original Construction: 1964

Date of Last Renovation: 2005

Project Budget:

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Total Project Budget $400,000.00

11/19/2009
Funding Source(s): HB 1722, Laws of 2009 ($400,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

4. **ASU - IHL 201-245, Campus Master Plan**

   **Project Request:** Alcorn State University requests permission to initiate a campus master plan project and appoint LPK Architects/Hanberry Evans of Meridian, MS as the design professionals.

   **Design Professional:** LPK Architects/Hanberry Evans

   **Purpose:** Alcorn State University is seeking approval in accordance with Board Policy §903 (A), Planning and Funding Request, that requires each institution to develop a master facilities plan.

   **Date of Project Initiation:** November 19, 2009

   **Project Budget:** $450,000.00

   **Funding Source(s):** Title III Federal funds ($450,000)

   **Staff Recommendation:** Board staff recommends approval of this item.

5. **MSU - IHL 213-139, Stoneville Office Building**

   **Project Request:** Mississippi State University, Division of Agriculture, Forestry, and Veterinary Medicine requests permission to initiate a project to construct a new office building at the Delta Research and Extension Center in Stoneville and to appoint Pryor and Morrow of Columbus, MS as design professionals.

   **Design Professional:** Pryor and Morrow

   **Purpose:** The building will be approximately 20,000 sq. ft and will add new offices, work rooms, and library space that are needed. Mississippi State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the
approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Date of Project Initiation**: November 19, 2009

**Project Budget**:  
- Estimated Construction Cost: $2,500,000.00
- Architectural and Engineering Fees: $164,115.32
- Miscellaneous Project Costs: $185,500.00
- Contingency: $150,384.68

**Total Project Budget**: $3,000,000.00

**Funding Source(s)**: MAFES Sales ($1,795,000); MSU Extension Service state funds ($1,205,000)

**Staff Recommendation**: Board staff recommends approval of this item.

6. **UM - IHL 207-330, School of Law-F&E Audio Visual Package**

**Project Request**: The University of Mississippi requests permission to initiate a project to include the F&E Audio Visual Package for the School of Law and to appoint Eley Guild Hardy Architects, P.A. of Jackson, Mississippi as design professionals.

**Design Professional**: Eley Guild Hardy Architects, P.A.

**Purpose**: The University of Mississippi is requesting this project because the F&E package will provide the audio visual for the teaching spaces in the new Law School. The University of Mississippi is seeking approval to initiate the project and select the project professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Date of Project Initiation**: November 19, 2009

**Date of Original Construction**: New Construction

**Date of Last Renovation**: N/A
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*A&E fees are being paid through UM project 207-258, New Law School funds.

Funding Source(s): Department of Justice Grant # 2008-DD-BS-0519

Staff Recommendation: Board staff recommends approval of this item.

7. UM - IHL 207-331, Data Center-Generator Upgrade

Project Request: The University of Mississippi requests permission to initiate a project to upgrade the emergency generator in the Data Center and to appoint Corbett Legge & Associates of Tupelo, Mississippi as design professionals.

Design Professional: Corbett Legge & Associates

Purpose: The University of Mississippi is requesting this project in order to upgrade the emergency generator because the UM Data Center facility is mission critical for academics, administration, research and the UMMC student system. The equipment, software, and data for all these systems are located in the Data Center. Due to this facility experiencing recent abrupt power outages, brown outs, and resulting high temperatures, back-up generation capacity became necessary. The equipment within this facility is susceptible to these situations and many failures have been experienced over the last year. The University of Mississippi is seeking approval to initiate the project and select the project professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Date of Project Initiation: November 19, 2009

Date of Original Construction: 1948

Date of Last Renovation: 2001
8. **UM - IHL 207-332, Golf Course Road Improvements**

**Project Request:** The University of Mississippi requests permission to initiate a project to improve the road from the entrance to the clubhouse area of the Oxford-University Golf Course and to appoint Engineering Solutions, Inc. of Pontotoc, Mississippi as design professionals.

**Design Professional:** Engineering Solutions, Inc.

**Purpose:** The University of Mississippi is requesting this project in order to correct site drainage issues, provide safer pedestrian and vehicular travel throughout the facility, and repair and upgrade the construction damaged roads. The Course and Clubhouse recently underwent a $3.5 million renovation. These roads carried a large amount of construction traffic which deteriorated the roads. Therefore, the road project had to wait until the renovations projects were complete. The improvements will be completed by adding curbs, gutters, seal coat, asphalt overlay, and miscellaneous concrete to the existing road. The University of Mississippi is seeking approval to initiate the project and select the project professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Date of Project Initiation:** November 19, 2009

**Date of Original Construction:** 1965

**Date of Last Renovation:** 2007
Project Budget:  

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Total Project Budget: $490,000.00

Funding Source(s): Internal Auxiliary R&R Funds ($490,000)

Staff Recommendation: Board staff recommends approval of this item.

9. UMMC - IHL 209-530, Student Classroom Renovations 2009

Project Request: The University of Mississippi Medical Center requests permission to initiate a project to renovate two existing student classrooms in the original North Wing building and to appoint Barranco PLLC Architecture of Jackson, Mississippi as design professionals.

Design Professional: Barranco PLLC Architecture

Purpose: The University of Mississippi Medical Center is requesting this project in order to renovate two existing student classrooms in the original North Wing building by providing updated finishes, electronic/data, electrical/HVAC, seating and audio visual system upgrades. The University of Mississippi Medical Center is seeking approval to initiate the project and select the project professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Date of Project Initiation: November 19, 2009

Date of Original Construction: 1955

Date of Last Renovation: 2008 (Hospital)
Project Budget:

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Funding Source(s): Student Tuition ($650,000)

Staff Recommendation: Board staff recommends approval of this item.

10. UMMC - IHL 209-531, O. R. #8 and #9, 2009 Renovations

Project Request: The University of Mississippi Medical Center requests permission to initiate a project to renovate existing operating rooms #8 and #9 and to appoint Canizaro Cawthon Davis Architects of Jackson, Mississippi as design professionals.

Design Professional: Canizaro Cawthon Davis Architects

Purpose: The University of Mississippi Medical Center is requesting this project in order to combine operating room #8 and #9 into a new general surgery room suite with updated finishes and services, electrical/HVAC revisions, and rough-ins for installation of new robotic surgery equipment. The University of Mississippi Medical Center is seeking approval to initiate the project and select the project professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Date of Project Initiation: November 19, 2009

Date of Original Construction: 1955

Date of Last Renovation: 2008 (Hospital)
Project Budget:

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**Funding Source(s):** Hospital Patient Revenues ($390,000)

**Staff Recommendation:** Board staff recommends approval of this item.

APPROVAL OF BUDGET INCREASE AND/OR CHANGE OF SCOPE

**BUREAU OF BUILDING PROJECT**

11. **UM - GS 107-297, Waste Water Treatment Plant**

**Project Request:** The University of Mississippi requests approval to increase the project budget for the Waste Water Treatment Plant from $1,500,000 to $1,800,000 for an increase in the amount of $300,000.

**Design Professional:** Engineering Solutions, Inc.

**General Contractor:** N/A

**Purpose:** The escalation in the project budget is necessary based on the professional’s final construction document estimate. Alternate #1 SCADA System and Alternate #2 automatic removal of silt, are critical for the effective performance of the waste water treatment facility. The $300,000 increase in the budget funded with additional university funds will allow for Alternate #1 and Alternate #2 and enable the university to build a fully functional facility that is in compliance with Environmental Protection Agency (EPA) regulations as well as ensure the project is awarded on schedule. This is the first budget increase request for this project by the university. The university is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increase to the Board for approval.

**Project Initiation Date:** June 18, 2008
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**Total Project Budget:** $1,500,000.00 $1,800,000.00 $300,000.00

### Funding Source(s):
HB 1641, Laws of 2008 ($1,500,000); Auxiliary R&R Funds ($300,000)

### Staff Recommendation:
Board staff recommends approval of this item.

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**IHL PROJECTS**

12. **MSU - IHL 213-138, Cage Wash Facilities**

**Project Request:** Mississippi State University requests approval to increase the project budget for the Cage Wash Facilities from $287,832.00 to $311,595.00 for an increase in the amount of $23,763.00.

**Design Professional:** Thomas Shelton Jones & Associates

**General Contractor:** N/A

**Purpose:** The escalation in project budget is required based on the design professional’s latest construction documents estimate. This project will renovate approximately 1,250 gross sq. ft. on the first-floor research wing of the Wise Center. The university will replace a 23-year-old cage washer and HVAC system, install a bedding dump station, and revise the floor plan to improve work flow and dirty/clean separation. The university is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

**Project Initiation Date:** May 14, 2009

**Project Budget:**

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**Total Project Budget:** $287,832.00 $311,595.00 $23,763.00
**Funding Source(s):** National Institutes of Health-National Center for Research Resources ($287,832); Mississippi State University College of Veterinary Medicine ($23,763)

**Staff Recommendation:** Board staff recommends approval of this item.

13. **UMMC - IHL 209-505, Pediatric Emergency Room Renovations**

**Project Request:** The University of Mississippi Medical Center requests approval to increase the project budget for the Pediatric Emergency Room Renovations from $5,304,371.00 to $5,633,275.00 for an increase in the amount of $328,904.00.

**Purpose:** The escalation in project budget is required based on change in scope to include an alternate for shell space at the roof level. The university is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increase to the Board for approval.

**Design Professional:** Dale/Morris Architects

**General Contractor:** N/A

**Project Initiation Date:** November 16, 2007

**Project Budget:**

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**Total Project Budget:** $5,304,371.00 $5,633,275.00 $328,904.00

**Funding Source(s):** Pediatrics Outpatient Clinic Fund and Hospital Patient Revenue

**Staff Recommendation:** Board staff recommends approval of this item.
APPROVAL OF OTHER REAL ESTATE REQUESTS

Board Policy §905(A), Real Estate Management

Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales.

14. DSU - Bayou Pipeline Inc. Lease

**Project Request:** Delta State University requests permission to enter into a ninety-nine (99) year lease agreement with Bayou Pipeline, Inc where Delta State will lease 8.4 acres of land north of Cleveland to Bayou Pipeline, Inc.

**Purpose:** Delta State University is requesting approval of this lease agreement in order to assist the efforts of Bolivar County and the Cleveland-Bolivar Chamber of Commerce to restore a vacated building back to productive use by leasing the land that the vacated building occupies to Bayou Pipeline, Inc. The lessee will renovate the building and operate a Dollar Store and a Tractor Supply Store on the property. Since Delta State University owns the land, the university is seeking approval in accordance with Board Policy §905, Real Estate Management, that requires Board approval prior to the execution of all leases, easements, oil and mineral leases, and timber sales.

**Terms of Lease:** The terms of the lease will be for ninety-nine (99) years beginning on December 1, 2009 and ending on November 30, 2108 at the rate of $2,500 per year. The lease rate is based on 8% of the current appraised value of the property. At the conclusion of every tenth (10th) year of this lease the rent shall be adjusted to 8% of the new fair market appraised value without improvements.

**Staff Recommendation:** The Attorney General’s Office has reviewed and approved this item. Board staff recommends approval of this item.

15. JSU - 103-246, Land Acquisition Project, Phase IV

**Project Request:** Jackson State University requests permission to add two (2) parcels of land as listed below to Phase IV of the JSU Land Acquisition project. JSU has been authorized by the Mississippi Legislature to purchase available parcels within the predefined limits of the above referenced project.

**Purpose:** Jackson State University is requesting approval the addition of the two (2) parcels of land as listed below to the list of possible acquisitions in order to expand the operations of the project which was approved by the Board of Trustees in January
2008. The parcels have been reviewed and received prior approved by the Bureau of Building, Grounds, and Real Property Management.

- 928 Canal Street, Parcel #144-60
- 826 W. Pascagoula, Parcel #144-27

**Staff Recommendation:** Board staff recommends approval of this item.

**PERSONNEL**

**APPROVAL OF PERSONNEL ACTION REQUESTS**

1. **Change of Status**

   **MSU**

   *FY 2010 salary increase above 15% or $15,000:*

   Jesse W. McCarter, Material Supply Clerk II, Physical Plant Administration, salary change from $22,360 to $28,122, increase of $5,762 (25.8%), justification – internal equity

   **MVSU**

   Lee Smith, Head Softball Coach, Intercollegiate Athletics: *from* contract period of July 1, 2009 through June 30, 2010; *to* contract period of November 20, 2009 through June, 30, 2011; no change in the salary of $28,091 per annum, pro rata; E & G Funds

   **UM**

   Michael F. Bianco; Head Men’s Baseball Coach; Athletics: *from* contract period of July 1, 2008 to June 30, 2012, *to* new contract period of July 1, 2009 to June 30, 2013, in order to provide Coach Bianco with an extension of his current employment contract; no change in the salary of $160,000 per annum, pro rata; Auxiliary Funds

2. **Rehired Retirees**

   **JSU**

   *Retiree rehired making more than $20,000 who is on contract:*
Louise Jones; *former position:* Associate Professor, Department of Educational Foundation and Leadership; *independent consultant/contractual engagement* for the following grants: (1) Students Investing in Mathematics, Engineering and Technology (SIMET), Department of Mathematics; compensation of $3,000; contract dates December 1, 2009 - August 31, 2010; grant funds; (2) Target Infusion Project (TIP), Department of Computer Engineering; compensation of $7,000; contract dates November 20, 2009 - August 31, 2010; grant funds; (3) Science Educational Partnership Award (SEPA), College of Science, Engineering and Technology; compensation of $20,000; contract dates November 20, 2009 – August 1, 2010; grant funds
MSU

Retirees rehired making more than $20,000 who are not on contract for the period of July 1, 2009 through June 30, 2010:

James Baugh; former position: Farm Supervisor; new position: Farm Supervisor, compensation of $20,800; period of re-employment July 1, 2009-June 30, 2010

Barbara Benton; former position: Teacher; new position: Lecturer, compensation of $27,500; period of re-employment July 1, 2009-June 30, 2010

Monte Brasfield; former position: Teacher; new position: Lecturer, compensation of $27,500; period of re-employment July 1, 2009–June 30, 2010

Charles Easom; former position: Principal; new position: Lecturer, compensation of $32,010; period of re-employment July 1, 2009-June 30, 2010

Joe Gant; former position: Teacher; new position: Intermittent Worker; compensation of $26,000; period of re-employment July 1, 2009-June 30, 2010

Marineta Gardner; former position: Teacher; new position: Lecturer; compensation of $27,500; period of re-employment July 1, 2009-June 30, 2010

Sandra Harpole; former position: Associate Vice President; new position: Intermittent Worker; compensation of $65,937; period of re-employment July 1, 2009-June 30, 2010

Sarah Laughlin; former position: Teacher; new position: Lecturer; compensation of $27,500; period of re-employment July 1, 2009-June 30, 2010

Regina McIntosh; former position: Teacher; new position: Lecturer; compensation of $27,500; period of re-employment July 1, 2009-June 30, 2010

E. C. O’Neal; former position: Professor; new position: Intermittent Worker; compensation of $22,500; period of re-employment July 1, 2009-June 30, 2010

Alvin Rosenhan; former position: Lecturer; new position: Lecturer; compensation of $21,000; period of re-employment July 1, 2009-June 30, 2010

Linda Southward; former position: Research Professor; new position: Research Professor; compensation of $50,715; period of re-employment July 1, 2009-June 30, 2010
Richard Tillotson; former position: Principal; new position: Lecturer; compensation of $27,500; period of re-employment July 1, 2009 – June 30, 2010

Michael White; former position: Dean of Students; new position: Director; compensation of $30,000; period of re-employment July 1, 2009 - June 30, 2010

Roger White; former position: Teacher; new position: Lecturer; compensation of $27,500; period of re-employment July 1, 2009 - June 30, 2010

Sherrill Wiygul; former position: Teacher; new position: Lecturer; compensation of $27,500; period of re-employment July 1, 2009 - June 30, 2010

3. Termination

DSU

Carmaleta Shaw, Director, Advisement Center; annual salary of $34,342; original contract end date of June 30, 2010; contract to be terminated effective December 31, 2009 as a result of the Advisement Center being eliminated

Christie Sledge, Director, Small Business Development Center; annual salary of $45,271; original contract end date of September 30, 2010; contract to be terminated effective December 31, 2009 unless alternative sources are located to provide required federal match

4. Tenure

MSU

Sadik C. Artunc, Professor and Head, Landscape Architecture; hired January 1, 2007

Barry J. Barnett, Professor, Agricultural Economics; hired August 16, 2007

John W. Bickle, Jr., Professor and Head, Philosophy and Religion; hired August 16, 2009

William B. Epperson, Professor and Head, College of Veterinary Medicine Pathobiology/Population Medicine Department; hired July 1, 2007

Edwin A. Lewis, Professor and Head, Chemistry; hired July 1, 2008

K.C. Morrison, Professor and Head, Political Science and Public Administration; hired July 1, 2009
Stephen Middleton, Professor and Director of African American Studies, History; hired September 16, 2009

Johnetta W. Morrison, Associate Professor, Curriculum, Instruction and Special Education; hired August 16, 2009

Stephen B. Pruett, Professor and Head, College of Veterinary Medicine Basic Science Department; hired July 16, 2007

Lynne D. Richardson, Dean and Professor, College of Business; hired August 1, 2007

Lydia C. Thompson, Associate Professor and Head, Art Department; hired July 16, 2009

Frankie K. Williams, Associate Professor and Head, Leadership and Foundations; hired August 1, 2009

Daniel W. Wong, Professor and Head, Counseling and Educational Psychology; hired August 1, 2009

Gregory A. Bohach, Vice President, Agriculture, Forestry and Veterinary Medicine; hired October 1, 2009
1. SYSTEM – APPROVAL OF NEW ACADEMIC PROGRAMS

In accordance with Board Policy 501: Academic Programs and Units “All new curricula, departments, programs of study, organized research or services being proposed by any or all of the institutions must be submitted to the Board and must be approved by the Board before being initiated,” Board approval is requested for establishing five new academic programs.

a. **Delta State University** requests permission to plan to offer the **Master of Applied Science in Geospatial Information Technology** degree.

   **CIP:** 21.0101

   **Hours to Degree:** 30 credit hours

   **State Need:** The proposed program will meet the need in Mississippi and the Deep South for providing working professionals with advanced study in geospatial information technology (GIS)-related project management and application technology.

   **Employment:** Market research from DSU’s Center for Interdisciplinary Geospatial Information Technologies indicates that there are over 800 vacant GIS-related positions in the U.S. and over 40 in the Deep South.

   **Funding:** Tuition revenue, existing (no additional) state appropriations, and external grants will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

   **Enrollment:** Based on current enrollment trends in GIS-related courses offered by the Center for Interdisciplinary Geospatial Information Technologies, approximately 130 students are projected to enroll within the first six years.

   **Duplication:** None. There are no similar degree programs offered in the system.

   **Staff Recommendation:** Board staff recommends approval of this item.
b. Mississippi University for Women requests permission to plan to offer the Bachelor of Science/Bachelor of Arts in Public Safety Administration degree.

CIP: 44.0401

Hours to Degree: 124 credit hours

State Need: The proposed program will provide formal education and professional development to mid-level managers in the fire-service profession, which has been endorsed as a critical need by the Mississippi Fire Chiefs Association.

Employment: Based on 2004-2014 Mississippi Occupational Employment Projections, the need for supervisors/managers of fire fighting and prevention workers will increase 20% (60 job openings annually).

Funding: Tuition revenue and existing (no additional) state appropriations will be used to fund the proposed program.

Enrollment: Approximately 182 students are projected to enroll within the first six years.

Duplication: None. There are no similar degree programs offered in the system.

Staff Recommendation: Board staff recommends approval of this item.

c. Mississippi University for Women requests permission to plan to offer the Bachelor of Technology degree

CIP: 21.0101

Hours to Degree: 124 credit hours

State Need: The proposed program will facilitate students with Associate of Applied Sciences (AAS) degrees at Mississippi community/junior colleges transferring into bachelor’s degree-granting programs that can accept more technical courses than traditional bachelor’s programs. This is a critical need because over 9,000 students received AAS degrees from Mississippi community colleges in academic years 2005-2007.
**Employment:** Students with an AAS degree may work in a very broad range of occupations, which makes it difficult to tie the proposed degree with employment projections in specified occupations. However, the proposed program will provide more advanced technology training above the associate degree level, thus contributing to a more educated workforce.

**Funding:** Tuition revenue and existing (no additional) state appropriations will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

**Enrollment:** Based on the volume of students receiving AAS degrees from MS community colleges, approximately 115 students are projected to enroll within the first six years.

**Duplication:** ASU and USM offer similar programs.

### Enrollment

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* The name of the program was changed in 2006. Enrollment numbers reflect enrollments prior to and subsequent to the name change; however, graduate numbers reflect only those students receiving degrees subsequent to the name change.

**Staff Recommendation:** Board staff recommends approval of this item.
d. The University of Mississippi Medical Center requests permission to plan to offer the Master of Health Sciences degree.

**CIP:** 51.9999

**Hours to Degree:** 36 credit hours

**State Need:** The proposed online program will prepare licensed, certified, and/or registered health care clinicians to both teach allied health courses at community/junior colleges and/or assume managerial and leadership roles within the health care delivery system.

**Employment:** Based on 2004-2014 Mississippi Occupational Employment Projections, the need for medical/health care services managers and postsecondary health specialties teachers will grow 23% (95 job openings annually) and 26% (25 job openings annually), respectively.

**Funding:** Tuition revenue and existing (no additional) state appropriations will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

**Enrollment:** Based on the volume of written and verbal student requests for this program, approximately 200 students are projected to enroll within the first six years.

**Duplication:** None. There are no similar degree programs offered in the system.

**Staff Recommendation:** Board staff recommends approval of this item.
e. The *University of Southern Mississippi* requests permission to plan to offer the *Master of Science in Logistics, Trade, and Transportation* degree.

**CIP:** 52.0209

**Hours to Degree:** 30 credit hours

**State Need:** The proposed program will meet the state, regional, and national need for developing leaders in both the public and private sectors of the logistics, trade, and transportation field. The proposed program has been endorsed by the Governor, MDOT, Tennessee-Tombigbee Waterway Development Authority, and Harrison County Development Commission.

**Employment:** Economic Modeling Specialist, Inc. projects that over the next five years there will be 2,357 trade and transportation job openings across the five Gulf Coast states, yet there will be only 1,583 graduates (shortfall of 774) in the field from within the region. Of those projected 1,583 degrees, most will be conferred in Alabama and Florida.

**Funding:** Tuition revenue and existing (no additional) state appropriations will be used to fund the proposed program. No additional faculty will be needed to deliver instruction within the proposed program.

**Enrollment:** Based on the current enrollment in the Logistics Management emphasis area under the Master of Science in Engineering Technology degree program, approximately 54 students are projected to enroll within the first six years.

**Duplication:** None. There are no similar degree programs offered in the system.

**Staff Recommendation:** Board staff recommends approval of this item.
2. SYSTEM – PROPOSED REVISIONS TO THE MISSISSIPPI NURSING DEGREE PROGRAMS ACCREDITATION STANDARDS

Proposed revisions to the Mississippi Nursing Degree Programs Accreditation Standards were approved for first reading by the Board in October 2009 and were released for public comment. These proposed revisions are presented for final Board approval; pursuant to Mississippi statute § 37-129-1. Regulation of nursing schools and programs, the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi is empowered and required to “establish by rules and regulations and promulgate uniform standards for accreditation of schools of nursing in the State of Mississippi....”

STAFF RECOMMENDATION: Board staff recommends approval of this item.
1. **JSU - APPROVAL OF CUSTODIAL SERVICES AGREEMENT**

**Agenda Item Request:** Jackson State University requests approval to enter into an agreement with **SSC Service Solutions** to provide custodial/janitorial services for the campus.

**Contractor’s Legal Name:** Southeast Service Corporation, *doing business as SSC Service Solutions*

**History of Contract:** New Agreement

**Specific Type of Contract:** Outsourcing of custodial services

**Purpose:** Provide custodial and janitorial services for the campus

**Scope of Work:** Contractor will provide all equipment, cleaning supplies, labor and supervision for academic buildings, residence halls, service buildings and auxiliary enterprises as stipulated in the agreement.

**Term of Contract:** Three years, seven month contract period: December 1, 2009 to June 30, 2013

**Termination Options:** Either party shall have the right to terminate this agreement for failure of performance by the other party. Such failure of performance shall be brought to the attention of the alleged defaulting party by written notice. Upon receipt of such notice, the alleged defaulting party shall have thirty (30) days to remedy such breach of performance or default. Should the party fail to remedy or cure within the prescribed thirty (30) days, the agreement will terminate.

**Contract Amount:** Annual price adjustments are allowed to reflect changes in the Consumer Price Index (CPI) and any increases in the Federal Minimum Wage or any required employer paid contribution. The CPI will be calculated using the average of the most recent 12-month (non preliminary) period compared to the average of the prior 12 months. JSU currently spends $2.1 million for custodial services. The new contractor will hire all current JSU custodial staff members and they will provide a higher level of cleaning according to Association of Physical Plant/Facilities Administrators (APPA) from a level 4 to a level 2. Employees will also receive a $0.25 hourly increase. Partial First Year: $1,207,106; First Full Year 1: $2,086,972; Year 2: $2,086,972; Year 3: $2,139,146; Total for contract period is $7,520,196.
Funding Source for Contract: The contract will be funded via General Fund and Auxiliary Funds

Contractor Selection Process: A Request for Proposals was issued June 29, 2009. Four (4) proposals were received. The top three proposals were: 1) SSC Service Solutions at $2,086,972; 2) WWF Facility Services at $2,309,112; and 3) GCA Services Group at $1,996,117. The institution selected SSC Service Solutions as the contractor who has significantly more experience in the field than the other two proposals as well as having specific expertise in the area of custodial/janitorial services. The lowest bid was not accepted due to the contractor not offering positions for all current JSU custodial staff members and the contractor selected offered a higher level of onsite management, event cleanup for all university-related events and weekend coverage.

STAFF RECOMMENDATION: Based on Board Policy 707.01, Land, Property, and Service Contracts Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Pending changes to the agreement recommended by the Attorney General’s Office, Board staff recommends approval of this item.

2. SYSTEM – APPROVAL TO PURCHASE EXCESS WORKERS’ COMPENSATION INSURANCE

Agenda Item Request: System requests approval of Safety National Casualty Corporation’s Proposal of coverage for December 1, 2009 through December 1, 2010, and December 1, 2010 through December 1, 2011.

History of Insurance Contract: The IHL Workers’ Compensation Plan is required by the Mississippi Workers’ Compensation Commission to purchase coverage for workers’ compensation claims in excess of $1,000,000. An excess workers’ compensation insurance policy has been purchased since the inception of the IHL Workers’ Compensation Plan.

Specific Type of Contract: Insurance Policy

Purpose: Provide required specific excess workers’ compensation insurance with statutory limits in excess of the primary self-insured retention of $1,000,000 per occurrence.

Scope of Work: N/A
**Purpose:** Provide required specific excess workers’ compensation insurance with statutory limits in excess of the primary self-insured retention of $1,000,000 per occurrence.

**Scope of Work:** N/A

**Contractor’s Legal Name:** Safety National Casualty Corporation, St. Louis, Missouri. The agent is AmFed Companies, LLC.

**Term of Contract:** December 1, 2009 through December 1, 2010, and December 1, 2010 through December 1, 2011

**Termination Options:** Either party may cancel the policy with 90 days written notice.

**Contract Amount:** The annual estimated premium is $289,047, and a total estimated premium for the two year period is $578,094. This is approximately a 2.5% reduction in premium from the previous two year term.

**Funding Source for Contract:** The IHL Workers’ Compensation Plan

**Contractor Selection Process:** Two ads appeared in *The Clarion-Ledger* in July and letters were sent to seventeen agencies that had previously indicated an interest in this RFQ. AmFed Companies, LLC, Arthur J. Gallagher & Co., Galloway-Chandler-McKinney Insurance, and McGriff, Seibels & Williams, Inc. responded. AmFed Companies, LLC, Arthur J. Gallagher & Co., and McGriff, Seibels & Williams, Inc. qualified to receive the RFQ and market assignments in August. AmFed Companies, LLC, Arthur J. Gallagher & Co., and McGriff, Seibels & Williams, Inc. provided responses to the RFQ in September. The responses were evaluated in September. The annual premium quotes received were: Safety National Casualty Corporation - $289,047 (AmFed Companies, LLC), Midwest Employers Casualty Company - $293,043 (Arthur J. Gallagher & Co.), and Ace American Insurance Company - $615,521 (McGriff, Seibels & Williams).

**STAFF RECOMMENDATION:** Based on Board Policy 707.01, Land, Property, and Service Contracts Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Staff recommends approval of the purchase of coverage through Safety National Casualty Corporation contingent upon Attorney General’s staff approval of the related policy.
**Note:** Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

*Board Policy §904(A), Board Approval*

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.
2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;
3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and
4. The design professional previously approved by the Board has not changed

If the above four conditions have been met, the Board’s Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution’s property even if the land is leased to an institution’s affiliated entity or a private developer.
APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE

BUREAU OF BUILDING PROJECT

1. **MUW -GS 104-149, Poindexter Hall Renovation**

   **Project Request:** Mississippi University for Women requests approval to increase the project budget for Poindexter Hall Renovation from $6,930,000 to $9,579,000 for an increase in the amount of $2,649,000.

   **Design Professional:** Pryor & Morrow

   **General Contractor:** N/A

   **Purpose:** Poindexter Hall is a historic building that has been unoccupied for several years due to its deteriorated condition. This building is critical to the long range academic plan for Mississippi University for Women. The demolition portion of this project is nearly completed and the construction documents for the renovation phase are also nearing completion. MUW would like to move forward with the renovation phase as quickly as possible with no delays once the construction documents and new construction cost estimate are received. The escalation in the project budget is necessary in order to designate all available resources to ensure sufficient coverage to allow the award of bid for the renovation phase and to include the furnishings and equipment for the building. Excess funds will be de-obligated after the award of bid and redirected to a residence hall fire suppression project. This is the first budget increase request for this project by the university. The university is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

   **Project Initiation Date:** November 20, 2003

   **Project Budget:**

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</table>

   **Total Project Budget:** $6,930,000.00 $9,579,000.00 $2,649,000.00
**Funding Source(s):** SB 2010, Laws of 2004 ($6,930,000); HB 246, Laws of 2007 ($714,000); HB 1641, Laws of 2008 ($435,000); HB 1722, Laws of 2009 ($1,500,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**IHL PROJECT**

2. **UM- IHL 207-311, New Building for UMMC School of Pharmacy**

**Project Request:** University of Mississippi requests approval to increase the project budget for the New Building for UMMC School of Pharmacy from $6,000,000 to $9,730,789 for an increase in the amount of $3,730,789.

**Design Professional:** Eley Guild Hardy Architects, P.A.

**General Contractor:** N/A

**Purpose:** The escalation in the project budget is required based on the professional’s latest construction document estimate. This building will be located on the Jackson campus where the School of Pharmacy currently uses space that is needed by UMMC. Initially a significant portion of this building was “shelled” spaced. As the design progressed UM Administration and the Dean of the School of Pharmacy felt that a 100% finished building was required to serve the needs of the School of Pharmacy and they were able to secure additional federal funding to cover these costs. This is the first budget increase request for this project by the university. The university is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

**Project Initiation Date:** May 21, 2008

**Project Budget:**

<table>
<thead>
<tr>
<th></th>
<th>Original Budget</th>
<th>Proposed Budget</th>
<th>Amount (+/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Cost:</td>
<td>$5,016,842.59</td>
<td>$8,472,380.00</td>
<td>$3,455,537.41</td>
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<tr>
<td>Architectural and Engineering Fees:</td>
<td>$ 329,443.12</td>
<td>$ 538,083.76</td>
<td>$ 208,640.64</td>
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<tr>
<td>Miscellaneous Project Costs:</td>
<td>$ 368,000.00</td>
<td>$ 368,000.00</td>
<td>$ 0</td>
</tr>
<tr>
<td>Contingency:</td>
<td>$ 285,714.29</td>
<td>$ 352,325.24</td>
<td>$ 66,610.95</td>
</tr>
<tr>
<td><strong>Total Project Budget:</strong></td>
<td><strong>$6,000,000.00</strong></td>
<td><strong>$9,730,789.00</strong></td>
<td><strong>$3,730,789.00</strong></td>
</tr>
</tbody>
</table>
Funding Source(s): HRSA Grant #C76HF09730 ($7,832,714); UM Internal R&R Funds ($803,121); UM School of Pharmacy Indirect Cost Recoveries and Royalties ($1,094,954)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUEST

3. MSU - Delta Health Alliance Building (Stoneville)

Project Request: Mississippi State University, Division of Agriculture, Forestry, and Veterinary Medicine, requests approval of the exterior design for an addition to Building #1585 located at the Delta Research and Extension Center at Stoneville. (See Rendering on the following page)

Purpose: Delta Health Alliance (DHA) will be constructing an addition of approximately 8,400 sq. ft on 1.015 acres of land that MSU currently leases to DHA. Because the structure is on university owned land that is leased to DHA, Mississippi State University is seeking approval of the exterior design of the building in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

Project Budget: Project budget is not applicable due to this being a Delta Health Alliance project and not a university project.

Funding Source: Delta Health Alliance is funding the building with its own resources and not university resources.

Staff Recommendation: Board staff recommends approval of this item.
1585 Delta Health Alliance Addition
Delta Research and Extension Center
Stoneville, Mississippi
1. **MSU – APPROVAL TO HIRE OUTSIDE COUNSEL (DAVID WARE & ASSOCIATES, LLC)**

Mississippi State University (MSU) requests permission to renew a contract with the firm of David Ware & Associates, LLC, to provide legal 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 costs of preparing, filing, and obtaining certifications and 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 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. The fee schedule is set out within Sections I. and II. of the firm’s original proposal, as shown immediately below:

Proposal of David Ware and Associates, LLC, Attorneys at Law

In response to Mississippi State University RFP 07-89, Immigration Counsel

David Ware and Associates, LLC (hereinafter DWA) respectfully tenders its response to the enumerated RFP, in the format indicated therein, to wit:

I. **Fees and Costs for PERM labor certification processing**
   a. Fees. DWA proposed to charge a fixed fee for each service provided, payable upon initiation of each case by MSU. These fees, with associated costs, for the various types of PERM applications are:
      i. Special Handling Labor Certification for College or University Teacher (hereinafter SHLC), with no rerecruitment necessary (case filed within 18 months of foreign national’s selection for job): $1500. Associated costs: express mail, if needed, approximately $50; degree evaluation, if needed, approx. $80.
      ii. SHLC with rerecruitment necessary (case initiated and filed beyond 18 month cutoff date): $2000. Associated costs: readvertising, approximately $350; express mail, if needed, approximately $50; degree evaluation, if needed approx. $80.
      iii. Regular PERM labor certification (job has no teaching component): $2500. Associated costs: advertising, approximately $750 to $1000; express mail, if needed, approximately $50; degree evaluation, if needed approx. $80.
II. Fees for consulting on other immigration matters  
   a. DWA currently charges MSU on an hourly basis for consulting on all  
      immigration matters relating to human resources issues. In consideration of  
      acceptance of this Proposal, such services would henceforth be at no charge to  
      the University.

The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. USM – APPROVAL TO HIRE OUTSIDE COUNSEL (ADAMS AND REESE, LLP)

The University of Southern Mississippi (USM) requests permission to contract with the  
law firm of Adams and Reese, LLP, for legal services in general, non-litigation matters  
on an as needed basis. The term of the contractual agreement will be for one (1) year, for  
a maximum amount payable of $75,000 during the contract term. The hourly rate  
provided in this contract is to be $175. The Attorney General has been submitted this  
request for consideration.

STAFF RECOMMENDATION: Pending approval by the Attorney General, Board  
staff recommends approval of this item.
SYSTEM – APPROVAL OF DATES AND LOCATIONS FOR JANUARY THROUGH DECEMBER 2010 BOARD MEETINGS AS OUTLINED BELOW:

Board of Trustees of State Institutions of Higher Learning

Tentative Board Meeting Dates
January – December 2010

Wednesday-Thursday, January 20-21, 2010  Board Office
Wednesday-Thursday, February 17-18, 2010  Board Office
Wednesday-Thursday, March 17-18, 2010  Board Office
Wednesday-Thursday, April 14-15, 2010  Board Office
Wednesday-Thursday, May 19-20, 2010  Board Office
*Tuesday-Wednesday, June 15-16, 2010  DSU
Wednesday-Thursday, July 14-15, 2010  Subject to Call (Board Retreat)
Wednesday-Thursday, August 18-19, 2010  Board Office
Wednesday-Thursday, September 15-16, 2010  Board Office
Wednesday-Thursday, October 20-21, 2010  MVSU
Wednesday-Thursday, November 17-18, 2010  Board Office
Wednesday-Thursday, December 15-16, 2010  Subject to Call

*Note: Committee and Board Meetings are Tuesday and Wednesday, respectively.

STAFF RECOMMENDATION: Board staff recommends approval of this item.
### ACADEMIC AFFAIRS

#### WINNERS OF THE HALBROOK AWARDS FOR ACADEMIC ACHIEVEMENT AMONG ATHLETES FOR 2008-2009

<table>
<thead>
<tr>
<th>David C. Halbrook Awards for Academic Achievement Among Athletes (Trophy)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public University Division - Men’s</strong></td>
</tr>
<tr>
<td><strong>Public University Division - Women’s</strong></td>
</tr>
<tr>
<td><strong>Independent College Division Overall</strong></td>
</tr>
<tr>
<td><strong>Community and Junior College Division Overall</strong></td>
</tr>
</tbody>
</table>

#### 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)
Northwest Mississippi Community College

<table>
<thead>
<tr>
<th>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)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Division</strong></td>
</tr>
<tr>
<td>Alcorn State University</td>
</tr>
<tr>
<td>Delta State University</td>
</tr>
<tr>
<td>Jackson State University</td>
</tr>
<tr>
<td>Mississippi State University</td>
</tr>
<tr>
<td>Mississippi Valley State University</td>
</tr>
<tr>
<td>University of Mississippi</td>
</tr>
<tr>
<td>University of Southern Mississippi</td>
</tr>
</tbody>
</table>

| **Independent Division** |
| Belhaven College | Stefan Fernandez | Jessica Eggold |
| Blue Mountain College | Brad Pressley | Joy Wright |
| Millsaps College | Sam Herman | Jennifer McKinley |
| Mississippi College | Renard Ellis | Anna Patterson |
| Rust College | Rashad O. Thompson | McKenna T. Gosa |
| Tougaloo College | Keith Fisher | Jessica Stokes Coleman |
| William Carey University | Brett Holmes | Tammy Turner |

| **Community and Junior College Division** |
| Coahoma Community College | Jansel Encarnacion | Arielle Taylor |
| Copiah-Lincoln Community College | Micah Davis | Ashlee Richardson |
| East Central Community College | Daniel Hunter Johnson | TeAirra Wilbert |
| East Mississippi Community College | Brandon Williams | Emily Paige Thrash |
| Hinds Community College | Charles Shearer | Valery Howard |
| Holmes Community College | Manuel Garcia | Hannah E. Swoope |
| Itawamba Community College | Tyler Smith | Courtney Cannon |
| Jones County Junior College | Kendale Chanse Yelverton | Rachel Whaley |
| Meridian Community College | Elliott Clark | Kelly Sterling |
| Mississippi Delta Community College | Hunter D. Palasini | Anna M. Melton |
| Mississippi Gulf Coast Community College | Joshua Gray | Christine Chapman |
| Northeast Mississippi Community College | Patrick Wayne Hinton | Addy Renee Brown |
| Northwest Mississippi Community College | Ryan Embrey | Megan Holliday |
| Pearl River Community College | Jeffrey Lazenby | Laken Taormina |
| Southwest Mississippi Community College | Henry Washington | Kaitlyn E. Johnson |
REAL ESTATE

SYSTEM - REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE OCTOBER 14-15, 2009 BOARD MEETING SUBMISSION DEADLINE

NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL WHICH STATES:

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.
2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;
3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and
4. The design professional previously approved by the Board has not changed

If the above four conditions have been met, the Board’s Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Change Order Approval Note: No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff.
1. **ASU - GS 101-267, Elevator Renovations Phase II**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved an award of contract to Smith Painting and Contracting, Inc. of Hattiesburg, Mississippi, the lower of two (2) bidders in the amount of $607,635 which includes Alternate #1 ($11,235). Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** September 18, 2009

**Project Initiation Date:** September 21, 2007

**Design Professional:** Dale and Associates.

**General Contractor:** Smith Painting and Contracting, Inc.

**Contract Award Date:** September 18, 2009

**Project Budget:** $702,296.62

**Funding Source(s):** SB 2010, Laws of 2004

2. **DSU - GS 102-226, Science Lab Renovations Phase II**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents submitted by Architecture South, design professionals. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the request to advertise for receipt of bids. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** (#1) October 16, 2009; (#2) October 16, 2009

**Project Initiation Date:** August 21, 2008

**Design Professional:** Architecture South

**General Contractor:** N/A

**Contract Award Date:** Contract has not been awarded

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $0 with an additional two hundred and twenty-four (224) days added to the contract of Triplett Electric Company. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** September 23, 2009

**Change Order Justification:** The change order is necessary to reflect the actual time from the date of commencement to the date of final acceptance.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $21,158

**Project Initiation Date:** June 15, 2005

**Project Professional:** Deas Engineering

**General Contractor:** Triplett Electric Company

**Contract Award Date:** N/A

**Project Budget:** $4,750,000

**Funding Source(s):** HB 1641, Laws of 2008; HB 1722, Laws of 2009

4. **MSU - GS 113-115, Lloyd-Ricks Renovation**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $31,782 with zero (0) additional days added to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #6 in the amount of $35,015 with zero (0) additional days

**Project Budget:** $590,000

**Funding Source(s):** SB 2010, Laws of 2004 ($550,000); MSU College of Veterinary Medicine Dean’s Overhead ($40,000)
added to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** (#1) October 7, 2009; (#2) October 7, 2009

**Change Order Justification:** Change Order #5 is necessary for new electrical service to replace previously concealed electrical service for projection screens in classrooms. Change Order #6 is necessary to provide for electrical modifications required to coordinate with the building HVAC controls.

**Total Project Change Orders and Amount:** Six (6) change orders for a total amount of $615,505.

**Project Initiation Date:** June 14, 2006

**Project Professional:** Belinda Stewart Architects

**General Contractor:** West Brothers Construction, Inc.

**Contract Award Date:** January 6, 2009

**Project Budget:** $12,000,000


5. **MSU - IHL 205-244, Fraternity Row Parking**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Documents submitted by Michael T. Muzzi, AIA/AUA, design professional.

**Staff Approval Date:** September 23, 2009

**Project Initiation Date:** May 14, 2009

**Design Professional:** Michael T. Muzzi (MSU employee).

**General Contractor:** N/A

**Contract Award Date:** Contract has not been awarded
6. **MSU - IHL 205-245, Spencer Track Renovations**

*Staff Approval #1:* In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents submitted by CHA Sports, Inc., design professionals.

*Staff Approval #2:* In accordance with Board Policy §904 (A) Board Approval, Board staff approved the request to advertise for the receipt of bids.

*Staff Approval Date:* (#1) September 23, 2009; (#2) September 23, 2009

*Project Initiation Date:* June 18, 2009

*Design Professional:* CHA Sports, Inc.

*General Contractor:* N/A

*Contract Award Date:* Contract has not been awarded

*Project Budget:* $315,000

*Funding Source(s):* MSU Auxiliary funds

7. **MUW - GS 104-166, Kincannon Hall HVAC**

*Staff Approval:* In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $2,637.06. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

*Staff Approval Date:* October 12, 2009

*Change Order Justification:* Change Order #1 is necessary to repair HVAC equipment that is being reused as a part of this project.

*Total Project Change Orders and Amount:* One (1) change order for a total amount of $2,637.06.
8. **MUW - GS 104-167, Cromwell Electrical and Mechanical**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved an award of contract to Air Control Engineering, the lower of five (5) bidders, in the amount of $194,938. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

   **Staff Approval Date:** October 12, 2009

   **Project Initiation Date:** January 18, 2008

   **Design Professional:** Atherton Consulting Engineers

   **General Contractor:** Air Control Engineering

   **Contract Award Date:** October 12, 2009

   **Project Budget:** $250,000

   **Funding Source(s):** HB 246, Laws of 2007

9. **MVSU - GS 106-215, Campus Lighting Improvements**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents submitted by The Power Source Company, design professionals. Approval is requested from the Bureau of Building, Grounds, and Real Property

   **Staff Approval Date:** September 22, 2009
Project Initiation Date: February 19, 2009

Design Professional: The Power Source Company

General Contractor: N/A

Contract Award Date: Contract has not been awarded

Project Budget: $200,000

Funding Source(s): IHL Discretionary Funds, HB 246, Laws of 2007

10. UM - GS 107-298, Coulter Hall 1B

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $7,135. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Staff Approval Date: October 21, 2009

Change Order Justification: Change Order #1 is necessary because the building is used for experiments with radioactive materials and the specified hood is not approved for work with radioactive materials.

Total Project Change Orders and Amount: One (1) change order for a total amount of $7,135.

Project Initiation Date: N/A

Design Professional: Barlow Eddy Jenkins, P.A.

General Contractor: Tri-Star Mechanical

Contract Award Date: May 22, 2009

Project Budget: $5,208,000

Funding Source(s): HB 1641, Laws of 2008 and self-generated funds
11. **UMMC-IHL 209-523, SO13 Area Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Design Documents submitted by Simmons Associates, AIA, design professionals.

**Staff Approval Date:** September 17, 2009

**Project Initiation Date:** August 20, 2009

**Design Professional:** Simmons Associates, AIA

**General Contractor:** N/A

**Contract Award Date:** Contract has not been awarded

**Project Budget:** $1,947,239

**Funding Source(s):** Hospital Patient Revenues

12. **USM-IHL 208-267, Dormitory Replacement, Phase I**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved an award of contract to W.G. Yates & Sons Construction Co., the lower of three (3) bidders in the amount of $1,202,920.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $185,850.

**Staff Approval Date:** (#1) September 23, 2009; (#2) September 17, 2009

**Change Order Justification:** Change Order #4 is necessary for electrical and mechanical work to The Learning Center portion of the dorm.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $1,391,324.

**Project Initiation Date:** March 14, 2007

**Design Professional:** Landry & Lewis Architects, P.A.

**General Contractor:** W.G. Yates & Sons Construction Co.
**Contract Award Date:** September 23, 2009

**Project Budget:** $45,000,000

**Funding Source(s):** USM Educational Building Corporation (EBC) bond funds

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**LEGAL**

**SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL**

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

Payment of legal fees for professional services rendered by Barry J. Walker (statements dated 7/20/09 and 10/2/09) from the funds of Delta State University. (These statements represent services and expenses in connection with personnel issues Petrova - $2,000.00 and Swaminathan - $475.00, respectively.)

**TOTAL DUE**$ 2,475.00

Payment of legal fees for professional services rendered by Phelps Dunbar (statements dated 8/24/09 and 9/24/09) from the funds of Mississippi State University. (These statements, in the amounts of $1,662.50 and $348.88, respectively, represent services and expenses in connection with Charlie F. Wade vs. MS Cooperative Extension.)

**TOTAL DUE**$ 2,011.38

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 9/14/09, 9/24/09 and 10/5/09) from the funds of Mississippi State University. (These statements, in the amount of $2,000.00 each, represent services and expenses in connection with labor certification.)

**TOTAL DUE**$ 6,000.00

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 7/13/09, 7/13/09, 8/12/09, 8/12/09 and 9/17/09) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with legal fees related to the purchase of Oxford Mall from CG Development, LLC - $15,094.60, legal fees related to the purchase of Campus Walk Apartments - $10,298.50, legal fees related to the purchase of Oxford Mall from CG Development, LLC - $5,820.40, legal fees related to the...
purchase of Campus Walk Apartments - $6,364.00 and legal fees related to the purchase of Campus Walk Apartments - $2,623.00, respectively.)

**TOTAL DUE**...$ 40,200.50

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statement dated 9/15/09) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with MS Commission on Environmental Quality vs. UMMC.)

**TOTAL DUE**...$ 5,455.17

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 8/31/09, 8/31/09, 9/24/09 and 9/24/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - $2,223.40, General Advice-UMMC-North Clinic - $3,569.00, General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - $4,128.00, and General Advice-UMMC-North Clinic - $1,226.00, respectively.)

**TOTAL DUE**...$ 11,146.40

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statement dated 9/10/09) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the Sterling case.)

**TOTAL DUE**...$ 91.97

Payment of legal fees for professional services rendered by Page, Mannino, Peresich & McDermott (statements dated 8/27/09, 8/27/09, 8/27/09, 9/28/09, 9/28/09 and 9/28/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with cases styled Flowers - $5,867.50, Rhoden - $8,385.85, Seid - $345.00, Kermode - $1,897.50, Rhoden - $3,584.14 and Flowers - $6,036.56, respectively.)

**TOTAL DUE**...$ 26,116.55

Payment of legal fees for professional services rendered by Watkins, Ludlam, Winter & Stennis (statement dated 8/24/09) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with UMMC financial concerns.)

**TOTAL DUE**...$ 680.50

Payment of legal fees for professional services rendered by Adams & Reese (statement dated 9/21/09) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with a personnel issue.)
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 8/18/09, 8/18/09, 8/18/09, 8/18/09, 8/18/09, 8/18/09, 8/18/09, 8/18/09, 8/18/09, 8/18/09, 9/24/09, 9/24/09, 9/24/09, 9/24/09, 9/24/09, 9/24/09, 9/24/09, 9/24/09, 9/24/09, 9/24/09 and 9/24/09) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Immunoconjugates” - $408.00; “Self-propelled Rotary Excavator” - $50.00; “Termite Control System, Method and Apparatus” - $96.00; “Termite Control System, Method and Apparatus” - $890.00; “High-Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High Current Applications” - $346.90; “Compact Time-of-Flight Mass Spectrometer-Japan” - $50.00; “Compact Time-of-Flight Mass Spectrometer-Japan” - $674.00; “Catfish Vaccine- Provisional Patent Filing” - $768.00; “Catfish Vaccine- Non-provisional Patent Filing” - $4,609.70; “Catfish Vaccine-PCT Patent Filing” - $3,799.00; “Compact Time-of-Flight Mass Spectrometer-Canada” - $144.00; “Organic Wood Preservatives” - $270.00; “Production of Biodiesel and Other Valuable Chemicals from Wastewater Treatment Plant Sludges” - $151.40; “High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High Current Applications” - $726.00; “CIP Termite Control System, Method and Apparatus” - $480.00; “Methods of Preparation of Live Attenuated Bacterial Vaccines” – $270.00; “Fully Scalable Computer Architecture for Parallel Discrete Event” - $590.00; “Auger Reactor with Improved Heat Transfer Properties” - $946.00; “Global Proteomic Screen for Reducing Drug Candidate Attrition” - $96.00; “Soilless Sod” - $50.00; “In-vitro Diagnostic Methodologies for Neoplastic Disease and Neurodegenerative Conditions” - $120.00; “Immunoconjugates” - $120.00; “Isolated Viable Nematode Intestinal Cells” - $100.00 and “Substituted Phenylheterocyclic Herbicides” - $144.05.)

TOTAL DUE…………………………………………………………..$ 15,899.05

Payment of legal fees for professional services rendered by Hunton & Williams (statements dated 8/18/09) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “General Patent Matters” - $610.10; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $40.00; “Design and Synthesis of Optimized Ligands for PPAR” – $226.00; “Design and Synthesis of Optimized Ligands for PPAR” - $125.00; “Design and Synthesis of Optimized Ligands for PPAR” - $1,411.00; “Transmucosal Delivery of Cannabinoids” - $40.00; “Synthesis of Epothilones and Related Analogs” - $444.26; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $80.00; “Method of Preparing Delta-
9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $330.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $240.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $280.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $120.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $280.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $2,171.85; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - $80.00; “Dihydroartemisinin and Dihydroartemisitene Dimers and Anticancer Agents” - $86.90; “Dihydroartemisinin and Dihydroartemisitene Dimers and Anticancer Agents” - $40.00; “Dihydroartemisinin and Dihydroartemisitene Dimers and Anticancer Agents” - $40.00; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $2,171.85; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $80.00; “Dihydroartemisinin and Dihydroartemisitene Dimers and Anticancer Agents” - $261.00; “Dihydroartemisinin and Dihydroartemisitene Dimers and Anticancer Agents” - $1,125.00; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $403.60; “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - $2,695.00; “Synthesis of Epothilones and Related Analogs” - $120.00; “Compositions Containing Delta-9-THC Amino Acid Esters and Process of Preparation” - $80.00; “Potent Immuniostimulatory Component in Microalge Extract” - $80.00; “Method of Preparing Delta-9-Tetrahydrocannabinol” - $4,083.74 and “Method for the Preparation and Derivitization of Hydroxy Metabolics of Artemisinin” - $1777.50.)

TOTAL DUE..............................................................$ 20,342.03

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/23/09) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Development of Isoflavones for Targeting Cryptosporidium Parvum Infection” - $477.80; “Underwater Biomass Assessment Devise and Method” - $768.82; “Feeding Particles at Various Modes without Moving Connections at System Periphery” - $224.50; “Effective Reburning by Natural Gas Substitutes” - $1,661.34; “Pretreatment of Coal by CO2 to Reduce No Emission during Combustion Processes”
- $1,979.86; “Highly Purified Amphotericin B” - $259.46; “General Patent Matters-11636-N-20725” - $108.00; “Saururus Cernuus Extracts and Compounds Inhibiting Cellular Responses to Hypoxia” - $150.92; “Saururus Cernuus Extracts and Compounds Inhibiting Cellular Responses to Hypoxia” - $160.28; “Compression Based on Set-Associative Cache Mapping Techniques” - $177.00; “Delivery of Medicaments to the Nail and Perionychiu via Etching” - $2,170.26; “Stabilized Formulation of Trimcinolone Acetonide” - $780.21; “Stabilized Formulation of Trimcinolone Acetonide” - $354.99; “Stabilized Formulation of Trimcinolone Acetonide” - $713.00; “Cembranoids with Chemopreventive Activity” - $708.78 and “Agents with Selective K-Opioid Receptor Activity” - $1,109.50.)

TOTAL DUE……………………………….…….………………$11,804.72

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 7/22/09, 8/24/09 and 9/16/09) 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” - $422.50; “Gut Prosthetic Patent” - $595.00 and “Gut Prosthetic Patent” - $410.00.)

TOTAL DUE……………………………….…….………………$1,427.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/26/09, 8/26/09, 8/26/09, 8/26/09, 9/17/09, 9/17/09 and 9/17/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” – $395.86; “Raucher/US/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymer” - $594.50; “Raucher/US/Thermappy Targeted Delivery of Medicaments Including Doxorubicin” - $333.22; “Abell/CIP/System for Diagnosis and Prediction of Therapy” - $10,354.03; “Abell/CIP/System for Diagnosis and Prediction of Therapy” - $1,385.90; “O’Callahan/Cholesterol Treatment of S. Aureus Keratitis” – $25.00 and “Raucher/US/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - $209.14.)

TOTAL DUE……………………………….…….………………$13,297.65
ADMINISTRATION/POLICY

1. SYSTEM – INDIVIDUALS TO SERVE ON THE MISSISSIPPI UNIVERSITY RESEARCH AUTHORITY (MURA) IN ACCORDANCE WITH THE MISSISSIPPI UNIVERSITY RESEARCH AUTHORITY ACT AND THE MURA BY-LAWS

By virtue of the Act, the following is a MURA Member:

Dr. Alton Johnson, Interim Research Director
School of Agriculture, Research, Extension and Applied Sciences
Alcorn State University
1000 ASU Drive
Alcorn State, MS  39096

Dr. Johnson will fill the vacancy of the regional institutions’ representative on the MURA board.

The term is for one fiscal year and will end June 30, 2010.

2. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVED ITEMS

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

a. Quarterly Employment Reports for the period of July 1, 2009 through September 30, 2009, as required by Board Policy 401.0102 Delegation of Authority and 801.08 Outside Employment.

b. Annual Summary Participation and Optional Fees Report for Fiscal Year 2009-2010, 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 2009-2010, as required by Board Policy 703.04 (f) Institutional Scholarships, Tuition Waivers, and Fellowships Policy Guidelines.

d. Complimentary Athletic Ticket Report for Fiscal Year 2009-2010, as required by Board Policy 612 (C ) Athletics – Athletic Tickets.

e. Revised Mississippi Budget Request for Fiscal Year 2011
f. Additional Compensation Report for Fiscal Year 2009, as required by Board Policy 401.0103, Salaries and Compensations.

3. **SYSTEM – 2009 FALL COMMENCEMENT SCHEDULES**

**Delta State University**
- **Time:** 10:00 a.m., Saturday, December 12, 2009
- **Location:** Walter Sillers Coliseum
- **Speaker:** Mrs. Lisa Sandifer
  Instructor in Accountancy and 2009 recipient of
  S. E. Kossman Outstanding Teacher Award
  Delta State University

**Mississippi State University**
- **Time:** 7:00 p.m., Friday, December 11, 2009
- **Location:** Humphrey Coliseum
- **Speaker:** United States Representative Gregg Harper
  Third District, Mississippi.

**Mississippi University for Women**
(Recognition Ceremony)
- **Time:** 6:00 p.m., Friday, December 4, 2009
- **Location:** Rent Auditorium, Whitfield Hall
- **Speaker:** Dr. Dorothy Kerzel,
  Chair of the Department of Science and
  Mathematics and the 2009 Kossen Faculty Award Winner

**University of Southern Mississippi**
- **Time:** 10:00 a.m. and 3:00 p.m., Friday, December 11, 2009
- **Location:** Bernard Reed Green Coliseum
- **Speaker:** Mr. Anthony J. Topazi
  President and CEO
  Mississippi Power Company