

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
May 14, 2009**

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 8:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 21, 2008, to each and every member of said Board, said date being at least five days prior to this May 14, 2009 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. The meeting was called to order by Mr. Scott Ross, President, and opened with prayer by Mr. Blake Jeter, Student Body President at Mississippi State University.

ANNOUNCEMENT

- ▶ Dr. Andy Mullins, Executive Assistant to the Chancellor at The University of Mississippi, introduced Dr. Tim Letzring and his public policy class in higher education from The University of Mississippi. Dr. Letzring brings his class to visit every year.
- ▶ Dr. Mullins then introduced three other employees at Academic Advisor in the Academic Support Center at The University of Mississippi: Mr. Scott Wallace, Assistant Dean of Students; Mr. Travis Hitchcock, Academic Advisor in the Academic Support Center; Ms. Jennifer Bennet, Academic Advisor in the Academic Support Center; and Chad Russell, Adjunct Instructor in Philosophy.

APPROVAL OF THE MINUTES

On motion by Ms. Pickering, seconded by Dr. Davidson, with Mr. Owens absent and not voting, it was

RESOLVED, That the Minutes of the Board meeting held on April 16, 2009, stand approved.

CONSENT AGENDA

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

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

EDUCATIONAL POLICIES AND PROGRAMS

1. **System Administration (Information item.)** – The Board received the following declarations of intent to offer degree programs by distance learning:
 - a. **Mississippi State University** is offering the *Master of Science in Civil Engineering* (CIP 14.0801) online. Offering this existing academic program online expands access for working engineering professionals by providing an alternative program delivery method to traditional classroom instruction.

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- b. **Mississippi State University** is offering the *Doctor of Philosophy in Engineering (Civil Engineering concentration)* (CIP 14.0101) online. Offering this existing academic program online expands access for working engineering professionals by providing an alternative program delivery method to traditional classroom instruction.

BUDGET, FINANCE AND AUDIT

2. **DSU** - Approved the request to enter into a contract with Butler, Snow, O'Mara, Stevens & Cannada, PLLC as bond counsel on the possible refunding of the outstanding bond of \$3,900,000 issued through the DSU Educational Building Corporation Reserve Bonds, Series 1998. The Attorney General's Office approved the retention of the bond counsel. Approximately \$3,165,000 remains to be paid on the bond. Also, approved the request to contract with Nicholson & Company, PLLC as financial advisor and Duncan-Williams, as lead underwriter. Total fees for issuance are expected to be \$98,300. **Financial Advisor: Nicholson & Company, PLLC Bond Counsel: Butler, Snow, O'Mara, Stevens, & Cannada, PLLC Lead Underwriter: Duncan-Williams, Inc.**
3. **MSU** - Approved the request to purchase television center equipment from Crescent Communications. The items purchased will be used to upgrade the television center and include the following: studio cameras with lenses and support equipment; a video switcher with special effects; video capture and play-out servers; a video tape recorder; multi-display and conventional plasma and LCD-based video monitoring; test signal and synchronizing signal generation and signal analysis equipment; audio consoles and audio support equipment; and video format conversion equipment to interface with existing analog television systems. These items work together as a complete high-definition digital studio television production system. The equipment purchase for the studio upgrade is the last phase of a comprehensive upgrade to the television center facility. The purchase will allow students to experience a modern digital television production environment and workflow. The purchase was advertised in accordance with state law and Crescent Communications was the lowest bidder meeting all specifications. Total cost for the equipment items is \$457,870. A purchase order will be issued upon Board approval. The purchase will be funded via a U.S. Department of Education grant.
4. **MSU** - Approved the request to purchase a MLOCR/CS (Multi-Line Optical Character Reader/Channel Sorter) Mail Sorter and software from ID Mail Systems, Inc. This equipment allows sorting and automated processing to be completed on campus that would otherwise be done at the U.S. Post Office. In turn, the U.S. Postal Service passes along postage expense savings to the university. Based on the past two years of mail metered through MSU Mail Services, \$188,000 per year is the expected postage expense savings with the purchase of this equipment. The purchase was advertised in accordance with state law and ID Mail Systems, Inc. was the lowest bidder meeting all specifications. Total cost for the equipment is \$304,250. A purchase order will be issued upon Board approval. Internal financing will be provided for sixty months to the MSU Mail Services department for the initial purchase in the amount of \$66,000 per year. The purchase will be funded via Auxiliary Funds generated by postage and other mail-related services.

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5. **MSU** - Approved the request to revise the Mississippi Alcohol Safety Education Program (MASEP) Budget. The budget escalation which is shown below is necessary to meet program obligations due to the increased number of school locations in the state (40 to 46 and possibly more) to accommodate the increasing number of class participants. This escalation is funded by MASEP student participation fees.

Object of Expenditure	Current Budget 2008 - 2009	Budget Revision #1	Revised Budget 2008 - 2009
Salaries, Wages & Fringe Benefits	\$1,096,094	\$225,000	\$1,321,094
Travel & Subsistence	69,000	6,000	75,000
Contractual Services	101,319	10,000	111,319
Commodities	58,509	10,000	68,509
Capital Outlay:			
Other than Equipment	11,000	0	11,000
Equipment	57,500	9,000	66,500
Subsidies, Loans & Grants (Transfers)	60,000	236,812	296,812
Total	\$1,453,422	\$496,812	\$1,950,234

6. **UMMC** - Contingent upon changes recommended by the Attorney General's Office being incorporated into the agreement, the Board approved the request to enter into an agreement with 3M Health Information Systems. The purpose of the agreement is to provide software license, support and maintenance for Health Information Service including coding, analyzers, benchmarking, audit expert, chart processing, scanning, transcription, Case Management and Risk Management. The agreement is for the period July 1, 2009 to June 30, 2014. The licensing fee for the first year of the agreement (FY 2010) is \$523,887. Licensing fee increases, if any, in the second and subsequent years of the initial term shall not exceed five (5%) of the license fee for the immediate preceding year. Based on a maximum fee increase of 5% per year, the total cost for the agreement period will not exceed \$3 million. The agreement will be funded via patient revenue. A copy of the agreement is included in the *May 14, 2009 Board Working File*.
7. **UMMC** - Approved the request to issue an addendum to the equipment lease agreement with CardinalHealth. The purpose of the addendum is to supersede the previous equipment schedule and lease newer equipment and incorporate a product pricing schedule for the chemical substances that will automate HIV antibody and Viral Hepatitis testing. Prior to this addendum, the equipment leased and product pricing schedule for chemical substances were for a different type of testing. The addendum is for the period May 18, 2009 to May 17, 2012. The annual cost for the equipment lease and the chemical substances is \$212,082 for a total cost for the addendum period of \$636,246. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.
8. **UMMC** - Approved the request to enter into an agreement with Medical Receivables Specialists (MRS), Inc. The purpose of the agreement is to provide insurance follow-up activities related to small balance receivables. This is a renewal of an agreement the Board originally approved in June,

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2008. In April, 2009, the Board approved an expansion of services with MRS through the period ending June 30, 2009, bringing the cumulative contract cost to \$2 million. The period of the renewal agreement is July 1, 2009 to June 30, 2010. The collection fee is 4% of total payments collected for insurance follow-up. The fee is based on the continuation of placement of accounts with an average account balance of \$800. The total fees for the agreement period will not exceed \$2 million. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.
9. **UMMC** - Approved the request to renew an existing agreement with Mobile Medic Ambulance Service. The purpose of the agreement is to provide non-emergent ambulance and non-ambulance (Medi-Van) transportation for UMMC patients for intra-campus and distance transports. The Board approved the preceding contract in June, 2008. The dates of this contract are July 1, 2009 – June 30, 2010. Total amount of contract is not to exceed \$500,000. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.
10. **UMMC** - Approved the request to enter into an agreement with PAR Excellence Systems, Inc. The purpose of the agreement is to provide materials management information software and hardware. This software will provide point of use technology that will allow UMMC to immediately capture all transactions for high cost products, patient chargeable items and miscellaneous commodities on an 'as used' basis, per patient. The agreement is effective July 1, 2009 and will continue until the installations are complete. The total costs for the agreement will not exceed \$1,821,298. This amount provides for the software, hardware components, and installation and training services. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.
11. **UMMC** - Approved the request to renew an existing agreement with Residence Inn by Marriott. The purpose of the agreement is to provide the University Hospitals and Health System twelve (12) rooms, 365 days a year. These rooms provide accommodations for transplant and other selected patients in an effort to reduce length of stay in the hospital. The period of the agreement is July 1, 2009 to June 30, 2010. The Board approved the preceding contract in June, 2008. The total cost of the agreement will not exceed \$500,000. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.
12. **UMMC** - Approved the request to renew an existing agreement with Steris Corporation. The purpose of the agreement is to provide preventative maintenance and service of the sterilizers in the operating rooms for the Batson, Main OR, Same Day Surgery, and Wisner Hospitals. The period of the renewal is July 1, 2009 to June 30, 2012. The Board approved the preceding three-year contract in June, 2007 for a total of \$411,605. As a result of warranty expirations on other sterilizers, it is necessary to allocate additional funds to complete the third year of the current agreement. The renewal also provides for two additional years of maintenance coverage. Total cost of the agreement is \$679,267. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.

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13. **USM** - Approved the request to enter into a procurement and services agreement with Dell Marketing, L.P. The purpose of the agreement is to upgrade equipment and services for the Data and Communications Center at the John C. Stennis Space Center. Upgrade of equipment will allow better management of infrastructure growth, data center consolidation, a storage area network solution, uninterruptible power supply system and auxiliary cooling system, along with maintenance and warranty for all materials and equipment. The total cost for purchase and installation is \$341,336. The purchase will be funded via a U.S. Department of Education grant. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.

REAL ESTATE AND FACILITIES

14. **UM** - Approved the request to increase the budget for **IHL 207-322, Identification Center Renovation**, from \$250,000 to \$400,000 for an increase in the amount of \$150,000. This increase is required due to the expanded scope of work. Funds are available from ID Center revenues and related auxiliary operations. **Project Professional: University Facilities Planning Department**
15. **UMMC** - Approved the request to increase the budget for **IHL 209-501, School of Dentistry Renovations**, from \$270,000 to \$320,000 for an increase in the amount of \$50,000. This increase is required due to additional costs for emergency circuits and routing of computer cabling from the 5th floor down to the 3rd floor. Funds are available from tuition and fees. **Project Professional: JBHM Architects General Contractor: McMillan Pitts Construction Company**

16. **PERSONNEL REPORT**

EMPLOYMENT

University of Southern Mississippi
Fraschillo, Thomas V.
Lipscomb, Jr., John W.
Pierce, Willie Lee
Rachel, John R.
Woodruff, Frank

University of Southern Mississippi - Athletics
Duggan, David T.
Lee-McNelis, Joyce
Robinson, Travaris

University of Southern Mississippi
Forster, Michael
Kemker, Brett

CHANGE OF STATUS

Jackson State University
Posey, Della

Mississippi Valley State University
Osborne, Jr., Cassie

SABBATICAL LEAVE

Jackson State University
Didia, Dal

Mississippi University for Women
Stratyner, Leslie

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Mississippi Valley State University
Omishakin, Ademola M.

Walters, Wilbur
White, Loren

University of Mississippi Medical Center
Corbett, James
Dhossche, Dirk M.

Mississippi State University

Barbier, Mary K.
Brzuszek, Robert F.
Burney, Laurie
Cooke, III, William H.
Cooley, Avery J.
Dandass, Yoginder S.
Davidson, Karen
Davis, James E. (Ed)
Eells, Jeffrey B.
Eksioglu, Burak
Elder, Anastasia
Felicelli, Sergio D.
Franz, Dana P.
Ginn, III, Herbert L.
Harland, Robert J.
Harper, Sallie L.
Harvey, Benjamin
Hay, William A.
Hernandez, Rafael
Highfield, Michael J.
Jankun-Kelly, T.J.
Kelley, James B.
Li, Jiaxu
Minerick, Adrienne R.
Muhammad, Andrew
Otondo, Robert F.
Phillips, Jason
Ramkumar, Mahalingam
Shin, Seung Jae
Sun, Changyou
Sygula, Andrzej
Thomas, M. Kathleen
Walker, Jason B.
Walters, Dibbon K.
Watson, Gregory J.
Watson, Joshua C.
Watson, Marcia L.

AWARD OF TENURE
Effective 2009-2010

Alcorn State University

Barnes, Sandra
Brown, Meg
Oredein, Olayinka
Udemgba, Benedict

Delta State University

Baird, Marion Duncan
Barton, Alan
Hayes, Catherine
Mounce, Michael
Oguz, Cetin
Phillips, Joi
Quon, Frieda
Salinero, David
Shultz, Marilyn
Stump, Sheryl
Waddell, Jenetta
Waters, Richard

Jackson State University

Buckley, Cedric
Channell, Linda
Chong, Hyonsong
Gillelyen, Johnny
Hong, Sungbum
McLeod, Stephen
Merem, Edmund
Ngwudike, Benjamin
Osby, Olga
Owens-Sabir, Mahasin
Pizzetta, Candis W.
Ray, Paresh
Shaw-Jackson, Jane
Walker, Ronald

Mississippi Valley State University

Ngwang, Emmanuel
Pande, Manju

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Wang, Ying
Catchings, Gwendolyn
Lacy, Lucille

University of Mississippi

Allen, Susan C.
Aydin, Adnan
Bu, Quingying
Carithers, Teresa Carr
Case, David W.
Davis, Douglas Raymond
DeJournett, William N.
Fenno, Jonathan Brian
Fuller, Kathleen Petrie
Gauthier, Lane R.
Harker, Jaime Lynn
Harry, Tina M.
Hollis, Thedford K.
Hutchcraft, Winn Elliott
Latartara, John M.
Leslie, John C.
Levitt, Theresa Hilary
Manson, Neil A.
Melear, Kerry B.
O'Dell, Kristi J.
Ostrovskii, Igor
Prins, Nicolaas
Ross, Leigh Ann
Schulenberg, Stefan E.
Scovazzo, Paul
Sheppardson, Laura Jean
Sommer, Carol Ann
Thurkill, Mary F.
Wadkins, Randy Mack
Wang, Jianqiang

University of Mississippi Medical Center

Dillard, Benjamin C.
Feng, Yangzheng
Fridrich, Christopher
Fulop, Tibor
Hersey, Kelly R.
Hiser, Laree
Hoekema, Dale
Huang, Bo

Jordan, James Randall
Kanyicska, Bela
Konkle-Parker, Debbie
Krause, Denise D.
Majithia, Vikas
Martin, Tina
McMurray, Robert
Mena, Leandro
Norwood, Anne
Ostrvsky, Olga
Punekey, Louis
Ryan, Michael J.
Scattone, Dorothy
Schenk, Laura
Sullivan, Amy
Winters, Karen

**Effective April 2009, the Board approved the
employment and tenure of Lucio Miele. See
below for correction to contract dates.**

Lucio Miele, Director, UMMC Cancer Institute,
Professor, Departments of Medicine and
Pharmacology/Toxicology, School of Medicine;
change effective dates *from* May 29, 2009 to
June 30, 2009 *to* May 18, 2009 to June 30, 2009

University of Southern Mississippi

Barry, Tammy
Bass, Jerry
Bomhold, Catharine
Bristol, Douglas
Brown, Denise
Clark, John
Connell, Carol Lawson
Davis, Lajuan
Fisher, Diane
Gould, Trenton
Green, Bradley
Hamilton, Claire
Hannon, John
Hinton, Jeff
Jin, Miao
Johnson, Julia
Jones, Rose
Jordan

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Juneau, Karen
Kiehl, Carole
Lai, Fujun
Lipscomb, Thomas
Lyman, Robert
Malik, Farooq
McPhaul, Adrienne
Miles, Michael
Molaison, Elaine
Morgan, Chester
Nail, Lance
Nazarenko, Sergei
Nicholson, Bonnie

Nuwer, Deanne
O'Brien, Thomas
Peters, Gary
Reese, Carl
Shank, Jennifer
Shaw, Joyce
Shin, Je-Hwa
Thompson, Alan
Tyler, Pamela
Welsh, Teresa
West, Charles
Wittmann, Michael

PRESENTATION

Dr. Reggie Sykes, IHL Assistant Commissioner for Community and Junior College Relations, and Ms. Vrita Delaine, Assistant to the Vice President for Student Affairs the University of Southern Mississippi, gave a presentation on the African American Male in College Initiative. Dr. Neely commended them for addressing this important issue.

ANNOUNCEMENT

Mr. Scott Ross informed the Board that the new committees will be announced and effective by the June Board meeting.

BUDGET, FINANCE & AUDIT AGENDA

Presented by Mr. Aubrey Patterson, Chair

On motion by Mr. Patterson, seconded by Mr. Owens, with Mr. Blakeslee absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the Budget, Finance & Audit Agenda. **AGENDA ITEM #2 WAS APPROVED AS SHOWN BELOW.**

1. **UMMC** - Approved the request to enter into an agreement with The Ramey Agency, LLC. The purpose of the agreement is to provide marketing services. The period of the agreement is July 1, 2009 to June 30, 2012. In January, 2007, the Board approved a two and a half-year agreement scheduled to expire June 30, 2009 for a total of \$5 million. As a result of expanding the quantity of marketing services and to allow for price increases for materials and services, the amount allocated to the proposed agreement has been increased. The total cost of the agreement shall not exceed \$7,500,000. The agreement will be funded via patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is included in the *May 14, 2009 Board Working File*.

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2. **System Administration** - The Office of Risk Management undertook a study of the current property insurance coverage for all universities in response to Senate Bill No. 3118. The purpose of the study was to determine the most cost efficient way to provide the appropriate property coverage which may or may not include boiler and machinery coverages. The finding was that current coverages of buildings and/or contents in the system are not adequate. It was determined it would be most cost efficient and provide more comprehensive coverage for all universities and entities to place all property coverage through a system property program. The Board approved Willis as broker at the February meeting.

The Board received a presentation entitled “A System Efficiency – Property Insurance” by Mr. Cliff Tucker, IHL Director of Insurance and Risk Management; Mr. Mike Honeycutt, Vice President in the Public Entity Group of Willis; and Mr. Mark Good, Senior Vice President and Regional Director in the Public Entity Group of Willis.

On motion by Mr. Patterson, seconded by Dr. Rouse, and unanimously passed by those present, the Board approved the request for the IHL Risk Manager to authorize the binding of coverage and subsequent purchase of either AIG or AFM in order to provide every opportunity to purchase the lowest and best through AIG.

3. **Other Business** - Dr. Linda McFall, IHL Deputy Commissioner for Finance and Administration, gave an update on the state budget situation.

REAL ESTATE & FACILITIES AGENDA

Presented by Mr. Scott Ross, President

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

RESOLVED, That the Board hereby approved agenda items #1 - #8 as submitted on the following Real Estate & Facilities Agenda. Agenda item #9 was approved on a separate motion by Ms. Robinson, seconded Dr. Davidson, and unanimously passed by those present. Agenda items #10 - #14 were approved on a separate motion by Ms. Robinson, seconded by Dr. Neely, and unanimously passed by those present. On motion by Mr. Ross, seconded by Mr. Patterson, and unanimously passed by those present, the Board approved the suspension of Board Policy 903 (B) Legislative Funding Requests which requires the annual request for capital improvements and repair and renovation be submitted for Board approval in May and the submission of the request at the next regularly scheduled Board meeting in June 2009.

1. **ASU** - Approved the initiation of **GS 101-277, Lanier Hall Renovations**, and the appointment of Waycaster and Associates as project professionals. The total project budget is \$1,000,000. Funds are available from HB 246, Laws of 2007, and the U. S. Department of Housing and Urban Development. **Project Professional: Waycaster and Associates**

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2. **ASU** - Approved the initiation of **GS 101-278, E. E. Simmons Renovations**, and the appointment of Mills & Mills Architects as project professionals. The total project budget is \$921,777. Funds are available from HB 1641, Laws of 2008. **Project Professional: Mills & Mills Architects**

3. **ASU** - Approved the initiation of **GS 101-279, Utility Infrastructure Preplanning**, and the appointment of Atherton Engineers as project professionals. This project will address the university's electrical, water and gas distribution systems. The project budget for design fees is \$200,000. The construction budget will be determined by the project professional at the conclusion of the preplanning. Funds are available from HB 246, Laws of 2007. **Project Professional: Atherton Consulting Engineers**

4. **ASU** - Approved the initiation of **GS 101-280, Facilities Management Preplanning**, and the appointment of Waycaster & Associates as project professionals. The total project budget for design fees is \$150,000. The construction budget will be determined by the project professional at the conclusion of the preplanning. Funds are available from HB 246, Laws of 2007. **Project Professional: Waycaster and Associates**

5. **DSU** - Approved the appointment of Signet-Harrell DSU, LLC for **IHL 202-133, New Residence Hall**. The Signet-Harrell DSU has offered the best value to the public in accordance with the evaluation criteria set forth in the request for proposals and has also submitted the lowest proposal as to price. The short list of developers was previously approved by the Board on April 16, 2009. A campus committee interviewed three developers and subsequently recommended Signet-Harrell DSU, LLC for the project. As per state statute, a meeting of the Legislative Advisory Committee was held on April 29, 2009 at 2:30 p.m. for the purpose of reviewing the progress of the project and considering any comments or suggestions from the committee members. The Committee was pleased with IHL's execution of the statutory process and offered no suggestions or comments.

The Board also approved the selection criteria for the developer as shown below. Selection of the successful Developer will be made on a holistic basis.

- Provides a substantially complete residence hall and apartment complex by July 2010
- Provides competitive total development costs, residence hall room rates comparable to other IHL institutional rates, and locally competitive apartment rental rates.
- Provides a viable financial model either affiliated with the Delta State University Foundation or an independent 501 (c) (3) LLC
- Provides a quality, experienced development team
- Provides a detailed construction schedule
- Provides a detailed construction budget

The development team is encouraged to use Historically Under Utilized Businesses, Disadvantaged Business Enterprises and local subcontractors and supplies whenever possible. The university and IHL encourage the Developer to use sustainability and LEED principles in the selection of materials and systems for the project. While LEED certification is not required, it will be favorably considered. The Selection Committee, resulting in this recommendation to the Board, was composed of representatives of the university, LPK Architects, the Delta State Foundation, and IHL staff. **Project Developer: Signet-Harrell DSU, LLC**

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6. **MSU** - Approved the initiation of **IHL 205-244, Fraternity Row Parking**, and the appointment of the MSU Associate Director of Facilities Planning, Design and Construction, Michael T. Muzzi, AIA/AUA as the project professional. The total project budget is \$315,000. Funds are available from MSU auxiliary funds. **Project Professional: Michael T. Muzzi, Architect**
7. **MSU** - Approved the initiation of **IHL 213-138, Cage Wash Facilities**, at the College of Veterinary Medicine to renovate approximately 1,250 square feet on the first floor of the research wing of the Wise Center. The Board also approved the appointment of Thomas Shelton Jones & Associates as project professionals. The total project budget is \$287,832. Funds are available from the National Institutes of Health / National Center for Research Resources. **Project Professional: Thomas Shelton Jones & Associates**
8. **UM** - Approved the request to award the "Construction Manager-Advisor" contract for **IHL 207-321, North Residential College**, to Harrell Contracting Group, LLC. The total project budget is \$24,000,000. Funds are available from the University of Mississippi Educational Building Corporation and private gifts. **Project Construction Manager-Advisor: Harrell Contracting Group, LLC**
9. **UMMC** - Approved the request to increase the budget for **IHL 209-505, Pediatric Emergency Room Renovations**, from \$3,650,000 to \$5,304,371 for an increase in the amount of \$1,654,371. This increase is required due to the latest Schematic Design budget estimate provided by the project professional. Design fee funds are currently available with the balance of funding to be provided at the completion of the construction documents. Funds are available from the Pediatric Outpatient Clinic Fund. **Project Professional: Dale/Morris Architects, PLLC**
10. **MSU** - Approved the request of the Division of Agriculture, Forestry, and Veterinary Medicine to grant and convey to 4-County Electric Power Association of Columbus, Mississippi, a right-of-way easement to allow construction of a three-phase electric distribution line. The new distribution line will provide electric service to future developments along the Highway 82 bypass. A copy of the proposed easement agreement and the survey by Calvert Engineering are on file with the Office of Real Estate and Facilities. The Attorney General's Office reviewed and approved the documentation.
11. **MSU** - Approved the request of the Division of Agriculture, Forestry, and Veterinary Medicine to accept the donation of and demolition of a building that was constructed on university property by the U. S. Department of Agriculture (USDA) during a period when the property was leased to the USDA. The land lease has expired and USDA has vacated the property. The building is in extremely poor condition. Letters of approval have been received from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality and will be kept on file in the Office of Real Estate and Facilities. The Attorney General's Office reviewed and approved the documentation.
12. **MSU** - Approved the request to lease 1.015 acres of land located on the Delta Branch Experiment Station to the Delta Health Alliance (DHA). The purpose of the lease is to construct a new office building. The primary term of the lease is twenty-five dollars (\$1.00 per year) for a period of twenty-five (25) years, beginning May 15, 2009, and terminating as of midnight May 14, 2034,

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subject to termination and agreement renewal rights set forth. The lease may be renewed for an additional period of twenty-five (25) years, provided notice is given by DHA in writing to the university at least six (6) months before the lease would otherwise expire. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The Attorney General's Office has reviewed and approved the lease agreement.

13. **UMMC** - Approved the request to sell property located at 2730 Bailey Avenue, Jackson, Mississippi to Mr. Clinton Cummings for the sum of \$92,750. The property is located E/S of Bailey Avenue and N/S of Peter Street, City of Jackson, Hinds County Mississippi. The property, located near the Jackson Medical Mall, was purchased in November 1999 and is currently in poor condition. The property consists of 2.79 acres of land and contains several warehouses and outbuildings which were damaged by fire in December, 2008. The sale price is the average of two appraisals as per Board Policy 905(A) Real Estate Management. A copy of the appraisals, property description and all legal documentation is on file with the Office of Real Estate and Facilities. The Attorney General's Office reviewed and approved the documentation.
14. **USM** - Approved the request to name the building that is being constructed at the Innovation and Commercialization Park as "The National Material Science Innovation and Commercialization Accelerator Building". The building, which has been substantially paid for by the National Institute of Science and Technology, is projected to open November 2009.
15. **System Administration (Information item.)** - The Board received the Real Estate & Facilities items that were approved by the Board staff subsequent to the April 16, 2009 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

GOVERNANCE/LEGAL AGENDA

Presented by Mr. Bob Owens, Chair

1. **System Administration (Information item.)** - The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 2.)**
2. **Other Business** - Mr. Perry updated the Board on his work on the Board Policy 301.0806 University Foundation/Affiliated Entity Activities. Significant progress has been made towards reaching a point where all parties will be satisfied. He plans to submit the revised policy at the June Board meeting. Mr. Owens thanked Mr. Perry for all of his work on this policy.

ADMINISTRATION/POLICY AGENDA

Presented by Dr. Aubrey Lucas, Interim Commissioner

1. **System Administration (Information item.)** - In compliance with Board policy, the following items have been approved by the Interim Commissioner on behalf of the Board:

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- a. **UM** – Budget revision in the annual operating budgets according to the Mississippi Mineral Resources Institutes according to Board Policy 701.06 Budget Escalations and Revisions; no increase in the total budget but rather a reallocation among individual expense categories.
- b. **UMMC** - Approved a contract renewal according to Board Policy 707.01 Land, Property and Service Contracts for an addendum to its current volume campus-wide licensing agreement with Microsoft. The additional cost will be \$67,342.97, increasing the total contract cost from \$1,287,266.94 to \$1,354,609.91.
- c. **UMMC** – Approved a contract renewal according to Board Policy 707.01, Land, Property and Service Contracts for an addendum to its original contract agreement with GAG Holdings formerly FRD Limited from April 15, 2004 with a contract agreement period of June 1, 2004 to May 31, 2009 to extend the agreement for a 90-day period to expire on August 31, 2009. The increased total contract cost is \$705,777.77. This change represents a 5% increase.
- d. **System Administration** - Quarterly Employment Hires Report for the period of January 1, 2009 through March 31, 2009, as required by Board Policy 401.0102 Delegation of Authority and 801.08 Outside Employment.

OTHER BUSINESS

On motion by Mr. Patterson, seconded by Ms. Whitten, and unanimously passed by those present, the Board approved the request to add to the agenda a personnel item for Mississippi State University as shown below:

CHANGE OF STATUS

Mississippi State University

Dr. Glenn Steele, *from* Endowed Professor and Co-Director MSU Department of Mechanical Engineering; *to* Interim Vice President for Research and Economic Development; salary of \$250,000; effective May 18, 2009

On motion by Dr. Neely, seconded by Ms. Robinson, and unanimously passed by those present, the Board approved the above change of status item for Mississippi State University.

COMMISSIONER’S REPORT

Presented by Dr. Aubrey Lucas, Interim Commissioner

The highlights from the Commissioner’s Report were as follows:

- ▶ Mr. Ross, welcome to your first official meeting as President of the Board! You demonstrated today that the Board is in capable hands!
- ▶ I’d like to take care of a bit of housekeeping before I move on. The June Board meeting has been scheduled for June 17 – 18. This will be a regular Board meeting with committee meetings on Wednesday.

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- ▶ This is always a busy, but exciting time of year as we celebrate commencements. More than 9,300 students graduated from our eight public universities over the last couple of weeks! This is what we are about – preparing Mississippi’s workers to be thinkers and professionals who add value to the work they do. Despite the weak job market, we know that our graduates are well-positioned to seize job opportunities as they become available.
- ▶ Unfortunately, our graduation excitement has been dampened this year by the loss of two friends. State Representative Charles Young died April 29. Mr. Young served in the Mississippi House for 30 years, acting as chair of the Colleges and Universities Committee for many of those years. He was a dear friend to us and we will miss him. We also remember former University of Southern Mississippi president Dr. Horace Fleming, who died May 1. Dr. Fleming was the seventh president of the University of Southern Mississippi, serving from 1997-2001. During Dr. Fleming’s tenure as president, Southern Miss made many significant advancements, including attainment of Carnegie Doctoral Research Extensive University status and initiation of the university’s first comprehensive university fund raising campaign, which surpassed its goal of \$100 million. Our sympathy goes out to Dr. Fleming’s family and friends.
- ▶ Our searches for a new Chancellor at the University of Mississippi and Commissioner of Higher Education are progressing smoothly. We’ve started the first round of interviews for the Commissioner searches, and we’ll conclude those interviews following the Board Meeting this afternoon. We’ll conduct first round interviews for the Chancellor position on Sunday afternoon and Monday. I’d like to take this opportunity to publicly thank our Search Advisory Committee chairs for their work. University of Mississippi Chancellor Robert Khayat is serving as chair of the Commissioner Search Advisory Committee and University of Mississippi Vice Chancellor for Research and Sponsored Programs Dr. Alice Clark is serving as chair of the Chancellor Search Advisory Committee. Thank you both for providing excellent leadership to your respective committees. Members of both Search Advisory Committees, including the chairs, will be participating in the interviews with the Board. We will continue to update you on the process, but still hope to have both positions filled in June.
- ▶ About this time last year, we announced to you that Mississippi was one of only 11 states selected for participation in the competitive Making Opportunity Affordable grant program, sponsored by the Lumina Foundation for Education and Jobs for the Future. Mississippi received a one-year, \$100,000 planning grant. At the completion of the first year, which is quickly approaching, 5 states will be selected to receive up to \$500,000 for 4 years, based on plans developed during the planning year. The grants are designed to help states advance a productivity agenda in higher education by developing goals, policies, and practices that produce more degrees at a lower cost per degree. As part of Mississippi’s grant activities, IHL hosted an orientation meeting on May 5 to introduce the course redesign process to faculty from 14 of Mississippi’s 15 community and junior colleges. Our own Dr. Lynn House and her counterpart on the State Board for Community and Junior Colleges Dr. Fiona Qualls have truly done an excellent job of facilitating this collaboration among our institutions. Dr. Qualls, please stand and be recognized.
- ▶ In recognition of her work with course redesign, Dr. House has been invited to serve on the Advisory Board for the Redesign Alliance, which provides advice and direction for the NCAT staff and the Alliance.
- ▶ Dr. House has been busy. Actually, I don’t think she knows any other way. She has also been appointed by Governor Haley Barbour to serve on the Statewide Policy Team tasked with implementing a National Governor’s Association grant to improve chronically low-performing

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schools. Mississippi was one of only four states to receive the \$150,000 grant. Dr. House will represent higher education and contribute expertise in the areas of school leadership, teacher preparation and school improvement.

- ▶ Finally, in institutional good news:
 - ▶ Dr. Girish Panicker, director of the Center for Conservation Research at Alcorn State University, has been inducted into the Hall of Fame for Agriculture for his life's work. The Center for Conservation Research at ASU is the only research unit in the nation which has conducted C-factor research on 36 horticultural crops. As such, Dr. Panicker is in high demand for his experience and expertise. He is a member of countless professional societies, serves on numerous advisory boards, has worked on special projects around the world, and even received a letter of appreciation from former President Bill Clinton for his work in wildfire prevention. Congratulations, Dr. Panicker!
 - ▶ Delta State University recently hosted its first-ever naturalization ceremony, during which 111 individuals from more than 40 countries were sworn in as U.S. citizens. Also, the DSU School of Nursing was officially renamed the Robert E. Smith School of Nursing. Smith's pledge of \$2.1 million is the largest ever from an individual to the university.
 - ▶ We could probably all take some efficiency lessons from Jackson State University freshmen Lionel Reaves and Kendrick Law, who won the grand student prize of the Power Down for the Planet Video Challenge on May 4. The pair won \$5,000 and each received a 2009 Specialized Globe Vienna Deluxe 1 bike and a license for Microsoft Expression Studio. The competition challenged the students to come up with a video that would show the benefits of efficient computing.
 - ▶ The future looks "sunny" for Mississippi State University. A broadcast meteorology group topped peers from MIT, the University of Georgia and even the National Center for Atmospheric Research to win first place in team, undergraduate, graduate, and faculty categories in a North American forecasting competition. The competition required the 1,600 participants from some 70 universities and research organizations in the U.S. and Canada to accurately forecast temperatures, precipitation and wind speeds over a 20-week period.
 - ▶ The graduate nursing program at the Mississippi University for Women announced for the second consecutive year a 100 percent pass rate on the American Nurses Credentialing Center nurse practitioner exam. The program once again surpassed the national average score of 397.07 scoring an average 413.19.
 - ▶ Summer break will have to wait for twenty-four Mississippi Valley State University science majors who earned summer internships throughout the country. One student earned a coveted spot at St. Jude and another will be working with NASA. In addition, B.B. King will return to The Valley on June 5 for the ninth annual B.B. King Blues Workshop.
 - ▶ The University of Mississippi has received a \$100,000 Grand Challenges Explorations grant from the Bill & Melinda Gates Foundation to support an innovative global health research project to be conducted by Larry Walker, director of the university's National Center for Natural Products Research. The Grand Challenges Explorations initiative encourages scientists to explore ways to improve health in developing countries. Dr. Walker's project will explore ways to reduce the toxicity of a popular anti-malaria drug. Only 81 projects were selected for funding from more than 3,000 proposals.
 - ▶ Finally, the University of Southern Mississippi granted degrees to 1,600 students during spring commencement ceremonies. Among them were two rising stars:

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- ▶ Jessica Shackelford, a chemistry major from Senatobia, was the only Mississippi student named to one of USA Today's 2009 All-Academic College teams.
- ▶ Ashley Cox, a polymer science major from Ellisville, received a prestigious National Science Foundation Graduate Research Fellowship in the Engineering - Bioengineering and Biomedical category. She'll be studying at the University of Memphis this fall.
- ▶ That, Mr. President, concludes my report.

ADJOURNMENT

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



President, Board of Trustees of State Institutions of Higher Learning



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

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EXHIBITS

- Exhibit 1 Real Estate & Facilities items that were approved by the IHL Board staff subsequent to the April 16, 2009 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

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Real Estate & Facilities items that were approved by the Board staff subsequent to the April 16, 2009 Board meeting in accordance with Board Policy 904 Board Approval.

Delta State University

GS 102-220, Cafeteria Infrastructure Renovation: The Board staff approved the Contract Documents as provided by Atherton Consulting Engineers, project professionals, and the request to advertise for the receipt of bids. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$300,000. Funds are available from HB 246, Laws of 2007. **Project Professional: Atherton Consulting Engineers**

GS 102-222, Re-Roof Bologna Performing Arts Center (BPAC): The Board staff approved the Schematic Design documents as provided by Shafer & Associates, PLLC, project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$600,000. Funds are available from HB 1641, Laws of 2008. **Project Professional: Shafer & Associates, PLLC**

GS 102-223, Re-Roof Union Building: On behalf of the Board of Trustees of State Institutions of Higher Learning, per Board policy §904 (B) Board Approval, Mr. Scott Ross, Chair of the Real Estate and Facilities Committee, approved the request for an increase in budget from \$400,000 to \$465,000 for an increase in the amount of \$65,000. Approval was requested from the Bureau of Building, Grounds and Real Property Management. Funds are available from HB 1641, Laws of 2008; HB 2988, Laws of 2003; and SB 2010, Laws of 2004. **Project Professional: Burris/Wagnon Architects, P.A. General Contractor: Crawford Roofing, Inc.**

GS 102-223, Re-Roof Union Building: The Board staff approved the award of a contract to Crawford Roofing, Inc., the lowest of four (4) bidders in the amount of \$409,688. This base bid amount includes add alternate #1 in the amount of \$24,480 and alternate #2 in the amount of \$18,038. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$465,000. Funds are available from HB 1641, Laws of 2008; HB 2988, Laws of 2003; and SB 2010, Laws of 2004. **Project Professional: Burris/Wagnon Architects, P.A. General Contractor: Crawford Roofing, Inc.**

GS 102-224, Fire Station, Phase I: The Board staff approved the Schematic Design documents as provided by Shafer & Associates, project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$250,000. Funds are available from HB 1641, Laws of 2008. **Project Professional: Shafer & Associates, PLLC**

Jackson State University

GS 103-231, E-City Center Project: The Board staff approved Change Order #2 in the amount of \$11,912.33. This change order was necessary to route new sewer lines which included installation of a full pipe, clean out at each directional change in the sewer line, and connection to a new tap. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$806,000. Funds are available from SB 2010, Laws of 2004. **Project Professional: Wayne F. Timmer, Architect, P. A. General Contractor: Wilkinson Construction Inc.**

IHL 203-151, Council of Federated Organizations Building: The Board staff approved the Contract Documents as provided by LAD Engineering Technologies, Inc., project professionals. The Board staff approved the request to advertise for the receipt of bids. The total projected budget is \$380,000. Funds are available from the Small Business Administration. **Project Professional: LAD Engineering Technologies, Inc.**

Mississippi State University

GS 105-310, Harned Hall Renovations: The Board staff approved the award of a contract to Harrell Contracting Group, LLC, the lowest of eleven (11) bidders, in the amount of \$10,505,000. This bid amount includes add alternates 1 through 3 in the amount of \$1,598,000. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$17,000,000. Funds are available from SB 2010, Laws of 2004, and HB 246, Laws of 2007. **Project Professional: Eley and Associates General Contractor: Harrell Contracting Group, LLC**

IHL 205-235B, New Residence Hall: The Board staff approved the Contract Documents as provided by Luke Peterson and Kaye, project professionals, and the request to advertise for the receipt of bids. The current construction costs of \$19,921,300 includes the estimated costs provided by the design professional for this phase of the project. The total project budget is \$29,960,000. Funding is available from Mississippi State University Educational Building Corporation Bonds in the amount of \$29,960,000. **Project Professional: Luke, Peterson and Kaye Architects**

IHL 205-235C, New Parking Lot at Rice Hall: The Board staff approved the Contract Documents as presented by Michael T. Muzzi, project professional, and the request to advertise for the receipt of bids. The total project budget is \$29,960,000. Funding is available from Mississippi State University Educational Building Corporation Bonds. **Project Professional: Michael T. Muzzi, AIA, AUA**

IHL 205-235C, New Parking Lot at Rice Hall: The Board staff approved the award of a contract to Gregory Construction Services, Inc., the lowest of nine (9) bidders, in the amount of \$90,481. This is the third phase of a six phase project. The total project budget is \$29,960,000. Funds are available from Mississippi State University Educational Building Corporation Bonds. **Project Professional: Michael T. Muzzi, AIA, AUA General Contractor: Gregory Construction Services, Inc.**

IHL 205-235D, New Parking Lot at Hathorn Hall: The Board staff approved the Contract Documents as presented by Michael T. Muzzi, project professional, and the request to advertise for the receipt of bids. The total project budget is \$29,960,000. Funding is available from Mississippi State University Educational Building Corporation Bonds. **Project Professional: Michael T. Muzzi, AIA, AUA**

IHL 205-235D, New Parking Lot at Hathorn Hall: The Board staff approved the award of a contract to Site Masters Construction Inc., the lowest of five (5) bidders, in the amount of \$126,470. This is the fourth phase of a six phase project. The total project budget is \$29,960,000. Funds are available from MSU Educational Building Corporation revenue bonds. **Project Professional: Michael T. Muzzi, AIA, AUA General Contractor: Site Masters Construction, Inc.**

Mississippi State University/MAFES

GS 113-099 (Contract #4), MS Vet Research & Diagnostic Lab (Basement Build-Out): The Board staff approved the Contract Documents as provided by Foil Wyatt Architects, project professionals, and the request to advertise for the receipt of bids. Approval was requested from the Bureau of Building, Ground and Real Property Management. The total project budget is \$1,820,910. Funds are available from SB 2988, Laws of 2003. **Project Professional: Foil-Wyatt Architects**

Mississippi University for Women

GS 104-163, Fire Suppression, Phase I: The Board staff approved the Contract Documents as presented by Atherton Consulting Engineers, project professionals, and the request to advertise for the receipt of bids. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$500,000. Funds are available from HB 246, Laws of 2007. **Project Professional: Atherton Consulting Engineers**

GS 104-166, Kincannon Hall - Air Handlers: The Board staff approved the Contract Documents as presented by Atherton Consulting Engineers, project professionals, and the request to advertise for the receipt of bids. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$315,000. Funds are available from SB 2988, Laws of 2003, and SB 1634, Laws of 2006. **Project Professional: Atherton Consulting Engineers**

Mississippi Valley State University

GS 106-198, Science and Technology Center: The Board staff approved Change Order #2 in the amount of \$46,368 with an additional seventy (70) days to the contract of Travelers Casualty & Security Company of America. This change order was necessary to replace existing overhead electrical service to the building. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$15,010,768.88. Funds are available from SB 3197, Laws of 2002. **Project Professional: Foil Wyatt Architects & Planners General Contractor: Travelers Casualty & Surety Company of America**

GS 106-198, Science and Technology Center: The Board staff approved Change Order #3 in the amount of \$38,433 with an additional sixty (60) days to the contract of Travelers Casualty & Surety Company of America. This change order was necessary to add ceiling-mounted projectors, wall mounted screens and marker boards in four computer labs. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$15,010,768.88. Funds are available from SB 3197, Laws of 2002. **Project Professional: Foil Wyatt Architects & Planners General Contractor: Travelers Casualty & Surety Company of America**

GS 106-198, Science and Technology Building: The Board staff approved Change Order #4 in the amount of \$12,746.60 with an additional fifty-six (56) days to the contract of Travelers Casualty & Surety Company of America. This change order was necessary to add up-light to the exterior signage, to replace a boiler room door with an aluminum overhead roll-up door and to add a security card reader to the telecommunications room. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project

budget is \$15,010,768.88. Funds are available from SB 3197, Laws of 2002. **Project Professional: Foil Wyatt Architects & Planners General Contractor: Travelers Casualty & Surety Company of America**

GS 106-198, Science and Technology Building: The Board staff approved Change Order #5 in the amount of \$54,084.35 with an additional forty- two (42) days to the contract of Travelers Casualty & Surety Company of America. This change order was necessary to re-furbish existing parking for faculty and modify an underground storm drainage system, to provide for a sidewalk layout, to add concrete steps to the west end of the new building, to delete topsoil for sod, and to finish grade modifications. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$15,010,768.88. Funds are available from SB 3197, Laws of 2002. **Project Professional: Foil Wyatt Architects & Planners General Contractor: Travelers Casualty & Surety Company of America**

GS 106-212, Re-Roof College Hall: The Board staff approved the Construction Documents as submitted by Pryor & Morrow Architects, project professionals. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$666,853.65. Funds are available from SB 2010, Laws of 2004. **Project Professional: Pryor and Morrow Architects General Contractor: Sullivan Enterprises, Inc.**

GS 106-212, Re-Roof College Hall: The Board staff approved the award of a contract to Sullivan Enterprises, Inc., the lowest of (12) bidders in the amount of \$316,000. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The total project budget is \$400,000. Funds are available from SB 2010, Laws of 2004, GO BONDS. **Project Professional: Pryor & Morrow Architects General Contractor: Sullivan Enterprises, Inc.**

University of Mississippi

GS 107-284, Faser Hall Third Floor: The Board staff approved Change Order #4 in the amount of \$11,145.26. This change order was necessary to move a hot water heater, to patch, seal and paint doors, and for various mechanical revisions. Approval was requested from the Bureau of Building, Grounds and Real Property Manager. The total project budget is \$3,600,000. Funds are available from SB 2010, Laws of 2004. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: CIG Contractors, Inc.**

GS 107-287, Hill Hall Renovations: The Board staff approved Change Order #1 in the amount of \$4,716. This change order was necessary to relocate the duct work on the first floor to correct the ceiling clearance in the hallway. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The project budget is \$1,962,907. Funds are available from HB 1634, Laws of 2006, and SB 2101, Laws of 2004. **Project Professional: Belinda Stewart Architects General Contractor: D. Carroll Construction, LLC**

GS 107-287, Hill Hall Renovations: The Board staff approved Change Order #2 in the amount of \$12,178. This change order was necessary to adjust the original allowance amount of \$40,000 as specified in Section 01900 for energy management and conservation systems. This adjustment is based on quotes received by the general contractor. Approval was requested from the Bureau of Building, Grounds and Real Property Management. The project budget is approximately \$1,962,907. Funds are available from HB 1634, Laws of 2006, and SB 2101, Laws of 2004. **Project Professional: Belinda Stewart Architects General Contractor: DC Construction, LLC**

IHL 207-258, New Law School: The Board staff approved Change Order #1 in the amount of \$136,494.81 with an additional twenty four (24) days to the contract of W.G. Yates and Sons Construction Company. This change order was necessary for the addition of items that will increase LEED certification and for a revision to the site communications. The project budget is \$50,000,000. Funds are available from HB 246, Laws of 2007, and university self-generated sources. **Project Professional: Eley and Associates General Contractor: W.G. Yates and Sons Construction Co.**

IHL 207-294, Residential Colleges: The Board staff approved Change Order #4 in the amount of \$1,430,923. This change order was necessary to lower a manhole and install concrete, to extend a water line and patch the asphalt, to install floor drains in handicapped rooms, to remove a power pole, to change wall studs, to relocate a communication duct bank to its future location and to add a kitchen. The total project budget is \$46,500,000. Funds are available from self-generated funds. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: Harrell Construction Group, LLC**

IHL 207-294, Residential Colleges: The Board staff approved Change Order #5. This change order will not affect the contract sum amount. This change order was necessary for electrical work and power relocation and various other mechanical and plumbing needs. The total project budget is \$46,500,000. Funds are available from self-generated funds. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: Harrell Construction Group, LLC**

IHL 207-294, Residential Colleges: The Board staff approved Change Order #6. This change order will not affect the contract sum amount. This change order was necessary to furnish and install interim boilers and valves for the HVAC system and to fix various other mechanical and plumbing needs. The total project budget is \$46,500,000. Funds are available from self-generated funds. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: Harrell Construction Group, LLC**

IHL 207-294, Residential Colleges: The Board staff approved Change Order #7. This change order will not affect the contract sum amount. This change order was necessary to upgrade the fire rated wall layout on the 4th floor, to revise the sprinkler system and to fix various other mechanical and plumbing needs. The total project budget is \$46,500,000. Funds are available from self-generated funds. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: Harrell Construction Group, LLC**

IHL 207-294, Residential Colleges: The Board staff approved Change Order #8. This change order will not affect the contract sum amount. This change order was necessary for modifications to the kitchen ceiling and doors, the elevator power feed and various mechanical and electrical needs. The total project budget is \$46,500,000. Funds are available from self-generated funds. **Project Professional: Cooke Douglass Farr Lemons, Ltd. General Contractor: Harrell Construction Group, LLC**

University of Mississippi Medical Center

IHL 209-500, Health Related Professionals Drainage Revisions 2007: The Board staff approved Change Order #3 in the amount of \$18,481 with an additional fourteen (14) days to the contract of Southern Rock, LLC. This change order was necessary to provide for preparation and installation of sod in lieu of specified seeding. The sod will assist with erosion control. The total project budget is \$570,700. Funds are available from interest income, student tuition and patient fees. **Project Professional: Dale/Morris Architects, PLLC General Contractor: Southern Rock, LLC**

IHL 209-514, Hospital Generator 2008: The Board staff approved the award of a contract to Fountain Construction Company, the lowest of six (6) bidders, in the amount of \$1,026,000. The total project budget is \$1,178,323. Funds are available from hospital patient revenue. **Project Professional: Watkins & O'Gwynn Electrical Engineers**
General Contractor: Fountain Construction Company

University of Southern Mississippi

GS 108-258, Paving Repairs: The Board staff approved the Schematic Design documents as provided by Andrews-Ford Engineering Services, project professionals. The total project budget is \$650,000. Funds are available from HB 246, Laws of 2007. **Project Professional: Andrews-Ford Engineering Services**

IHL 208-236, Tennis Court Relocation: The Board staff approved Change Order #2 in the amount of \$2,267.36. This change order was necessary to add twelve (12) in-ground junction boxes for court lights. The project budget is \$3,200,000. Funds are available from private donations and university sources. **Project Professional: JMS Architects**
General Contractor: B.W. Sullivan Building Contractor, Inc.

IHL 208-263, The Ogletree House: The Board staff approved Change Order #1 for a credit in the amount of \$34,980 with an additional one hundred fourteen (114) days to the contract of DC General Contractors, Inc. This change order was necessary for various mechanical adjustments and time involved for the adjustments to be made. The total project budget is \$5,000,000. Funds are available from private donations and university sources. **Project Professional: Albert & Associates, P.A.**
General Contractor: DC General Contractors, Inc.

IHL 208-267, Dormitory Replacement: The Board staff approved Change Order #1 for a credit in the amount of \$899,191 with an additional ninety-two (92) days to the contract of W.G. Yates & Sons Construction Company. The university requested the general contractor to hold the contract price until CD rates dropped thus causing additional days to the contract period. The total project budget is \$45,000,000. Funds are available from USM Educational Building Corporation. **Project Professional: Landry & Lewis Architects, P.A.**
General Contractor: W. G. Yates & Sons Construction Company

University of Southern Mississippi - Cedar Point Campus

IHL 210-240, Infrastructure Project Phase II: The Board staff approved the Contract Documents and the request to advertise for the receipt of bids. The design for this infrastructure development has already been completed under Phase I Infrastructure Project by Allred-McNabb Architects, project professionals. The total estimated project cost is \$3,500,000. Funds are available from a NOAA Grant #3321. **Project Professional: Allred-McNabb Architects**

EXHIBIT 2

May 14, 2009

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 3/1/09, 3/1/09, 3/12/09, 3/12/09, 3/20/09, 3/24/09 and 3/27/09) from the funds of Mississippi State University. (These statements in the amounts of \$2,500.00, \$1,500.00, \$1,500.00, \$2,000.00, \$410.70, \$1,500.00 and \$453.60 represent services and expenses in connection with labor certifications, respectively.)

TOTAL DUE \$9,864.30

Payment of legal fees for professional services rendered by Adams and Reese (Statement dated 3/18/09) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with a personnel issue.)

TOTAL DUE \$1,197.10

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statements dated 11/18/08 and 3/16/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Advice – North Clinic - \$3,805.50; General Advice – North Clinic- \$5,387.60 and General Representation of the Medical School and Facility Practice Plans - \$1,569.50, respectively.)

TOTAL DUE \$10,762.60

Payment of legal fees for professional services rendered by Page, Mannino, Peresich & McDormott (Statements dated 3/3/09) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the *Kermode* case - \$270.00, the *Flowers* case - \$9,568.05, the *Thornton* case - \$2,030.00, the *Beason* case - \$5,570.86 and the *Seid* case - \$255.00, respectively.)

TOTAL DUE \$17,693.91

Payment of legal fees for professional services rendered by Watkins, Ludlam, Winter & Stennis (Statements dated 1/28/09 and 2/24/09) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of \$57.00 and \$190.00 represent services and expenses in connection with financial concerns – EBC, respectively.)

TOTAL DUE \$247.00