

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2011**

**BE IT REMEMBERED**, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at approximately 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on January 6, 2011, to each and every member of said Board, said date being at least five days prior to this January 20, 2011 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. Alan Perry, Ms. Christine Pickering, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Mr. Aubrey B. Patterson and Ms. Robin J. Robinson were absent. The meeting was called to order by Dr. Bettye Neely, President, and opened with prayer by Dr. Stacy Davidson.

**INTRODUCTION OF GUESTS**

- ▶ President Bettye Neely welcomed the Student Government Association presidents: Mr. Corey Cooper – Alcorn State University, Miss Emily Hearn - Delta State University, Mr. Thomas Sellers – Mississippi State University, Mr. Brandon Newsome – Mississippi University for Women; Miss Virginia Burke – University of Mississippi, and Miss Kasey Mitchell – University of Southern Mississippi.
- ▶ Commissioner Hank Bounds introduced the following new Board Staff members: Dr. Edward Jordan, Director of P-20 Initiatives; Ms. Kim Gallaspy, Director of Legislative Services; and Mrs. Jill Bailey, Administrative Assistant in the Commissioner’s Office. Commissioner Bounds then welcomed to Dr. Christopher Brown II the new president of Alcorn State University to his first Board meeting.
- ▶ Dr. Martha Saunders, President of the University of Southern Mississippi, introduced Dr. Francis Lucas, the Vice President for the University of Southern Mississippi Gulf Coast campus.

**APPROVAL OF THE MINUTES**

On motion by Trustee Blakeslee, seconded by Trustee Smith, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on November 18, 2010 (Board meeting), November 18, 2010 (committee meeting), November 19, 2010, November 22, 2010, November 30, 2010 and December 1, 2010.

**CONSENT AGENDA**

On motion by Trustee Blakeslee, seconded by Trustee Rouse, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

**BUDGET, FINANCE AND AUDIT**

1. **IHL Executive Office** - Approved the request to enter into a perpetual software license agreement from Regional Economic Models, Inc. (REMI) effective January 21, 2011. Annual renewal is

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subject to payment of the annual maintenance fee. The Perpetual License fee is \$312,000. The initial annual maintenance fee will be \$64,500 and is subject to change without notice. The annual fee for the secondary license to participating research universities will be \$15,000 each, and this annual fee will be paid by the participating research universities. Funds are available from the Governor’s Office in conjunction with the Deep Water Horizon Economic Impact Study. The annual maintenance fee will be paid by IHL in subsequent years. Costs may be offset by charging clients for analysis. The agreement which has been reviewed and approved by the Attorney General’s Office is available for review at the Board Office.

2. **MSU** - Approved the request to escalate the Athletics budget in order to renovate the Spencer Track. The escalation is funded by SEC television proceeds received after the submission of the original budget.

	Original FY 2010- 11 Budget	Revision/ Escalation	Revised FY 2010- 11 Budget
Salaries, Wages, & Fringe Benefits	\$ 12,405,987	-	\$ 12,405,987
Travel	3,642,402	-	3,642,402
Contractual Services	14,268,362	1,800,000	16,068,362
Commodities	2,922,797	-	2,922,797
Capital Outlay:			
Other Than Equipment	-	-	-
Equipment	180,500	-	180,500
<b>Total Capital Outlay</b>	<b>180,500</b>	<b>-</b>	<b>180,500</b>
Subsidies, Loans, & Grants	3,939,134		3,939,134
<b>Total</b>	<b>\$ 37,359,182</b>	<b>\$ 1,800,000</b>	<b>\$ 39,159,182</b>

3. **UMMC** - Approved the request to enter into a sublease agreement to lease 26,798 square feet of space from University Physicians, PLLC. The contract length is three years – February 1, 2011 to January 31, 2014. The total estimated cost for the three-year period is \$1,276,773.90 which includes an annual one-percent increase for the base rental fee plus operational costs and will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General’s Office is available for review at the Board Office.

**REAL ESTATE**

4. **MVSU** - Approved the initiation of **GS 106-237, RW Harrison Renovation/Expansion - Phase I**, to expand the existing HPER facility and proceed with the professional qualification selection process. Phase I will construct the addition to accommodate academic assemblies, convocations and athletic events which will be constructed with existing state bond funds. The estimated project budget is \$6,238,525. Funds are available from SB 2988, Laws of 2003 (\$138,525) and SB 2010, Laws of 2004 (\$6.1 million).
5. **UM** - Approved the appointment of Douglass Farr Lemons and Eley Guild Hardy – A Joint Venture as design professionals and authorized the selection and appointment of a Construction Manager-Advisor under the CM-Advisor method of project delivery for **IHL 207-345, University Housing**. The selection will be made after publicly advertising for suitably qualified firms and carrying out interviews. The goal of this residence hall project is to have rooms open and occupied for the Fall of 2012. The estimated project budget is \$32 million. Design costs will be funded from Auxiliary

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- Funds (Student Housing). Construction costs will be covered by a combination of Auxiliary Funds and UM EBC bond proceeds.
6. **UMMC** - Approved the initiation of **IHL 209-539, Lexington Hospital Renovations**, and the appointment of The McCarty Company Design Group, P.A. as design professionals. The project will include renovation of approximately 16,425 square feet of existing first floor areas to provide a more functional and appropriately sized Emergency Department, increase utilization of the Outpatient/Specialty Clinic and provide better traffic control. Existing utility service, HVAC, plumbing, fire protection, and medical gas systems will all be upgraded. The estimated project budget is \$3,790,477 and will be funded from hospital patient revenue.
  7. **MVSU** - Approved the request to increase the project budget for **GS 106-230, Stadium Seating Replacement**, from \$1 million to \$4.9 million for an increase of \$3.9 million. The project is in the design phase and this is the first budget escalation request. The increase is necessary based on the inclusion of the seating replacement. The project will demolish the visitor's side of the stadium and replace the visitor's side with new seating. Funds are available from HB 1701, Laws of 2010 (\$4.5 million) and Bureau of Building Discretionary Funds (\$400,000).
  8. **UM** - Approved the request to change the scope of the project and increase the budget for **GS 107-302, Lamar Hall Renovations**, from \$5 million to \$7.5 million for an increase of \$2.5 million. The project is in the design phase and this is the second budget escalation request. The project is being expanded again in order to increase the yield of classrooms within this phase due to growth experienced this year and continuing growth in application rates. Funds are available from HB 1722, Laws of 2009 (\$3 million); HB 1701, Laws of 2010 (\$2 million); and Internal R&R (\$2.3 million).
  9. **UMMC** - Approved the request to increase the project budget for **GS 109-195, AED (Adult Emergency Department) Renovations**, from \$9,630,000 to \$10,530,000 for an increase of \$900,000. The project is in the design phase and this is the third budget escalation request. This project provides for the total renovation of existing Adult Emergency Room areas, expanding into Pediatric ER space to be vacated in 2011. The project will include all new/updated utility services, HVAC systems and patient flow re-design in order to provide a modern Adult ER/Trauma Center. Funds are available from HB 246, Laws of 2007 (\$5,130,000); HB 1641, Laws of 2009 (\$2 million); HB 1722, Laws of 2008 (\$2.5 million); and HB 1701, Laws of 2010 (\$900,000).
  10. **USM** - Approved the request to change the scope as well as increase the project budget for **GS 108-217, Science Building and Recreation Building Repair and Renovation - Gulf Park**, from \$7,659,270 to \$10,792,109.24 for an increase of \$3,132,409.24. The project is in the design phase and this is the first budget escalation request. The project scope will include the construction of the new Science Building as well as the renovation of the current Physical Plant Building into Health Science classroom and lab space. It will also renovate and relocated the Physical Plant operations to the hurricane damaged Recreation Building and which will be repaired and renovated. Funds are available from HB 1641, Laws of 2008 (\$249,488.02); SB 2010, Laws of 2004 (\$6,031,955.11); SB 2988, Laws of 2003 (\$1,279,656.30); SB 3197, Laws of 2003 (\$231,009.81); and HB 1701, Laws of 2010 (\$3 million).
  11. **UM** - Approved the request to change the name of **IHL 207-319** from "Pre-Planning Tennis Facility" to "Renovation and Addition to Tennis Center" as well as increase the project budget from \$200,000 to \$1.9 million for an increase of \$1.7 million. The project is in the design phase and this is the first budget escalation request. The project will renovate and construct a small addition to the

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- Palmer-Salloum Tennis Facility. Funds are available from private gifts - UMAA foundation (\$1.9 million).
12. **UMMC** - Approved the request to change the scope and increase the project budget for **IHL 209-538 - 4<sup>th</sup> Floor Renovations - 764 Lakeland**, from \$3,425,536 to \$5,915,536 for an increase of \$2,490,000. The project is in the design phase and this is the first budget escalation request. The revised project will renovate the second floor area for use as a Family Medical Clinic space and the 4<sup>th</sup> Floor will be revised to a new Otolaryngology Clinic area. Renovations will include upgraded finishes, electrical, and mechanical services. Funds are available from restricted funds (\$5,915,536).
  13. **UM** - Approved the request to name the new law school building the “Robert C. Khayat Law Center.” Dr. Robert C. Khayat served as the 15<sup>th</sup> chancellor of the University of Mississippi from 1995 until 2009.
  14. **UM** - Approved the request to re-name the building currently known as the Old Chemistry Building to the Brevard Hall. Mr. Henry Brevard, a native of Amory and a fifth generation Mississippian, graduated from the University of Mississippi School of Engineering in 1943 with his degree in civil engineering. He is also the founder and CEO of B&B Concrete Co. of Tupelo, MS.
  15. **UM** - Approved the request to delete Miller Hall from inventory and demolish it to provide a suitable site for a new residential housing facility. In order to satisfy the increased need for student housing, the university is planning to construct approximately 720 beds at this site. The building would be demolished following notification of 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.
  16. **UMMC** - Approved the request to sole source the mechanical HVAC controls for **GS 109-195, AED (Adult Emergency Department) Renovations**. The current renovation project provides for the total demolition (phased) of the existing basement interior walls, ceiling systems etc. and provides a complete re-build of the interior spaces as well as an exterior building addition that will provide a new, modern, Adult Emergency Room area. The present AED (Acute Services Wing two story building) as well as the adjacent Batson “round wing” building, Hospital South Wing and adjacent Critical Care Hospital are all served by an existing Johnson Control’s system. The university wishes to sole source the controls system in order to require in the bidding documents that the new HVAC system controls to be an extension of the existing Johnson Controls system in order for the new system to operate seamlessly in the critical patient care area. The project budget is \$9,630,000 (\$250,000 is estimated for the HVAC control system).
  17. **UMMC** - Approved the request to sole source the mechanical HVAC controls for **IHL 209-505, Pediatric Emergency Renovations**. The project scope includes total demolition of existing basement interior walls, ceilings systems etc. and provides a complete re-build of the interior spaces as well as an exterior building addition that will provide a new, modern Pediatric Emergency Room area. The existing, original Batson “round wing” building where this occurs on the Basement level, the adjacent Acute Service Wing Bldg (existing PED and Adult E.R./O.R. areas) are all served by an existing Johnson Control’s system. By allowance, the contract documents require the new HVAC system controls to be an extension of the existing Johnson Controls system in order for the new system to operate seamlessly in this critical patient care area. The project budget is \$5,633,275 (\$212,000 is estimated for the HVAC control systems).
  18. **UMMC** - Approved the request to sole source the mechanical HVAC controls for **IHL 209-532, Cardiovascular Renovations**. The current renovation project includes the demolition and renovation of existing and adjacent area as well as a building addition attaching to and providing

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contiguous space to the existing Hospital and first floor patient services area. The existing HVAC controls for the Original Hospital, School Wing, and Adult Hospital are Johnson Controls system. The university wishes to sole source the controls system in order for this system to operate seamlessly in this critical patient area. The project budget is \$17,182,052 (\$249,760 is estimated for the HVAC control systems).

19. **UMMC** - Approved the request to sole source the mechanical HVAC controls for **IHL 209-535, Learning Resources Renovations**. The current renovation project provides for the renovation of various office areas to create/consolidate administrative functions for greater efficiencies. The original building HVAC control system is a Johnson Controls System and much of the two story facility will remain as is, unaffected by the project. The university wishes to sole source the controls system in order for this new system to be a seamless, integrated extension of the existing system. The project budget is \$2,850,000 (\$94,500 is estimated for the HVAC control systems).

**LEGAL**

20. **UMMC** - Pending approval by the Attorney General's Office, the Board approved the request to renew the contract with James C. Minge, d/b/a The Mark It Place, of counsel to the firm Scott, Sullivan, Streetman & Fox, and C. Paige Herring of the same firm to provide legal services as trademark and copyright counsel. This is a request for renewal of a contract first approved by the Board on January 15, 2009. The agreement provides for outside counsel work up to a maximum amount of \$30,000, at \$145 per hour or \$1200 per trademark prosecution. The contract would be for one year from 02/01/2011 through 01/30/2012. The contract will be funded by patient revenue.
21. **System** - Pending approval by the Attorney General's Office, the Board approved the request to hire Cal Mayo as outside counsel to represent the Board of Trustees in the event there is an appeal of the decision of the Chancery Court of Hinds County in the case styled as Jackson HMA, LLC, et al. v. Mississippi State Department of Health and University of Mississippi Medical Center. Mr. Mayo is with the Mayo Mallette law firm in Oxford, Mississippi. The attorney hourly rate to be paid would be up to \$165, depending on the hourly rate approved by the Attorney General. The contract for legal services would be for one year.

22. **PERSONNEL REPORT**

**EMPLOYMENT**

**Mississippi State University**

Judith A. Ridner, Associate Professor, History, hired with tenure, salary of \$63,000 per annum, pro rata, E&G Funds; effective August 16, 2011

**Jackson State University**

*Rehired retirees making more than \$20,000 who ARE on contracts during FY 2011*

Joyce Harris; *former position:* Associate Dean, College of Education; *re-employment positions:* 1) Independent Consultant/Contractor for the Executive Ph.D. Program (salary of \$5,000), and 2) Independent Consultant/Contractor for the Mississippi Learning Institute (salary of \$15,000); *re-employment period:* November 30, 2010 – June 30, 2011

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**Mississippi State University**

*Rehired retirees making more than \$20,000 who ARE on contracts during FY 2011*

Lynn L. Reinschmiedt, *former position:* Associate Dean and Professor, College of Agriculture and Life Sciences; *re-employment position:* Interim Associate Vice President for Administrative Services; *re-employment period:* January 1, 2011 to March 31, 2011; salary of \$145,000 per annum, pro rata

*Rehired retirees making more than \$20,000 who are NOT on contracts during FY 2011*

Charles Pittman, *former position:* Lecturer; *re-employment position:* Research Professor; *re-employment period:* July 1, 2010 through June 30, 2011; salary of \$75,000

Linda Allsup, *former position:* Teacher-Noxubee County; *re-employment position:* Coordinator; *re-employment period:* September 1, 2010 through June 30, 2011; salary of \$27,500

Jimmy Bonner; *former position:* Associate Extension Professor; *re-employment position:* Extension Water Quality Project Coordinator; *re-employment period:* July 1, 2010 through June 30, 2011; salary of \$31,308

John O'Hear, *former position:* Archaeologist; *re-employment position:* Archaeologist; *re-employment period:* October 25, 2010 through June 30, 2011; salary of \$31,900

Eugene Columbus, *former position:* Senior Research Associate; *re-employment position:* Senior Research Associate; *re-employment period:* October 16, 2010 through June 30, 2011; salary of \$45,866

Don Brantley, *former position:* Superintendent Public School; *re-employment position:* Lecturer; *re-employment period:* November 1, 2010 through June 30, 2011; salary of \$21,719

Joseph Ferguson, *former position:* Professor; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; salary of \$20,249

Paul Cuicchi, *former position:* Teacher; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; salary of \$25,000

Terry Crow, *former position:* Lecturer; *re-employment position:* Lecturer; *re-employment period:* November 1, 2010 through June 30, 2011; salary of \$36,500

Mark Lehman, *former position:* Associate Professor; *re-employment position:* Lecturer; *re-employment period:* August 16, 2010 through June 30, 2011; salary of \$37,500

John Harkness, *former position:* Professor; *re-employment position:* Instructor; *re-employment period:* July 1, 2010 through June 30, 2011; salary of \$70,000

Janet St. Lawrence, *former position:* Professor; *re-employment position:* Research Professor; *re-employment period:* December 6, 2010 through June 30, 2011; salary of \$57,165.50

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Micheal Howell, *former position:* Area Extension Agent IV; *re-employment position:* Area Extension Agent IV; *re-employment period:* November 1, 2010 through June 30, 2011; salary of \$33,881

**CHANGE OF STATUS**

**Alcorn State University**

Samuel White, *from* Dean and Professor, School of Arts and Sciences; salary of \$130,520 per annum, pro rata; E&G Funds; *to*, Vice President for Academic Affairs and Professor of Social Sciences (Political Sciences), tenured; no change in salary; effective February 1, 2011

**Mississippi State University**

Louis E. Dawkins, *from* Director and Professor, Adkerson School of Accountancy, salary of \$84,000 per annum, pro rata; E&G Funds; *to*, Interim Dean and Professor, College of Business, salary of \$225,000 per annum, pro rata; E&G Funds; effective January 1, 2011 for six (6) months or until position is filled

Dennis J. Mitchell, *from* Associate Dean and Professor, Meridian Division of Arts and Sciences, salary of \$106,289 per annum, pro rata; E&G Funds; *to*, Interim Dean and Interim Executive Director and Professor, Meridian Campus, salary of \$140,000 per annum, pro rata; E&G Funds; effective January 16, 2011 for twelve (12) months or until position is filled

**Mississippi Valley State University**

Hareshnarayan Khanna, *from* full-time Vice President for Business and Finance/Chief Financial Officer; salary of \$132,500; E&G Funds; *to*, effective November 15, 2010 through March 31, 2011, part-time Vice President for Business and Finance/Chief Financial Officer; salary of \$22,361; E&G Funds

**University of Mississippi - Athletics**

Matthew Mott.; Head Women's Soccer Coach; Athletics; salary of \$100,000, per annum, pro rata; Auxiliary Funds; *from* a contract period of May 17, 2010 to May 16, 2014; *to* a new contract period of January 1, 2011 to December 31, 2014; no change in salary

**TERMINATION**

**Alcorn State University**

Earnest Collins, Head Football Coach; effective December 31, 2010

Norris Edney, Interim President, conclusion of interim appointment effective January 9, 2011

**Jackson State University**

Leslie McLemore, Interim President, conclusion of interim appointment effective December 31, 2010

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**PRESENTATION**

Trustee Ed Blakeslee; Mr. Perry Sansing, Assistant to the President at the Mississippi University for Women and Chair of the EdNet Institute; Mr. Cy Vance, Director of Technical Services at Mississippi Public Broadcasting; and Mr. Bubba Ware, Vice President of the Mississippi Technology Alliance, updated the Board on the status of the recent partnership between the EdNet Institute and Clearwire, Inc. which is a joint effort to comply with FCC Regulations for renewal of EdNet channel licenses by May 1, 2011.

**BUDGET, FINANCE & AUDIT AGENDA**

Presented by Mr. Bob Owens, Chair

On motion by Trustee Owens, seconded by Trustee Pickering, with Trustees Patterson and Robinson absent and not voting and with Trustee Perry abstaining from discussing and voting on the Parkway Joint Venture, LLC lease agreement, all Trustees legally present and participating voted unanimously to approve agenda item #1 shown below as the Parkway Joint Venture, LLC lease agreement. Let it be noted that Trustee Perry left the room before any discussions began about the Parkway Joint Venture, LLC lease agreement and only returned after the vote had been taken.

1. **UMMC** - Approved the request to modify the total expenditure amount applicable to the lease agreement with Parkway Joint Venture, LLC for the lease of 2,765 square feet of space. The purpose of this request is to increase the authorized total expenditure amount from \$432,788 to \$456,337.12. The cost increase is necessary due to change orders during the renovations which included additional roof structural support, increased natural gas pressure for the installation and operation of the emergency generator, and to reflect base rent adjustments applicable to an allowance for actual operating expenses. The contract length remains sixty months - September 1, 2009 to August 31, 2014. The contract which has been reviewed and approved by the Attorney General's Office is available for review at the Board Office.
2. **System** - The Board received a report on State Student Financial Aid for 2010 by Mrs. Jennifer Rogers, Director of State Student Financial Aid.

**REAL ESTATE AGENDA**

Presented by Dr. Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Blakeslee, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Real Estate Agenda.

1. **System** - Approved for final reading the proposed new Board Policy 920 Sustainability Policy. (See **Exhibit 1.**)
2. **UMMC** - The Board received a presentation of the Campus Master Plan.

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**LEGAL AGENDA**

Presented by Mr. Alan Perry, Chair

Agenda item #1 was moved to the Executive Session agenda.

1. **MSU - Settlement of an IHL Self-Insured Workers' Compensation Claim No. 877328. (This item was taken up during Executive Session.)**

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Hank M. Bounds

On motion by Trustee Perry, seconded by Trustee Whitten, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to postpone action on agenda item #1 until the February Board meeting and to have the existing policies concerning the election of Board officers revised.

1. **System - Election of Vice President of the Board of Trustees for the term beginning May 8, 2011 and ending May 7, 2012. (Action on this item was postponed.)**

**ANNOUNCEMENTS**

- Trustee Neely invited the Institutional Executive Officers to speak about events occurring on each of their campuses.

**INFORMATION AGENDA**

Presented by Commissioner Hank M. Bounds

**REAL ESTATE**

1. **System - The Board received the Real Estate items that were approved by the Board staff subsequent to the November 18, 2010 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 2.)**

**LEGAL**

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

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**ADMINISTRATION/POLICY**

3. **System** - In compliance with Board Policy, the following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office:
- a. **MSU** – On November 23, 2010, approval was granted for MSU to lease the Kress Building located in Meridian Mississippi to the Mississippi State University Foundation, Inc. (MSUF). The purpose of the building lease would be to allow the MSUF to renovate (solely at their cost) the Kress Building. The Kress Building was donated to the university by the City of Meridian in April 2010 and presently sits unoccupied in need of significant renovation. Once renovated the lease agreement would be terminated and sole interest would revert back to the university. The university will use the renovated building to house the MSU-Meridian division’s School of Business. The MSUF will pay the university a nominal lease fee of \$1 in return for the building lease. All renovation costs will be paid by the foundation, with MSU not having to make any payments. All improvements made to and on the premises shall be owned “free and clear” in fee simple by the university once the lease terminates. The foundation has received approximately \$5.9 million in private donations to fund the renovations. The Attorney General’s staff has reviewed and approved the contract documents. Approval authority is granted to the Commissioner via Board Policy 707.01 Land, Property and Service Contracts.
  - b. **MSU** – On November 23, 2010, approval was granted for MSU’s Research and Curriculum Unit (RCU) to lease office space from Koinonia Investments, LLC. The office space is located in Starkville, MS adjacent to the main RCU facility. The lease agreement will expire on June 30, 2011. MSU has the option to extend the agreement an additional 12 months with no change in financial terms. MSU will pay the vendor \$1,375 per month for one unit of office space. This equates to \$9,625 of lease cost to the university in FY 2011, with an additional \$16,500 in rental costs if the 12-month option is exercised (for FY2012). In addition to these rental costs, the university will be responsible for all utilities (less water), janitorial and garbage services. The Attorney General’s staff has reviewed and approved the contract documents. Approval authority is granted to the Commissioner via Board Policy 707.01 Land, Property and Service Contracts.
  - c. **UMMC** - As part of the reaccreditation process for SACS, The University of Mississippi Medical Center made revisions to its mission statement (previously known as Statement of Purpose) in order that it may be current and aligned with the University of Mississippi mission statement. The edits include the removal of historical language not related to the mission; and updating the statement to reflect minor revisions made by the University of Mississippi to the mission statement in 2008. The revised mission statement is shown below.

**University of Mississippi Medical Center Mission Statement**

~~The 1950 Mississippi Legislature enlarged and strengthened health professions education in Mississippi by enacting bills to establish and construct the Medical Center in Jackson as part of the University of Mississippi. The School of Medicine and graduate program enrolled students in 1955; the School of Nursing moved from the parent campus to Jackson in 1956, the School of Health Related Professions was established in 1971, and the School of Dentistry admitted its first class in 1975.~~

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The University of Mississippi Medical Center unites the interrelated activities of education in the health sciences and accepts responsibility for teaching, research, service and leadership in this field. Its programs embrace training for physicians, dentists, nurses, and allied health professionals ~~related members of the health team~~; graduate medical education, graduate dental education, and graduate study in the health sciences; and the delivery of health care in the teaching hospitals and clinics. The Medical Center offers equal opportunity in all its programs and services regardless of race, creed, sex, color, religion, marital status, sexual orientation, age, national origin, disability or veteran.

~~The parent campus, the University of Mississippi chartered in 1844, has five areas of focus in its current Statement of Purpose. One of these is health. "The University will continue to provide the professional education of those who deliver and administer human health services and those who perform research aimed at improving the efficiency, the effectiveness, quality, and availability of health care...." exists to enhance the educational, economic, healthcare, social and cultural foundations of the state, region, and nation.~~ Within this framework, the Medical Center's principal and continuing purpose mission is to accomplish the interrelated goals of health professional education—train health care professionals at the first professional, graduate, and postgraduate levels for Mississippi: to teach in a superior manner the art and science of health care to students of exceptional promise and talent; to provide high quality treatment for all patients using the disciplines and specialties of modern health care; to lead the way to discoveries which will raise the health level of Mississippians and, indeed, all mankind; to foster dedication to life-long learning; to respond to community needs through continuing education and outreach programs that extend beyond the campus; and to recruit and retain the caliber of faculty necessary to meet these goals. The Medical Center fosters and protects a ~~an~~ intellectual, emotional and challenging learning environment conducive to educational excellence in the health sciences, cutting-edge biomedical research to expand the body of basic and applied knowledge, productive scientific investigation and exemplary patient care that moves toward the ultimate goals of elimination of health disparities and improved health and well-being for the citizens of Mississippi, the region, the nation and the world.

~~As Mississippi's population is culturally diverse. Most Mississippians trace their ancestral roots to the British Isles, the continent of Europe or the continent of Africa. The state also has many citizens of American Indian, Asian or Pacific Islander and Hispanic descent. In policy and practice, the institution encourages and actively recruits applicants from all segments of the state's population. The Medical Center is committed to maintaining an educational environment that fosters respect for and sensitivity to individual differences; promotes personal and professional development; and gives all students the opportunity to succeed, regardless of ethnicity, gender, sexual orientation, age, creed, national origin or socioeconomic status.~~

Medical Center graduates at all levels are expected to possess and to demonstrate the skills and knowledge necessary to practice their disciplines as competent health professionals. The Medical Center regularly uses appropriate external and internal measurement tools to assess the institution's effectiveness in training health professionals for Mississippi and to evaluate its programs for patient care, research, continuing education and outreach.

The expeditious growth of the Medical Center into a major academic health sciences center reflects the deep commitment of the State of Mississippi, the Board of Trustees of State Institutions of Higher Learning and the administration and faculty of the University of Mississippi Medical Center to the continuing fulfillment of this Statement of Purpose mission.

- d. **USM** – In compliance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to the annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On November 8, 2010, the Commissioner approved the budget revisions for three University of Southern Mississippi budgets: On Campus (Hattiesburg), Off Campus (Gulf Coast), and the Mississippi Polymer Institute. The budget revisions contain no increases in the total budgets but rather reallocations amongst individual expense categories.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2011**

4. **System** - Individual to serve on the Mississippi University Research Authority (MURA) in accordance with the Mississippi University Research Authority Act and the MURA By-Laws.  
Dr. Jim Borsig  
Associate Commissioner of External Relations and Public Policy  
Mississippi Institutions of Higher Learning  
3825 Ridgewood Road  
Jackson, Mississippi 39211
- Dr. Borsig will fill the vacancy of Dr. Phil Pepper as president of the MURA board. Dr. Borsig will also represent Dr. Bounds who is an Ex Officio, non-voting member as Commissioner of Higher Education.  
The term is for one fiscal year and will end June 30, 2011.
5. **ASU** - Notice of Termination of Consulting Contract  
Richard Green, Interim Provost/Vice President for Academic Affairs was engaged as an independent contractor via an agreement between ASU and Registry for College and University Presidents on July 29, 2009. This agreement is being terminated effective upon ASU providing the required thirty day notice of termination.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Blakeslee, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously **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 Mississippi State University,  
Discussion of a litigation matter at the Board Office, and  
Discussion of a personnel matter at the Board Office.

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

On motion by Trustee Rouse, seconded by Trustee Ross, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of the IHL Self-Insured Workers' Compensation Claim No. 877328 styled as *Virginia Carr v. Mississippi State University*.

The Board discussed a litigation matter at the Board Office.

The Board discussed a personnel matter at the Board Office.

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

**January 20, 2011**

**On motion by Trustee Perry, seconded by Trustee Whitten, with Trustees Patterson and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

**AYERS MANAGEMENT  
COMMITTEE REPORT**

November 2, 2010

The *Ayers* Management Committee for the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting on November 2, 2010 at approximately 9:00 a.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Committee members participated in the meeting: Trustee C.D. Smith (Chair); Trustee Bettye Neely; Dr. Norris Edney, Interim President of Alcorn State University; Commissioner Hank Bounds; Dr. Leslie McLemore; Interim President of Jackson State University; and Commissioner Hank Bounds. The following Committee members were absent: Trustee Aubrey Patterson and Dr. Donna Oliver, President of Mississippi Valley State University. Others attending the meeting were: Dr. Haresh Khanna for Mississippi Valley State University and Mr. Jeff Wilson from Trinity Capital Investors. IHL staff members attending were: Mr. Chris Halliwell, Mr. Van Gillespie, Ms. Cheryl Mowdy, Dr. Linda McFall, and Ms. Bridget Breithaupt.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call.**

On motion by Commissioner Bounds, seconded by Trustee Neely, with Trustee Patterson and Dr. Oliver absent and not voting, all Committee members legally present and participating voted to suspend the reading of the October 29, 2009 meeting minutes.

On motion by Commissioner Bounds, seconded by Trustee Neely, with Trustee Patterson and Dr. Oliver absent and not voting, all Committee members legally present and participating voted to approve the October 29, 2009 meeting minutes.

Dr. Linda McFall and Mr. Jeff Wilson presented the *Ayers* Endowment Investment Report. On motion by Commissioner Bounds, seconded by Trustee Neely, with Trustee Patterson and Dr. Oliver absent and not voting, all Committee members legally present and participating voted to accept the report.

The committee discussed the private endowment.

On motion by Commissioner Bounds, seconded by Trustee Neely, with Trustee Patterson and Dr. Oliver absent and not voting, all Committee members legally present and participating voted to adjourn the meeting.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2011**

**BUDGET, FINANCE & AUDIT  
COMMITTEE REPORT  
December 16, 2010**

The Budget Finance and Audit Committee for the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting on December 16, 2010 at approximately 3:00 p.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Committee members participated in the meeting: Mr. Bob Owens (Chair), Mr. Ed Blakeslee, Dr. Stacy Davidson, Mr. Aubrey Patterson and Mr. C.D. Smith. Committee member Ms. Christy Pickering was absent. Ms. Robin Robinson also attended the meeting.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call.**

At the November 18, 2010 Board meeting, the Board granted the Budget, Finance & Audit Committee the authority to approve the new Master Lease between UMMC and the Jackson Medical Mall Foundation contingent upon approval of the financial analysis by the Board's finance staff and review and approval of the final associated documents by the Attorney General's Office.

On motion by Trustee Blakeslee, seconded by Trustee Patterson, with Trustee Pickering absent and not voting, all Committee members legally present and participating voted to approve the new Master Lease between UMMC and the Jackson Medical Mall Foundation which consolidates UMMC's leases and utility payments for the Mall contingent upon approval by the Attorney General's Office.

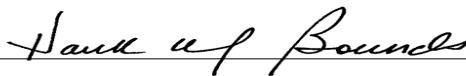
On motion by Trustee Owens, seconded by Trustee Davidson, with Trustee Pickering absent and not voting, all Committee members legally present and participating voted to adjourn the meeting.

**ADJOURNMENT**

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



\_\_\_\_\_  
President, Board of Trustees of State Institutions of Higher Learning



\_\_\_\_\_  
Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2011**

**EXHIBITS**

- |           |  |
|-----------|--|
| Exhibit 1 | Proposed new Board Policy 920 Sustainability Policy for final reading.   |
| Exhibit 2 | Real Estate items that were approved by the IHL Board staff subsequent to the November 18, 2010 Board meeting. |
| Exhibit 3 | Report of the payment of legal fees to outside counsel.  |

# EXHIBIT 1

January 20, 2011

## **SYSTEM - PROPOSED NEW BOARD POLICY 920 SUSTAINABILITY POLICY FOR FINAL READING.**

### **920 Sustainability Policy**

Mississippi Institutions of Higher Learning (IHL) understand the impact of our collective landholdings and campus activities to the natural environment, thus we seek to develop a sustainability foundation that sets the framework for our Institutions of Higher Learning to utilize in the development of their individual policies.

Each institution shall develop a campus sustainability policy and implementation procedures. The sustainability policy and procedures should address and encourage sustainability in operations, grounds, materials, and transportation.

- A. The System Energy Management Council is created and shall include representatives from each institution and be representative of students, faculty, staff, administration, and energy management professional and technical staff. The purpose of the council shall be to guide the implementation of energy management and conservation efforts for the IHL System.
- B. Each institution shall create an Energy Management Committee to guide the implementation of energy management and conservation efforts for the institution.
- C. A procurement program that considers the effect of the product on the environment must be developed. Sustainable purchases must consider *Energy Star*® appliances, green seal chemicals, and other environmentally-sound items found on state contract, as well as other sources. Contracts for new construction and/or major repair and renovations must include a sustainable purchase requirement for those items included in the contract for purchase and installation.
- D. All new construction and/or major repair and renovation of existing facilities must be designed to meet energy-efficient goals which exceed ASHRAE 90.1 by 30%, when determined cost effective.
- E. All new construction and/or major repair and renovations of existing facilities must include the requirement for the development and approval of an energy model during the early design stages. The design professional must certify that the model meets the Institutions of Higher Learning's energy program and at the conclusion of the construction and/or renovation (prior to final acceptance) the design professional must certify that the facility has been constructed as designed and modeled.
- F. Renovation of historically significant buildings should meet or exceed ASHRAE 90.1 standards where appropriate for the scope of work and determined cost effective.

# EXHIBIT 1

January 20, 2011

- G. No less than 25% of the expected annual recurring savings from completed energy efficiency projects shall be set aside each year in the appropriate fund and used to finance future energy efficiency projects. If the annual recurring savings are dedicated to the repayment of debt, then these funds shall be set aside in the first year after such debt is retired.
- H. Water efficiency measures, with the goal of reduction of water use on campus and within all facilities, must be a prime goal.
- I. All new construction and/or major repair and renovations of existing facilities must address and consider sound design techniques that maximize wind, solar, aspect, shading and other design expressions embracing our climatic realities. The design criteria must encourage overhangs, natural day lighting, and other passive design techniques and should not be confused with renewable energy.
- J. All new landscape construction, major repair and renovations of landscapes, and any site work in general must consider and encourage the use of resource-efficient plants including native plant palettes, decreasing the use of herbicides and pesticides when possible, while increasing tree canopy through reforestation and by potable water irrigation reductions.
- K. All new landscape construction, major repair and renovations of landscapes, and any site work in general must include the requirement that protects and enhances water quality through innovative storm water best management practices.
- L. A comprehensive waste-minimization program must be developed. The program should address a comprehensive campus wide recycling program that considers such things as the recycling construction spoils/wastes from demolition and construction projects, garbage collection and disposal contracts, disposals of used equipment, furniture disposal, chemical waste, electronic waste, composting, trash, etc.
- M. Where feasible a campus public transit program serving faculty, staff and students should be developed. The program should consider and encourage transit options into off-campus areas where required.
- N. All new streets or campus street renovations should be developed to encourage walking, bikes, and other non carbon producing emission transportation options.
- O. A car share program should be developed where feasible to encourage car-pooling activities. This program should be developed in partnership with adjacent municipalities, community colleges, and high schools, etc., where appropriate and feasible.

# EXHIBIT 2

January 20, 2011

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE NOVEMBER 18, 2010 BOARD MEETING SUBMISSION DEADLINE**

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

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

**1. JSU – GS 103-219 – Johnson Dansby Replacement Phase I (Johnson Replacement)**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$34,932.00 and thirty (30) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** November 1, 2010

**Change Order Justification:** The change order is necessary to add a new sidewalk to connect the existing building on the south side of the site, modify electrical services for owner provided IT Data Room equipment, add privacy window tinting on four restroom windows, add wall mural and finished trim on the first floor lobby wall, and to clean out and remove previous silt buildup in existing storm drain piping downstream from job site.

**Total Project Change Orders and Amount:** Six (6) change orders for a total amount of \$223,013.11

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

**Design Professional:** Foil-Wyatt Architects & Planners, PLLC

**General Contractor:** Harrell Contracting Group, LLC

**Contract Award Date:** March 30, 2009

**Project Budget:** \$13,773,590

**Funding Source(s):** SB 2010, Laws of 2004; HB 246, Laws of 2007; HB 1641, Laws of 2008

**2. JSU – GS 103-256 – Mechanical Upgrades Phase II**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Buford Plumbing Company, Inc, the lower of three (3) bidders, for a total contract amount of \$1,239,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** November 29, 2010

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

**Design Professional:** The CGM Group

**General Contractor:** Buford Plumbing Company, Inc.

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**Contract Award Date:** November 29, 2010

**Project Budget:** \$2,200,000

**Funding Source(s):** HB 1722, Laws of 2009; HB 246, Laws of 2007

### 3. MSU – GS 113-115 – Lloyd-Ricks Renovation

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$5,642.00 and fifty-six (56) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** November 29, 2010

**Change Order Justification:** **Change Order #9** is necessary to install owner provided toilet accessories that were not included in the original documents, install owner provided exterior site benches, replace glass in four interior doors that needs to be frosted, and to add additional time to the contract due to wet weather when the site drainage was installed.

**Total Project Change Orders and Amount:** Nine (9) change orders for a total amount of \$651,281.00

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

**Design Professional:** Belinda Stewart Architects

**General Contractor:** West Brothers Construction

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

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

**Funding Source(s):** HB 246, Laws of 2007; HB 3201, Laws of 2007; HB 2988, Laws of 2003; SB 3197, Laws of 2002; HB 1634, Laws of 2006; SB 2010, Laws of 2004; HUD Grant Funds

### 4. MSU – IHL 205-251 – ICET-SERC Pilot Scale Facility

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Shafer & Associates, design professional.

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

**Staff Approval Date:** October 20, 2010

**Project Initiation Date:** January 21, 2010

**Design Professional:** Shafer & Associates

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$1,200,000

**Funding Source(s):** Federal Grant from U.S. Department of Energy

### 5. MSU – IHL 213-139 – Stoneville Office Building

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Pryor & Morrow, design professional.

# EXHIBIT 2

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

**Staff Approval Date:** October 20, 2010

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

**Design Professional:** Pryor & Morrow

**General Contractor:** N/A

**Contract Award Date:** N/A

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

**Funding Source(s):** MAFES Sales Funds; MSU-ES State Funds

## 6. MUW – GS 104-149 – Poindexter Hall Renovations

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$83,930.58 and zero (0) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** November 3, 2010

**Change Order Justification:** **Change Order #1** is necessary to address the additional work for mold remediation.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$83,930.58

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

**Design Professional:** Pryor & Morrow

**General Contractor:** West Brothers Construction

**Contract Award Date:** July 13, 2010

**Project Budget:** \$9,579,000

**Funding Source(s):** SB 2010, Laws of 2004; HB 246, Laws of 2007; HB 1641, Laws of 2008; HB 1722 Laws of 2009

## 7. MVSU – GS 106-201 – J.H. White Library Enhancements Phase I

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Harrell Contracting Group, LLC, the lower of six (6) bidders, for a total contract amount of \$1,797,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** November 5, 2010

**Project Initiation Date:** February 22, 2008

**Design Professional:** Duvall Decker & Associates

**General Contractor:** Harrell Contracting Group, LLC

**Contract Award Date:** November 5, 2010

**Project Budget:** \$11,500,000

**Funding Source(s):** HB 1641, Laws of 2008; SB 2010, Laws of 2004, SB 2988, Laws of 2003; SB 3158, Laws of 2001; AYERS, HB 1722, Laws of 2009

## 8. MVSU – GS 106-214 – Phase II Land Drain Infrastructure

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Malouf Construction, Inc, the lower of five (5)

# EXHIBIT 2

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bidders, for a total contract amount of \$1,059,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** October 21, 2010

**Project Initiation Date:** March 19, 2009

**Design Professional:** W.L. Burle Engineers, P.A.

**General Contractor:** Malouf Construction, Inc.

**Contract Award Date:** October 21, 2010

**Project Budget:** \$1,400,000

**Funding Source(s):** AYERS Landscaping Funds (\$1,400,000)

## 9. MVSU – GS 106-235 – Fannie Lou Hamer Corridor – Pre-Planning

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$100,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or Ayers funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** October 27, 2010

**Project Initiation Date:** October 27, 2010

**Design Professional:** JBHM

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$100,000

**Funding Source(s):** AYERS Landscaping Funds (\$100,000)

## 10. MVSU – GS 106-236 – Fine Arts ADA Remediation

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$400,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or Ayers funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** October 27, 2010

**Project Initiation Date:** October 27, 2010

**Design Professional:** Dale and Associates Architects, P.A.

**General Contractor:** N/A

**Contract Award Date:** N/A

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

**Funding Source(s):** HB 1701, Laws of 2010

## 11. UM– IHL 207-303B – Research Park & Innovation Center

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$84,222.00 and zero (0) additional days to the contract of Montgomery Martin Contractors, LLC.

**Staff Approval Date:** November 1, 2010

**Change Order Justification:** **Change Order #3** is necessary to address cost associated with omitting the door mounted presence sensors and adding OHC headers to conceal

# EXHIBIT 2

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closers, to provide engineering and labor to locate the top of water line elevations at various locations throughout the site, to furnish and install the revised configuration and ARCP piping, and to install a tee connection with valve assemblies to the existing line to remove the water line that is conflicting with the S/E retaining wall excavation and footing construction.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of (\$6,616.08)

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

**Design Professional:** Cooke Douglass Farr Lemons and Howorth & Associates-A Joint Venture

**General Contractor:** Montgomery Martin Contractors, LLC

**Contract Award Date:** June 22, 2010

**Project Budget:** \$17,100,000

**Funding Source(s):** Federal Grant NIST #60NANB6D6134

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

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$44,632.39 and thirteen (13) additional days to the contract of Panola Construction Company.

**Staff Approval Date:** November 2, 2010

**Change Order Justification:** **Change Order #6** is necessary to address a change in the roofing cap sheet that would keep the performance as specified without an application of protective coating, reduce fire extinguishers from 24 to 18 as required by code, add exterior insulated wall panels to east exterior wall of the connector at the Carrier Hall interface, remove specified appliances from contract, add additional tile work to “side” walls of toilet compartments to meet IBC requirements, add additional electrical circuits, rewire lighting, add insulation to walls surrounding elevator shaft, and add furr out wall to the connector corridor 203 at east end to hide hot/cold water piping entering Carrier Hall.

**Total Project Change Orders and Amount:** Six (6) change orders for a total amount of \$446,646.53

**Project Initiation Date:** November 15, 2007

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** Panola Construction

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

**Project Budget:** \$17,700,000

**Funding Source(s):** Mississippi Development Authority (\$17,700,000)

## **13. UM- IHL 207-306A – Carrier Hall Addition & Renovation Phase II**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$1,960.27 and zero (0) additional days to the contract of Panola Construction Company.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$0.00 and five (5) additional days to the contract of Panola Construction Company.

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**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$99,492.69 and one hundred seventeen (117) additional days to the contract of Panola Construction Company.

**Staff Approval Date:** October 20, 2010

**Change Order Justification:** **Change Order #6** is necessary to fill in existing doors between offices 202, 204, and 206. The door between 202 and 204 was identified on construction drawings to remain. The door between 204 and 206 was identified on construction drawings and hidden from initial survey view. **Change Order #7** is necessary to reduce the building access allowance by \$6,042 for cost of revisions & additions. The balance remaining in the building control allowance is \$43,958.

**Change Order #8** is necessary to add additional days to the contract in order to postpone the beginning of stage two work until July 1, 2011.

**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of \$166,270.42

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

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** Panola Construction Company

**Contract Award Date:** December 16, 2009

**Project Budget:** \$4,500,000

**Funding Source(s):** Mississippi Development Authority (\$4,500,000)

## **14. UM– IHL 207-311 – UMMC School of Pharmacy**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1 for a credit** in the amount of \$373,250.13 and ten (10) additional days to the contract of Chris Albritton Construction Company, Inc.

**Staff Approval Date:** October 20, 2010

**Change Order Justification:** **Change Order #1** is necessary to delete energy management controls materials and labor from the project, reconcile drilled piling lengths from CD design and drill log, relocate existing irrigation control wiring in NW corner of the project site as per UMMC instruction, extend new 10" water main approximately 100 feet west on University Drive for tie-in as per UMMC, and to relocate sanitary sewer manhole and reroute piping to avoid existing site trees.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of (\$373,250.13)

**Project Initiation Date:** May 22, 2008

**Design Professional:** Eley Guild Hardy Architects

**General Contractor:** Chris Albritton Construction Company, Inc.

**Contract Award Date:** January 28, 2010

**Project Budget:** \$9,730,789

**Funding Source(s):** Internal R&R; Indirect cost/research; Federal Funds (6C76HF09730)

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## **15. UM– IHL 207-320 – Mississippi Small Business Development Center**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$1,598.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

**Staff Approval Date:** November 2, 2010

**Change Order Justification:** **Change Order #4** is necessary disconnect switch power for screen at west wall of conference Room 122, purchase one 70”X70” draper silhouette/series E screen with standard 3-button switch and standard 110-120 volt ac motor, and to install TV outlet in Lobby 101.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of \$133,802.00

**Project Initiation Date:** February 19, 2009

**Design Professional:** The McCarty Company

**General Contractor:** Murphy & Sons, Inc.

**Contract Award Date:** December 16, 2009

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

**Funding Source(s):** US Congress Grant #SBAHQ-06-I-0032

## **16. UM – IHL 207-321 – North Residential College – Bid Package A**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$2,713.77 and one hundred thirty-seven (137) additional days to the contract of M&N Excavators, Inc.

**Staff Approval Date:** November 29, 2010

**Change Order Justification:** **Change Order #7** is necessary to install header curb and repair asphalt at Sorority Row parking lot.

**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of \$48,880.81

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** M & N Excavators, Inc

**Contract Award Date:** September 4, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

## **17. UM – IHL 207-321 – North Residential College – Bid Package G**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$7,410.00 and one hundred sixty-seven (167) additional days to the contract of Clinton Interiors.

**Staff Approval Date:** November 17, 2010

**Change Order Justification:** **Change Order #7** is necessary to furnish and install island in kitchen 132 not shown on plans, and to replace column cover at lounge required to match granite size for seats.

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**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of (\$32,386.71)

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Clinton Interiors

**Contract Award Date:** September 4, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

## **18. UM – IHL 207-321 – North Residential College – Bid Package I**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$5,850.00 and one hundred thirty-six (136) additional days to the contract of Craft Croswell, Inc.

**Staff Approval Date:** November 29, 2010

**Change Order Justification:** **Change Order #4** is necessary to correct floor transition at walk-in freezer and walk-in cooler. The difference in elevation requires a large portion of the floors to gradually incline to the elevation of the cooler.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of \$22,433.00.

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Craft Croswell, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

## **19. UM – IHL 207-321 – North Residential College – Bid Package L**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$1,839.87 and one hundred thirty-six (136) additional days to the contract of Security Fire Protection Company, Inc.

**Staff Approval Date:** November 29, 2010

**Change Order Justification:** **Change Order #3** is necessary to repair sprinkler required due to damage caused by mechanical contractor.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$19,689.87.

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Security Fire Protection Company, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

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**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

## **20. UM – IHL 207-321 – North Residential College – Bid Package M**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$2,148.00 and one hundred thirty-seven (137) additional days to the contract of South Central Heating & Plumbing Co., Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10 for a credit** in the amount of \$1,839.87.00 and zero (0) additional days to the contract of South Central Heating & Plumbing Co., Inc.

**Staff Approval Date:** November 29, 2010

**Change Order Justification:** **Change Order #9** is necessary to furnish and install valve boxes in south lawn CHW and HW connection point from CMP piping. **Change Order #10** is necessary to repair sprinkler work required due to damage caused by mechanical contractor.

**Total Project Change Orders and Amount:** Ten (10) change orders for a total amount of (\$4,070.87).

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** South Central Heating & Plumbing Co. Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

## **21. UM – IHL 207-321 – North Residential College – Bid Package N**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #14** in the amount of \$11,125.00 and one hundred twenty-eight (128) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval Date:** November 30, 2010

**Change Order Justification:** **Change Order #14** is necessary to furnish and install down lighting at the Frank R. Day Memorial Statue.

**Total Project Change Orders and Amount:** Fourteen (14) change orders for a total amount of \$148,588.25

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Advance Electric Co., Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

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## **22. UMMC – IHL 209-510 – Guyton Contract III Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$14,048.00 and fifteen (15) additional days to the contract of Evan Johnson & Sons Construction, Inc.

**Staff Approval Date:** November 5, 2010

**Change Order Justification:** **Change Order #1** is necessary to latent conditions that were not discoverable prior to project demolition or interior wall layouts being established.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$14,048.00

**Project Initiation Date:** June 17, 2008

**Design Professional:** Simmons Associates/Eley Associates-A Joint Venture

**General Contractor:** Evan Johnson & Sons Construction, Inc.

**Contract Award Date:** February 10, 2010

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

**Funding Source(s):** Interest Income/MC EBC

## **23. UMMC – IHL 209-518 – 5 East Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$31,879.20 and forty-nine (49) additional days to the contract of Fountain Construction Company.

**Staff Approval Date:** October 19, 2010

**Change Order Justification:** **Change Order #1** is necessary to remove the entire dumbwaiter system and framework in order to capture the floor space required by the project design. Also, the additional asbestos materials had to be included as a second phased removal prior to new construction activities progressing further.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$31,879.20

**Project Initiation Date:** January 15, 2009

**Design Professional:** Dale Morris Architects

**General Contractor:** Fountain Construction Company

**Contract Award Date:** March 16, 2010

**Project Budget:** \$3,395,515

**Funding Source(s):** Tuition/Indirect Cost Recoveries

## **24. UMMC – IHL 209-521 – Pediatric ICU Renovations**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$16,828.00 and eighteen (18) additional days to the contract of Fountain Construction Company.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$34,062.00 and forty-two (42) additional days to the contract of Fountain Construction Company.

**Staff Approval Date:** November 5, 2010

**Change Order Justification:** **Change Order #4** is necessary to address miscellaneous Owner/User requested and latent items per professional's cover letter. Revisions include

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reception desk, addition of modular shower at waiting area, adding rough ins for ceiling mounted TV and projector at waiting and conference room. **Change Order #5** is necessary to address relocation of central monitors to physicians work area, rough in for TV to be added to conference room, revision to door glazing size as well as latent condition and errors.

**Total Project Change Orders and Amount:** Five (5) change orders for a total amount of \$93,858.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** The McCarty Co., Design Group

**General Contractor:** Fountain Construction Company

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

**Project Budget:** \$3,122,978

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

## **25. UMMC – IHL 209-523 – S013 Renovations**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$53,908.60 and eight (8) additional days to the contract of Mid State Construction.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3 for a credit** in the amount of (\$12,222.02) and seventeen (17) additional days to the contract of Mid State Construction.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$171,699.70 and fifty (50) additional days to the contract of Mid State Construction.

**Staff Approval Date:** (#1) November 5, 2010; (#2-3) November 11, 2010

**Change Order Justification:** **Change Order #2** is necessary due to equipment required and latent conditions requiring adjustments such as the addition of radiation monitors in scan room, additional phone jacks in control room, sink added to supply room and adjustments requirement of Owner's equipment vendor. **Change Order #3** is necessary to address millwork revision that includes revising interior core components to industrial grade particle board melamine as well as replacing fire ext. cabinet types and install additional steel plates for equipment vendor. **Change Order #4** is necessary to address the installation of additional shielding along the east wall of new scan room above new ceiling and also along new adjacent west wall. Installation in corridor area requires demolition newly installed gyp board partition, relocation of electrical conduits, and ductwork in order to install the high density concrete blocks and then rebuild the gyp board wall to conceal the protective layers.

**Total Project Change Orders and Amount:** Five (5) change orders for a total amount of \$231,527.88

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

**Design Professional:** Simmons Associates, AIA

**General Contractor:** Mid State Construction

**Contract Award Date:** January 11, 2010

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

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

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## **26. UMMC – IHL 209-532 – Cardiovascular Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Cooke Douglass Farr Lemons, design professional.

**Staff Approval Date:** November 29, 2010

**Project Initiation Date:** February 18, 2010

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$17,182,052

**Funding Source(s):** MC EBC

## **27. UMMC – IHL 209-535 – Learning Resources Renovations 2010**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Cooke Douglass Farr Lemons, design professional.

**Staff Approval Date:** November 11, 2010

**Project Initiation Date:** April 15, 2010

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$2,850,000

**Funding Source(s):** MC EBC (\$2,000,000); Interest Income (\$850,000)

## **28. USM– GS 108-260 – Residence Halls Sprinkler Systems**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Atherton Consulting Engineers, Inc., design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** October 21, 2010

**Project Initiation Date:** June 18, 2009

**Design Professional:** Atherton Consulting Engineers, Inc.

**General Contractor:** N/A

**Contract Award Date:** N/A

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

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

## **29. USM – IHL 208-267 – Dormitory Replacement, Hattiesburg**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$37,302.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

**Staff Approval Date:** October 25, 2010

**Change Order Justification:** **Change Order #8** is necessary to provide for thermoplastic striping and warning signs on 4<sup>th</sup> Street crossing, additional work requested

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with regard to the installation of the Code Blue Phones, modification of the shelving standards in three of the RA Suites that were originally designed for handicap use, relocation of power to the outside of the secure spaces in the physical plant building and to provide a terminated data cable to this location for connection to the irrigation system, providing of one additional concrete light pole standard on the south side of 4<sup>th</sup> Street, install ADA required warning pavers on the 4<sup>th</sup> Street crosswalk, addition of sump pumps and drains in elevator shafts, and additional Robe Hooks.

**Total Project Change Orders and Amount:** Eight (8) change orders for a total amount of (\$263,989.00)

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

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

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

**Contract Award Date:** November 12, 2008

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

**Funding Source(s):** USM EBC Bond Funds

## **30. USM – IHL 208-267-A – Dormitory Replacement Phase I, Hattiesburg and The Learning Center**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$3,823.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

**Staff Approval Date:** November 15, 2010

**Change Order Justification:** **Change Order #3** is necessary to provide data outlets at projector locations in the three classrooms located in the Learning Center and to add independent lighting switches in these classrooms to allow the users independent control over the passive infrared sensors required by the contract.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$12,838.00

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

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

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

**Contract Award Date:** November 12, 2008

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

**Funding Source(s):** USM EBC Bond Funds

## **31. Education & Research Center – GS 111-044 – Mechanical Modifications Program**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Upchurch Plumbing, Inc., the lower of eight (8) bidders, for a total contract amount of \$3,017,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** November 12, 2010

**Project Initiation Date:** N/A

**Design Professional:** Atherton Consulting Engineers, Inc.

**General Contractor:** Upchurch Plumbing, Inc.

**Contract Award Date:** November 12, 2010

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**Project Budget:** \$3,500,000

**Funding Source(s):** HB 246, Laws of 2007 (\$2,500,000); HB 1641, Laws of 2008 (\$500,000); HB 1722, Laws of 2009 (\$500,000)

## **32. Education & Research Center – GS 111-047 – (ARRA) ECM R&D Center**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$19,987.00 and zero (0) additional days to the contract of Metro Mechanical, Inc.

**Staff Approval Date:** October 25, 2010

**Change Order Justification:** **Change Order #1** is necessary to provide a new underground gas piping line to new generator.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$9,987.00

**Project Initiation Date:** N/A

**Design Professional:** Atherton Consulting Engineers, Inc.

**General Contractor:** Metro Mechanical, Inc.

**Contract Award Date:** August 18, 2010

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

**Funding Source(s):** ARRA Funds (\$750,000)

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## 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 David Ware & Associates (statements dated 10/1/10, 11/1/10 and 12/1/10) from the funds of Mississippi State University. (These statements, in the amounts of \$23.41, \$24.74 and \$118.70, respectively, represent services and expenses in connection with labor certifications.)

**TOTAL DUE.....\$ 166.85**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 10/6/10 and 10/21/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with *Jackson HMA LLC vs. UMMC* - \$28,610.86, General Rep. of the Medical School and Facility Practice Plans-UMMC North Clinic - \$838.50 and General Advice-UMMC North Clinic - \$2,592.50, respectively.)

**TOTAL DUE.....\$ 32,041.86**

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 6/30/10, 6/30/10, 6/30/10, 8/31/10, 8/31/10, 8/31/10 and 8/31/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled *Kermode* (Federal Case) - \$967.90; *Smith* - \$2,970.00; *Jaralah* - \$1,053.50; *Jaralah* - \$795.50; *Kermode* (Federal Case) - \$4,790.46; *Kermode* - \$1,336.50 and *Williams*- \$14,145.00, respectively.)

**TOTAL DUE.....\$ 26,058.86**

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statements dated 9/10/10 and 10/13/10) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$183.70 and \$16.50, respectively, represent services and expenses in connection with the *Bernard v. UMMC* case.)

**TOTAL DUE.....\$ 200.20**

Payment of legal fees for professional services rendered by Bryan Nelson, P.A. (statements dated 1/12/09, 10/12/09, 4/9/10, 7/8/10, 7/8/10 and 10/5/10) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$205.40, \$350.00, \$517.50, \$35.00, \$175.45 and \$1,184.64, respectively, represent services and expenses in connection with the *Krell vs. USM* case.)

**TOTAL DUE.....\$ 2,467.99**

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## 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 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 11/16/10, 11/16/10, 11/16/10, 11/16/10 and 11/16/10) 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" - \$409.12; "Compact Time-of-Flight Mass Spectrometer - Germany" - \$2,101.84; "Compact Time-of-Flight Mass Spectrometer - United Kingdom" - \$42.50; "Compact Time-of-Flight Mass Spectrometer - Japan" - \$51.00; "High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High-Current Applications" - \$3,975.66; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$1,250.00; "Delivery System for Supplemental Wood Preservatives" - \$515.50; "Aflatoxin Detection in Corn" - \$430.00; "Alcohol Esterification (Condensor Train)" - \$5,568.00; "Alcohol Esterification (Condensor Train)" - \$2,566.00; "Esterification and Bio Oil Upgrading" - \$4,448.00; "Esterification and Bio Oil Upgrading" - \$3,354.50; "Srinivasan-Elusieve Processing CIP Application" - \$42.50; "Compact Time-of-Flight Mass Spectrometer - Japan" - \$408.53; "Alcohol Esterification (Condensor Train)" - \$1,142.50; "Alcohol Esterification (Condensor Train)" - \$670.00; "Esterification and Bio Oil Upgrading" - \$1,100.00 and "High Power Density, Full-Bridget Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High-Current Applications" - \$60.00, respectively.)

**TOTAL DUE.....\$ 28,135.65**

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 11/1/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Plant Patent- St. Augustine Grass Cultivers" - \$297.50; "Self-Aligned Methods Low Temp Selective" - \$488.75; "Temporal Mapping and Analysis" - \$786.25; "Remote Sensing Imagery Accuracy and Analysis" - \$510.00; "Change Analyst" - \$1,001.25; "Fischer-Tropsch Catalysts and Process for Liquid" - \$2,210.00; "Patent Functional Enhancement of Antimicrobials" - \$21.25; "Small Peptide Induction Technology" - \$365.00; "Crape Myrtle Plant Patent" - \$3,655.00; "Delta Jazz Trademark"- \$2,443.75; "Giant Micanthus Provisional Plant Patent" - \$871.25; "Giant Micanthus Provisional Plant Patent" - \$701.25; "Buckscore" - \$1,360.00; "Buckscore.com" - \$1,408.75; "Diethylene Tricarbamide and Diethylene Tricarbamide-Formaldehyde Condensation Resins" - \$170.00; "System and Method for Recharging Batteries" - \$550.00; "System and Method for Recharging Rechargeable Batteries" - \$170.00; "Buckscore Software Patent" - \$21.25; "Oral Catfish Vaccine Method of Delivery" - \$42.50; "Occidiofungin, a Unique Anti-fungal Glycopeptide Produced by a Strain of Burkholderia Contaminans" - \$2,635.00; "Interactive Parallel Coordinates with Multiple Regression" - \$295.00;

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“Occidiofungin, a Unique Anti-fungal Glycopeptide PCT Application” - \$4,838.75;  
“Remote Sensing Imagery Accuracy Analysis Method and Apparatus Divisional Application” - \$2,408.75; “Method to Tutor Using Textbooks” - \$2,040.00 and “Method of Identification of Genes Pertaining to Resistance of Glycine Max (Soybean) to Parasitic Nemoatodes Heterodera Glycine” - \$595.00, respectively.)

**TOTAL DUE.....\$ 29,886.25**

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 11/1/10) from the funds of Mississippi State University. (These statements, in the amounts of \$510.00, \$191.25 and \$701.25 represent services and expenses in connection with trademark matters.)

**TOTAL DUE.....\$ 1,402.50**

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 9/15/10, 9/27/10 and 9/27/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Chick Separation-Anxiety-Depression (SAD)” - \$1,734.45; “Utilizing Tactile Speech Feedback for Stuttering and Other Speech/Fluency/Motor Initiation Disorders” - \$17.00 and “Complexes and Compounds for Light Emitting Applications” - \$17.00, respectively.)

**TOTAL DUE.....\$ 1,768.45**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 1/4/10, 4/9/10, 4/29/10, 5/18/10, 5/18/10, 6/25/10, 8/31/10, 8/31/10, 8/31/10, 9/30/10, 9/30/10, 9/30/10, 9/30/10, 10/26/10 and 10/27/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions Containing Delta-9-THC Amino Acid Esters and Process of Preparation” - \$4,749.01; “High Molecular Weight Polysaccharide from Aloe Vera with Immunostimulatory Activity” - \$694.00; “Potent Immunostimulants from Microalgae” - \$694.00; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents” - \$119.00; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents” - \$163.00; “High Molecular Weight Polysaccharide from Aloe Vera with Immunostimulatory Activity” - \$1,713.45; “Canada - Transmucosal Delivery of Cannabinoids” - \$129.25; “Potent Immunostimulatory Component in Micro Algae Extract” - \$525.50; “Europe - Design and Synthesis of Optimized Ligands for PPAR” - \$727.65; “Potent Immunostimulatory Extracts from Microalgae” - \$6,527.60; “Novel Sigma Receptor Antagonists” - \$942.00; “Design and Synthesis of Optimized Ligands for PPAR” - \$131.25; “Method of Preparing Delta-9-Tetrahydrocannabinol” - \$770.25; “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” -

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\$3,554.75 and “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,525.00, respectively.)

**TOTAL DUE.....\$ 22,965.71**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10 and 10/20/10) from the funds of the University of Mississippi.

(These statements represent services and expenses in connection with the following patents: “In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative” - \$744.00; “Australia - Highly Purified Amphotericin-B” - \$200.26; “Canada - Highly Purified Amphotericin-B” - \$1,033.45; “Multi-Domain Plate Acoustic Wave Devices” - \$2,692.50; “Mexico - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$96.00; “India - High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$335.00; “High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$150.00; “Canada - Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$1,657.89; “Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$5,692.00; “Canada - Stabilized Formulation of Triamcinolone Acetonide” - \$271.82; “Europe - Stabilized Formulation of Triamcinolone Acetonide” - \$1,074.65; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,765.50; “Multi-Domain Plate Acoustic Wave Devices” - \$652.50; “Mexico - High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$665.20; “Australia - High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$1,322.33; “In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative” - \$403.00; “Highly Purified Amphotericin-B” - \$1,011.00; “Japan - Highly Purified Amphotericin-B” - \$806.00; “Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$961.00; “Europe - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$672.00; “Australia - Highly Purified Amphotericin-B” - \$350.00; “Canada - Highly Purified Amphotericin-B” - \$350.00; “Germany - Highly Purified Amphotericin-B” - \$350.00; “France - Highly Purified Amphotericin-B” - \$350.00; “Ireland - Highly Purified Amphotericin-B” - \$350.00; “Japan - Highly Purified Amphotericin-B” - \$1,612.60” - “General Patent Matters” - \$0.00; “Australia - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$96.00; “Europe - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$1,414.30; “Korea - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$104.50; “Mexico - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$40.50; “Canada - Delivery of Medicaments to the Nail and Perionychium via (Etching)” - \$404.00 and “A Corrugated and Ported Prism Engine Nozzle for Reduction of Supersonic Jet Exhaust Noise” - \$350.00, respectively.)

**TOTAL DUE.....\$ 28,328.00**

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January 20, 2011

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/27/10 and 9/27/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents:

“Abell/Temporary Mucosal Gastric Electric Stimulation Device and Method for Treating Gastroparesis” - \$1,208.10; “Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$6,277.72; “O’Callaghan/Cholesterol Treatment of S. Aureus Keratitis” - \$93.00; “Raucher/Australia/Thermally Targeted Delivery of Medicaments including Doxorubicin” - \$202.46; “Abell/Temporary Mucosal Gastric Electrical Stimulation Device and Method for Treating Gastroparesis” - \$2,318.00; Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$1,015.50; Abell/Miniature Wireless Gastric Electric Stimulators” - \$122.00; “Raucher/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$172.16; “Raucher/Modular Thermally Targeted Biopolymers for Drug Delivery” - \$87.90; “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$27.04; “Abell/Temporary Mucosal Gastric Electric Stimulation Device and Method for Treating Gastroparesis” - \$460.00; “Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$183.00; “Eishamy/Novel Breast, Ovarian BRCA-1-Iris” - \$2,431.14; “General” - \$390.50; “Raucher/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$366.94; “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$202.50; “Vig/Therapeutic Use of Dopamine D2 Receptor” - \$40.50 and “Vig/Thermally Targeted Delivery of Therapeutic Peptides to the Cerebellum” - \$87.90, respectively.)

**TOTAL DUE.....\$ 15,686.36**