

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 17, 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 9:11 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 February 17, 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. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Ms. Robin J. Robinson was absent. The meeting was called to order by Dr. Bettye Neely, President, and opened with prayer by Mr. Bob Owens.

INTRODUCTION OF GUESTS

- ▶ President Bettye Neely welcomed the Student Government Association presidents: Mr. Corey Cooper – Alcorn State University, Mr. Thomas Sellers – Mississippi State University; Mr. Rhett Hobart - President Elect from Mississippi State University; Miss Virginia Burke – University of Mississippi; and Mr. Taylor McGraw, President Elect at the University of Mississippi.
- ▶ Commissioner Hank Bounds welcomed Dr. Carolyn Meyers, President of Jackson State University, to her first Board meeting. He then introduced Dr. Willis Lott, President of the Gulf Coast Community College. Dr. Bounds thanked him for what he has done for the State of Mississippi. Dr. Lott introduced Dr. Mary S. Graham the President Elect of the Gulf Coast Community College.

APPROVAL OF THE MINUTES

On motion by Trustee Pickering, seconded by Trustee Patterson, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on January 19, 2011 and January 20, 2011, as amended to reflect Trustee Perry's abstention from discussing and voting upon the Parkway Joint Venture, LLC lease agreement with the University of Mississippi Medical Center. The amendment also reflects that Trustee Perry not only recused himself from voting on the Parkway Joint Venture, LLC matter, he left the room before discussion began and did not return until after the other Board members voted on the item.

CONSENT AGENDA

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

BUDGET, FINANCE AND AUDIT

1. **JSU** - Approved the request to enter into an equipment lease agreement with IKON Office Solutions, Inc., for upgrades and replacements of all copier hardware, software and multi-function devices. The contract length is sixty months - February 28, 2011 to February 28, 2016. Monthly payments

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- are \$39,290 with the total cost for the contract period of \$2,357,400. The contract will be funded by a combination of E&G funds and externally funded grant sources. The contract which has been reviewed and approved by the Attorney General's Office is available for review at the Board Office.
2. **UMMC** - Approved the request to enter into a contract with ECG Management Consultants, Inc. for consulting services. The objective of this assignment is to support the School of Medicine in planning for and implementing internal changes related to the department's transition to a contribution-based budget model (transition planned for July 2011). The contract length is six months - March 1, 2011 to August 31, 2011. Costs will be billed based on an hourly rate of \$280 per hour with a total of 1,200 hours budgeted. The total cost for the contract period is \$336,000. The contract will be funded by state appropriated funds. The contract which has been reviewed and approved by the Attorney General's Office is available for review at the Board Office.
 3. **UMMC** - Approved the request to enter into a subscription agreement with Elsevier B.V. to electronically subscribe to science, technology, and medical journals on the ScienceDirect platform. The contract length is four years and ten-months - March 1, 2011 to December 31, 2015. The total costs are estimated at \$3,668,299.82. By entering into the subscription agreement, Elsevier B.V. assures a 10% discounted electronic subscription fee and a 9% content fee for the duration of the agreement with a 5% price cap. The cost for access to the Freedom Collection (specific journals) is waived for two years and is graduated over the last three years of the agreement. Estimated annual costs are included in the bound *February 17, 2011 Board Working File*. This agreement 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.
 4. **UMMC** - Approved the request to exercise the renewal option in the lease agreement with Select Specialty Hospital - Jackson, Inc. for the lease of 9,403 square feet of space to house the outpatient Gastro-Intestinal/Endoscopy Outpatient Clinic in order to exercise the two consecutive one-year renewal periods in the original agreement. The contract length will be extended an additional two years bringing the total contract period to five years - March 1, 2008 to February 28, 2013. The current lease payment of \$35.03 per square foot will reduce to \$25.16 per square foot in the fourth and fifth years, making the new monthly lease payment \$19,715. The cost for the two-year contract renewal period has an estimated expenditure of \$717,338 (lease - \$47,159 and operating cost - \$244,179) bringing the overall estimated costs for the entire contract period to \$2,217,338. All other terms remain the same as set forth in the original agreement. This agreement will be funded by hospital patient revenue. The contract which has been reviewed and approved by the Attorney General's Office is available for review at the Board Office.
 5. **UMMC** - Approved the request to exercise the renewal option in the lease agreement with Select Specialty Hospital - Jackson, Inc. for the lease of 12,415 square feet of space to house the Sleep Disorders Center. The purpose of this request is to exercise the two consecutive one-year renewal periods in the original agreement. The contract length will be extended an additional two years bringing the total contract period to five years - March 1, 2008 to February 28, 2013. The current lease payment of \$26.85 per square feet will be reduced to \$25.16 per square foot in the fourth and fifth years making the new monthly lease payment \$26,030. The costs for the two-year contract renewal period has an estimated expenditure of \$947,358 (lease - \$624,723 and operating costs - \$322,635) bringing the overall estimated costs for the entire contract period to \$2,647,358. All other terms remain the same as set forth in the original agreement. This agreement will be funded by hospital patient revenue. The contract which has been reviewed and approved by the Attorney General's Office is available for review at the Board Office.

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6. **System** - Approved the request to escalate the Executive Office Budget and authorized the spending authority as shown in the budget below. The escalation is due to the inclusion of the REMI contract approved by the Board at the January 2011 meeting. The agreement will be funded by the Governor’s Office in conjunction with the Deep Water Horizon Economic Impact Study. The Executive Office Budget includes grant funds and transfer funds from the universities, student financial aid, and the Delta Regional Revitalization Study.

Consolidated	FY 2011 Original Budget	Revision/ Escalation	FY 2011 Revised Budget
Salaries, Wages, & Fringe Benefits	\$ 11,948,881	\$ -	\$ 11,948,881
Travel	498,673		498,673
Contractual Services	27,844,482	312,000	28,156,482
Commodities	388,890		388,890
Capital Outlay:			
Other Than Equipment	-		-
Equipment	111,500		111,500
Total Capital Outlay	111,500	-	111,500
Subsidies, Loans, & Grants	37,172,271		37,172,271
Total	\$ 77,964,697	\$ 312,000	\$ 78,276,697

REAL ESTATE

7. **UM** - Approved the initiation of **GS 207-346, Stockard Hall and Martin Hall Brick Veneer Replacement**, and the request to select a design professional using the “Request for Qualifications” process through a publicly advertised RFQ. The two buildings share a lobby and, over time, water penetrated the brickwork causing the shelf angles to oxidize which in turn caused the mortar to crack and loosen. The project involves removing the masonry skin in its entirety from the seventh floor to the eleventh floor and replacing the brick and re-installing windows on floors seven through eleven. The estimated project budget is \$4 million. Funds are available from auxiliary R&R funds (\$4 million).
8. **UMMC** - Approved the initiation of **IHL 209-540, School of Dentistry Restorative Lab Renovations**, and the appointment of Mark Vaughan as design professional. The project will include renovation of approximately 3,750 square feet of existing School of Dentistry Lab space. The existing Restorative Lab suite will be renovated/upgraded to provide modern Restorative Lab design and includes new laboratory casework, upgraded utilities, additional offices, and support space as well as new digital simulation area and equipment. The estimated project budget is \$1,280,000. Funds are available from hospital patient revenue (\$665,600) and tuition fees (\$614,400).
9. **MVSU** - Approved the request to increase the amount of *Ayers* funds that will be used to fund **GS 106-201, J.H. White Library Enhancements**, from \$7.5 million to \$8.5 million while decreasing the amount of HB 1722, Laws of 2009, funds from \$2.5 million to \$1.5 million. The \$7.5 million is the original amount requested and allocated through the *Ayers* Settlement as approved by the

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Board for this project. The university will use the remaining \$1 million of excess *Ayers* funds for the project. The project will consist of \$8.5 million in *Ayers* funds allocated for GS 106-201, White Library Enhancements and an additional \$3 million in other state bond funds. The total project budget will remain \$11.5 million for this project. Funds are available from HB 1641, Laws of 2008 (\$250,000); SB 2988, Laws of 2003 (\$255,000); SB 2010, Laws of 2004 (\$250,000); SB 3158, Laws of 2001 (\$745,000); HB 1722, Laws of 2009 (\$1.5 million); and \$8.5 million in *Ayers* funds.

10. **MSU** - Approved the request to name the basketball practice facility which is nearing completion as the Mize Pavilion at Humphrey Coliseum. The practice facility was made possible in large part by a major lead gift from Mize Foundation of Tupelo, MS, whose leadership also encouraged other significant donations for the project.
11. **UMMC** - Pending approval by the Mississippi Department of Environmental Quality, the Board approved the request to delete Build #277 Outpatient Department Addition from state inventory and demolish it. Due to conflicts with structural column layouts and required design layouts for the new Cardiovascular Renovation Project, the existing one story structure needs to be removed. The Mississippi Department of Archives and History has reviewed the design documents and has approved the demolition. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

LEGAL

12. **UMMC** - Approved the request to hire Balch & Bingham, LLC as outside counsel for healthcare regulatory and compliance matters, and administrative hearings. The term of the contract will be from March 1, 2011 through June 30, 2012. The hourly rate payable to attorneys will be \$215.00 with the maximum amount payable under the contract to be \$50,000. Either party may terminate the contract with thirty days notice. The contract will be paid from hospital patient revenues.
13. **System** - Approved the request to seek an official Attorney General's Opinion regarding the disagreement among state agencies about when the *Ayers* settlement implementation began as to legislative funding of the academic programs required under the settlement agreement. The request for an official Attorney General's opinion would also inquire as to whether the *Ayers* settlement academic program funding, as specifically provided for within the *Ayers* settlement agreement, must be appropriated by the Mississippi Legislature over the course of seventeen separate fiscal years. The draft opinion request letter is included in the bound *February 17, 2011 Board Working File*.

14. **PERSONNEL REPORT**

EMPLOYMENT

Mississippi State University

Rehired Retirees Making More than \$20,000 Who Are Not on Contracts During FY 2011

Willie Davis, *former position:* Teacher; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$27,500

Paul Allen, *former position:* Professor; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$52,583

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Reba Thompson, *former position:* Teacher; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$27,500

Betty Estes, *former position:* Reading Facilitator; *re-employment position:* Lecturer; *re-employment period:* January 3, 2011 through June 30, 2011; *salary of* \$27,500

Sherrill Wiygul, *former position:* Teacher; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$27,500

Terry Stacy, *former position:* Teacher; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$27,500

William Maslin, *former position:* Associate Professor; *re-employment position:* Associate Clinical Professor; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$48,017

Patsy Moore, *former position:* Instructor; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$27,500

Elborn Jones, *former position:* Professor; *re-employment position:* Lecturer; *re-employment period:* January 7, 2011 through June 30, 2011; *salary of* \$57,156

Glenn McGee, *former position:* Superintendent; *re-employment position:* Director; *re-employment period:* January 1, 2011 through June 30, 2011; *salary of* \$40,000

James Lawson, *former position:* Instructor; *re-employment position:* Lecturer; *re-employment period:* January 11, 2011 through June 30, 2011; *salary of* \$27,351

Kathleen Wilson, *former position:* Teacher; *re-employment position:* Lecturer; *re-employment period:* January 16, 2011 through June 30, 2011; *salary of* \$32,010

CHANGE OF STATUS

University of Mississippi Medical Center

Kimberly W. Hoover, *from* Professor and Interim Dean, School of Nursing, salary of \$160,000 per annum, pro rata; E&G Funds; *to*, Dean and Professor, salary of \$200,000 per annum, pro rata; E&G Funds; effective October 14, 2010

University of Southern Mississippi

Russell H. Willis; *from* *Interim* Vice President for Administrative Affairs, salary of \$120,000 per annum, pro rata; E&G Funds; *to* Vice President for Administrative Affairs; salary of \$185,000 per annum, pro rata; E&G Funds; effective July 1, 2011

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SABBATICALS

University of Mississippi

Melvin Arrington, Professor of Modern Languages, *from* salary of \$76,270 per annum, pro rata; E&G Funds; *to* salary of \$38,135 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to May 12, 2012; professional development

Julia Aubrey, Associate Professor of Music, *from* salary of \$61,528 per annum, pro rata; E&G Funds; *to* salary of \$30,764 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

John Stephen Brewer, Professor of Biology, *from* salary of \$79,255 per annum, pro rata; E&G Funds; *to* salary of \$39,627 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to May 12, 2012; professional development

Yunhee Chang, Assistant Professor of Nutrition and Hospitality Management, *from* salary of \$58,293 per annum, pro rata; E&G Funds; *to* salary of \$29,146 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development (*contingent upon approval of tenure and promotion*)

Wei-Yin Chen, Professor of Chemical Engineering, *from* salary of \$123,773 per annum, pro rata; E&G Funds; *to* salary of \$61,886 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011, professional development

H. Conrad Cunningham, Professor of Computer and Information Science, *from* salary of \$122,783 per annum, pro rata; E&G Funds; *to* salary of \$61,391 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to May 12, 2012; professional development

John N. Daigle, Professor of Electrical Engineering, *from* salary of \$126,684 per annum, pro rata; E&G Funds; *to* salary of \$63,342 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to December 31, 2012; professional development

Gregg Davidson, Professor of Geological Engineering, *from* salary of \$81,149 per annum, pro rata; E&G Funds; *to* salary of \$40,574 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to May 12, 2012; professional development

Oliver Dinius, Associate Professor of History, *from* salary of \$61,087 per annum, pro rata E&G Funds; *to* a salary of \$30,543 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to May 12, 2012; professional development

Ross Haenfler, Associate Professor of Sociology and Anthropology, *from* salary of \$59,945 per annum, pro rata; E&G Funds; *to* salary of \$29,972 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

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Marvin King, Assistant Professor of Political Science, *from* salary of \$54,487 per annum, pro rata; E&G Funds; *to* salary of \$27,243 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development (*contingent upon approval of tenure and promotion*)

Marc H. Lerner, Assistant Professor of History, *from* salary of \$52,987 per annum, pro rata; E&G Funds; *to* salary of \$26,493 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to May 12, 2012; professional development (*contingent upon approval of tenure and promotion*)

Jeanette S. Martin, Professor of Management, *from* salary of \$84,560 per annum, pro rata; E&G Funds; *to* salary of \$42,280 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to May 12, 2012; professional development

Mustafa M. Matalgah, Associate Professor of Electrical Engineering, *from* salary of \$91,570 per annum, pro rata; E&G Funds; *to* salary of \$45,785 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

Ben W. McClelland, Professor of English, *from* salary of \$92,171 per annum, pro rata; E&G Funds; *to* salary of \$46,085 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

Kerry Brian Melear, Associate Professor of Leadership and Counselor Education, *from* salary of \$62,744 per annum, pro rata; E&G Funds; *to* salary of \$31,372 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to May 12, 2012; professional development

Dale G. Nagle, Professor of Pharmacognosy, *from* salary of \$103,006 per annum, pro rata; E&G Funds; *to* salary of \$38,627 per annum, pro rata for sabbatical period (twelve-month contract); E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

Milorad Novicevic, Associate Professor of Management, *from* salary of \$116,975 per annum, pro rata; E&G Funds; *to* salary of \$58,487 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to May 12, 2012; professional development

Minjoo Oh, Associate Professor of Sociology and Anthropology, *from* salary of \$59,843 per annum, pro rata; E&G Funds; *to* salary of \$29,921 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to December 31, 2012; professional development

Igor Ostrovskii, Associate Professor of Physics and Astronomy, *from* salary of \$65,670 per annum, pro rata; E&G Funds; *to* salary of \$32,835 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

Ronald J. Rychlak, Professor of Law, *from* salary of \$180,729 per annum, pro rata; E&G Funds; *to* salary of \$67,773 per annum, pro rata for sabbatical period (twelve-month contract); E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

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Paul Scovazzo, Associate Professor of Chemical Engineering, *from* salary of \$81,561 per annum, pro rata; E&G Funds; *to* salary of \$40,780 per annum, pro rata for sabbatical period; E&G Funds; effective January 23, 2012 to May 12, 2012; professional development

Paula Temple, Professor of Art, *from* salary of \$71,588 per annum, pro rata; E&G Funds; *to* salary of \$35,794 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

Kathleen Woodruff Wickham, Associate Professor of Journalism, *from* salary of \$63,205 per annum, pro rata; E&G Funds; *to* salary of \$31,602 per annum, pro rata for sabbatical period; E&G Funds; effective August 18, 2011 to December 31, 2011; professional development

Gabriel Wrobel, Associate Professor of Sociology and Anthropology, *from* salary of \$60,149 per annum, pro rata; E&G Funds; *to* salary of \$30,074 per annum, pro rata for sabbatical period; E&G Funds; professional development

University of Southern Mississippi

Jonathan Barron, Associate Professor of English, *from* \$54,226 per annum, prorated (9-month contract); E&G Funds; *to* salary of \$24,100 per annum for sabbatical period; E&G Funds; effective August 22, 2011 to December 31, 2011; professional development

Robin Carr, Associate Professor of Theatre and Dance, *from* \$50,321 per annum, prorated (9-month contract); E&G Funds; *to* salary of \$22,364 per annum for sabbatical period; E&G Funds; effective August 22, 2011 to December 31, 2011; professional development

C. S. Chen, Professor of Mathematics, *from* \$117,054 per annum, prorated (9-month contract); E&G Funds; *to* salary of \$52,024 per annum for sabbatical period; E&G Funds; effective August 22, 2011 to December 31, 2011; professional development

David Cochran, Associate Professor of Geology and Geography, *from* \$56,519 per annum, prorated (9-month contract); E&G Funds; *to* salary of \$25,120 per annum for sabbatical period; E&G Funds; effective August 22, 2011 to December 31, 2011; professional development

Alina Gearba, Professor of Social Work, *from* \$55,213 per annum, prorated (9-month contract); E&G Funds; *to* salary of \$27,606.50 per annum for sabbatical period; E&G Funds; effective August 22, 2011 to May 19, 2012; professional development

Kate Greene, Associate Professor of Political Science, *from* \$59,068 per annum, prorated (9-month contract); E&G Funds; *to* salary of \$26,252 per annum for sabbatical period; E&G Funds; effective August 22, 2011 to December 31, 2011; professional development

Jae-Hwa Shin, Associate Professor of Mass Communication and Journalism, *from* \$60,452 per annum, prorated (9-month contract); E&G Funds; *to* salary of \$33,585 per annum for sabbatical period; E&G Funds; effective January 1, 2012 to May 19, 2012; professional development

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ACADEMIC AFFAIRS

Presented by President Bettye Neely

On motion by Trustee Blakeslee, seconded by Trustee Davidson, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Academic Affairs Agenda. On motion by Trustee Blakeslee, seconded by Trustee Patterson, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **System** - Approved the following new academic programs:
 - a. Mississippi State University to offer the Doctorate of Philosophy in Human Development and Family Studies degree.
 - b. Mississippi State University to offer the Master of Science in Human Development and Family Studies degree.
 - c. Mississippi University for Women to offer the Bachelor of Science in Public Health Education degree.
 - d. University of Mississippi (School of Business) and the University of Mississippi Medical Center (School of Health Related Professions) to offer the Master of Health Care Administration degree.
2. **System** - Approved for first reading the proposed amendments to Board Policy 602 Nonresident Admissions, as follows:

F. Nonresident Admissions

Any student identified as a nonresident will be ~~admitted~~ qualified for admission to a Mississippi institution of higher learning based on equivalent preparation as determined by the admitting institution.

If, however, an admitting institution determines that anticipated enrollment will exceed the institution's capacity to adequately serve all prospective students who are otherwise qualified for admission, then the institution may make appropriate admissions decisions from among the pool of otherwise qualified non-resident applicants in light of institutional capacity and consistent with constitutional and other legal requirements, as well as in light of the IHL and the admitting institution's values, mission, and goals.

BUDGET, FINANCE & AUDIT AGENDA

Presented by Trustee Bob Owens, Chair

1. **System** - The Board received a system overview of the Housing and Food Operations Three-Year Business Plans, Fiscal Years 2012, 2013, and 2014. This item will be brought before the Board in March for initial approval with final approval at the April meeting.

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LEGAL AGENDA

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Whitten, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to move agenda items #1 and #2 to the Executive Session agenda. On motion by Trustee Perry, seconded by Trustee Whitten, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3 as submitted on the following Legal Agenda.

1. **UMMC** - Settlement of Tort Claim No. 1204. **(This item was taken up during Executive Session.)**
2. **MSU** - Settlement of Tort Claim No. 930750. **(This item was taken up during Executive Session.)**
3. **System** - Approved for first reading the proposed amendments to Board Policies 201.02 President of the Board, 301.01 Officers of the Board, and 301.02 Election of Officers. **(See Exhibit 1.)**

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

ACADEMIC AFFAIRS

1. **System** - The Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) was established by the Mississippi Legislature to honor academically talented students and faculty members of Mississippi's higher education institutions who have made outstanding contributions in promoting academic excellence. The HEADWAE recipients were honored on February 3, 2011 at the Jackson Convention Complex, where Lt. Governor Phil Bryant was the guest speaker. System honorees for 2011 are listed below.

INSTITUTION	STUDENT HONOREE	FACULTY HONOREE
ASU	Crystal Denise Glenn	Jan E. Duncan
DSU	Emily Hearn	Gloria Rizzo Brister
JSU	Ameenah Maha Abdur-Rashied	Natarajan Meghanathan
MSU	Thomas Leon Sellers	Rachel Elizabeth McCann
MUW	Brandon Colby Newsome	George V. Pinchuk
MVSU	Kimberly Patrice Palmer	Ying Wang
UM	Katherine Virginia Burke	Kelly Gene Wilson
UMMC	Denise Creshun Cornelius	Michael David Hebert
USM	Suzanna Lee Ellzey	Steve Chi-Yin Yuen

REAL ESTATE

1. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the January 20, 2011 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 2.)**

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LEGAL

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

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. **UM** - 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 February 4, 2011, the Commissioner approved the budget revisions for the Intercollegiate Athletic budgets at the University of Mississippi. The revision contains no increases in the total budgets but rather reallocations amongst individual expense categories.
 - b. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “the Commissioner is authorized and empowered to approve renewals of service expenditure contracts if the original contract was previously approved by the Board of Trustees, and if the contract amount does not exceed 110% of the current contract.” On February 4, 2011, the Commissioner approved the renewal of a contract between the University of Mississippi Medical Center and National Billing Associates. The purpose of the agreement is to provide continued billing services for UMMC’s home dialysis accounts. The original three-year contract approved by the Board in January 2008 was for a total cost of \$853,264. The renewed contract will be effective February 1, 2011 and will cover a 17 month period ending on June 30, 2012. Total costs during the new period are not expected to exceed the original contract fees (\$853,264). The final contract cost is contingent upon the actual level of collections secured by the vendor as they are paid a fee of 4% on every dollar collected from the home dialysis accounts.
 - c. **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 February 1, 2011, the Commissioner approved the budget revisions for On Campus (Hattiesburg), Off Campus (Gulf Coast), the Mississippi Polymer Institute, and the Auxiliary budgets. These are second revisions for the On Campus (Hattiesburg), Off Campus (Gulf Coast), and the Mississippi Polymer Institute and the first revision for the Auxiliary budgets for FY 2011. The budget revisions contain no increases in the total budget but rather reallocations amongst individual expense categories.

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- d. **System** – On January 26, 2011, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning October 1, 2010 and ending December 31, 2010. These reports are required by IHL Policy 401.0102 Delegation of Authority and 801.09 Resignations.

ANNOUNCEMENT

- ▶ Commissioner Bounds informed the Board that the first Diversity Summit was held on February 16, under the direction of Mr. Marcus Thompson, System Diversity Officer. The diversity officers were brought in from each of the institutions. They are now working on creating diversity plans with goals and metrics at each of the institutions. A progress report will be presented to you in March.

UNIVERSITY AWARENESS PRESENTATION

As a follow-up to discussions held during the September Board meeting that indicated there is not a strong awareness in Mississippi of the value and economic impact that our universities provide, a committee of university communicators discussed strategies and objectives to increase awareness and build greater support for our universities. The committee of university communicators was formed following the September meeting with participation from all eight universities, as well as by Trustee Robin Robinson on the Board's behalf. The committee called upon Dr. Arthur Cosby and the Social Science Research Center at Mississippi State University to assist in determining current perceptions the public holds about Mississippi's university system. Dr. Cosby shared the results of the survey with the Board. Potential university system identity packages were presented and discussed. Dr. Cosby also shared the feedback on the identity packages gained from focus groups, including university students, university faculty and staff, IHL staff and community leaders. The committee of university communicators will bring a recommendation for a university system identity package to the Board at a later date.

2011 BLACK HISTORY MONTH RECOGNITION

Trustee Bettye Neely noted that each year the Board recognizes one individual from each state institution of higher learning who has contributed significantly to the positive advancement of diversity on his/her campus and in the community.

Trustee Perry, Co-Chair of the Diversity Committee, thanked the members of the committee, Trustee Owens as Co-Chair, and Trustees Pickering, Rouse and Whitten for their time and effort. Trustee Perry also recognized the members of the IHL staff who worked to make this event happen: Pearl Pennington, Caron Blanton, Bridget Breithaupt, Henry Anderson, Gloria Miller, Deborah Bridges, Kim Gallaspy and Marcus Thompson. Trustee Perry gave special thanks to Ms. Clotee Lewis, IHL Coordinator of Public Affairs, for assistance with this event each year.

**MINUTES OF THE BOARD OF TRUSTEES OF
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Trustee Perry congratulated all of the nominees and presented them with a Certificate of Recognition for their outstanding vision, dedication, as well as serving as role models and strong advocates for the advancement of diversity at their respective universities and in the surrounding communities. The nominees were as follows:

Dr. Donzell Lee	Alcorn State University
Mrs. Joi Jones Phillips	Delta State University
Dr. Byron D'Andra Orey	Jackson State University
Dr. Minion Kenneth Chauncey Morrison	Mississippi State University
Dr. Walter N. Taylor	Mississippi State University, Division of Agriculture, Forestry and Veterinary Medicine
Dr. James D. Ward	Mississippi University for Women
Dr. Catherine Singleton-Walker	Mississippi Valley State University
Ms. Wilma Faye Webber-Colbert	University of Mississippi
Dr. Rob Rockhold	University of Mississippi Medical Center
Dr. Andrea Lott Wesley	University of Southern Mississippi

Trustee Perry announced Dr. Minion Kenneth Chauncey Morrison, Professor and Head, Department of Political Science and Public Administration and Senior Fellow, African American Studies Program, as the Black History Month Educator of the Year. Trustee Whitten recognized the Honorable James E. Graves, Jr., a presiding Mississippi Supreme Court Judge, as the special community honoree. Dr. Morrison and Judge Graves were each presented with a resolution and plaque commemorating this award. **(See Exhibits 4 and 5.)**

ADDITIONAL AGENDA ITEM

Trustee Neely opened the floor for nominations for the office of Vice President of the Board. Trustee Patterson nominated Trustee Ed Blakeslee, the motion was seconded by Trustee Owens, with Trustee Robinson absent and not voting, all Trustees legally present and participating voting unanimously to approve. There being no further nominations, the nominations were closed. All Trustees legally present and participating voted in the affirmative, therefore, it was

RESOLVED, that Trustee Ed Blakeslee was elected as Vice President of the Board for a one year term, beginning May 1, 2011.

ANNOUNCEMENTS

- ▶ Commissioner recognized Representative Willie Perkins (LeFlore County) and thanked him for attending the meeting.
- ▶ Judge Graves announced that Trustee Owens received the Best Lawyer in Jackson Award which is voted on by the readership of the *Jackson Free Press*.

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

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EXECUTIVE SESSION

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee 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 Patterson, with Trustee 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 University of Mississippi Medical Center,
Discussion of a litigation matter at the Board Office,
Discussion of a personnel matter at Alcorn State University, and
Discussion of a personnel matter at Mississippi University for Women.

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

On motion by Trustee Whitten, seconded by Trustee Patterson, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 930750, styled as *Mary L. Bryan vs. Mississippi State University, et al.*, as recommended by counsel.

On motion by Trustee Pickering, seconded by Trustee Ross, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1204, styled as *Ronita Edwards vs. University of Mississippi Medical Center, et al.*, as recommended by counsel.

The Board discussed a litigation matter at the Board Office.

On motion by Trustee Blakeslee, seconded by Trustee Patterson, with Trustee Robinson absent and not voting, all Trustees legally present and participating voted unanimously to authorize Commissioner Bounds to revise the contract for Dr. M. Christopher Brown II, President of Alcorn State University, to include a salary supplement of \$25,000 to be provided by the Alcorn State University Foundation, and that such salary supplement may be discontinued at any time upon written notice by the Foundation.

The Board discussed a personnel matter at Mississippi University for Women.

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

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

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

Betty Z. Neely

President, Board of Trustees of State Institutions of Higher Learning

Paul W. Bunch

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 17, 2011**

EXHIBITS

- | | |
|-----------|---|
| Exhibit 1 | Proposed amendments to Board Policies 201.02 President of the Board, 301.01 Officers of the Board, and 301.02 Election of Officers for first reading. |
| Exhibit 2 | Real Estate items that were approved by the IHL Board staff subsequent to the January 20, 2011 Board meeting. |
| Exhibit 3 | Report of the payment of legal fees to outside counsel. |
| Exhibit 4 | Resolution commending Dr. Minion Kenneth Chauncey Morrison, Professor and Head, Department of Political Science and Public Administration and Senior Fellow, African American Studies Program, as the Black History Month Educator of the Year. |
| Exhibit 5 | Resolution commending the Honorable James E. Graves, Jr., a presiding Mississippi Supreme Court Judge, as the special community honoree. |

EXHIBIT 1

February 17, 2011

Proposed Amendments to Board Policies 201.02 President of the Board, 301.01 Officers of the Board, and 301.02 Election of Officers for First Reading.

201.02 PRESIDENT OF THE BOARD

~~Within 10 days after the beginning of the terms of office of its members, upon call of the Governor, the Board shall meet in the City of Jackson and organize by electing (1) of its number as president, whose term of office shall be for (1) year or until a successor shall be elected, and shall transact such other business as may come before the meeting. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie.~~

Miss. Code Ann., §37-101-7, as amended.
(See Section 301.01, A.)
(BT Minutes, 9/90; 1/98)

301.01 OFFICERS OF THE BOARD

A. PRESIDENT:

~~There shall be a president elected by the Board from its membership whose term of office shall be for one year or until his or her successor is elected. It is expected that each member of a class of Trustees shall be elected to serve as President, unless a Trustee elects not to serve. A class of Trustees shall consist of those Trustees who take office on the same date, or those whose terms as trustees end on the same date. Each member of the class of Trustees that took office as of May 2004 shall serve eleven months as president, unless he/she elects not to serve. The first Trustee elected as President from the class of Trustees that took office in 2004 shall begin his/her presidential term on May 1, 2011. Each member of the class of Trustees that took office as of May 2008 shall serve ten months as president, unless he/she elects not to serve. Each member of the class of Trustees that shall take office as of May 2012, as well as the members of all subsequent classes, shall serve nine months as president, unless he/she elects not to serve. If a member of a class of Trustees elects not to serve, another member of the class may serve more than one term, if elected. The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special~~

EXHIBIT 1

February 17, 2011

committees; ~~he or she shall appoint members of all standing or special committees;~~ he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie. The president of the Board may not immediately succeed himself/herself as president after having served a full ~~year~~ term.

Miss. Code Ann., §37-101-7, as amended.
(See Section 201.02 President of the Board)

B. VICE PRESIDENT:

There shall be a vice president elected by the Board from its membership. A vice president shall serve until completion of the term of the president that the vice president will succeed. ~~The term of office shall be one year, and T~~the vice president shall preside at meetings of the Board in the absence or disability of the president.

The vice president of the Board shall automatically succeed to the office of president after having served a ~~one year~~ term as vice president.

The vice president shall become president upon the resignation, removal, death or incapacity of the president.

(BT Minutes, 9/90, 1/98)

301.02 ELECTION OF OFFICERS

The Board of Trustees shall elect its officers at the ~~January~~, meeting of the Board, ~~if held,~~ three months before new officers are to take office, unless no meeting is held during that month. However, the Board may vote, if it so chooses, to hold the election of officers at another meeting of the Board. ~~to take office on the eighth day of May in the same year.~~

(BT Minutes, 9/90; 1/98)

EXHIBIT 2

February 17, 2011

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JANUARY 20, 2011 BOARD MEETING SUBMISSION DEADLINE

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

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

1. ASU – GS 101-269 – Dumas Hall Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Paul Jackson & Sons, Inc, the lower of eight (8) bidders, for a total contract amount of \$5,808,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: December 7, 2010

Project Initiation Date: January 31, 2008

Design Professional: Duval Decker

General Contractor: Paul Jackson & Sons, Inc.

Contract Award Date: December 7, 2010

Project Budget: \$7,000,000

Funding Source(s): HB 246, Laws of 2007 (\$2,057,735); HB 1641, Laws of 2008 (\$368,847.64); SB 2988, Laws of 2003 (\$300,000); SB 2010, Laws of 2010-Ayers (\$4,273,417.36)

2. JSU – GS 103-255 – Fire Suppressions System, Phase I (McAllister/Whiteside)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Metro Mechanical, Inc, the lower of five (5) bidders, for a total contract amount of \$3,934,876.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 6, 2011

Project Initiation Date: August 20, 2009

Design Professional: CGM Group

General Contractor: Metro Mechanical, Inc.

Contract Award Date: January 6, 2011

Project Budget: \$7,360,000

Funding Source(s): HB 1722, Laws of 2009 (\$1,550,025.64); HB 1701, Laws of 2010 (\$3,415,276.85); HB 246, Laws of 2007 (\$2,318,436.73); SB 2010, Laws of 2004 (\$76,260.98)

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3. MSU – GS 105-314B – Middleton Hall Renovation – Phase II

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$102,630.43 and ninety (90) additional days to the contract of Weathers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$54,837.00 and zero (0) additional days to the contract of Weathers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: (#1) January 7, 2011; (#2) January 14, 2011

Change Order Justification: **Change Order #2** is necessary to address structural repairs to the building due to termite damage and improperly supported structural conditions in the enclosed attic area. The change order also includes changing flooring types in several locations from preservation of existing wood floors to VCT and carpet. **Change Order #3** is necessary to install gypsum board on interior walls in lieu of plaster as originally specified, install EMT conduit in lieu of MC cable, tuck pointing of interior brick wall, install 8" X 8" X 6" tee on water main for fire hydrant, and install new plywood sub-floor in entry corridor.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$187,787.25

Project Initiation Date: November 18, 2005

Design Professional: Shafer & Associates, PLLC

General Contractor: Weathers Construction, Inc.

Contract Award Date: April 23, 2010

Project Budget: \$3,750,000

Funding Source(s): HB 246, Laws of 2007 (\$3,000,000); SB 2010, Laws of 2004 (\$750,000)

4. MSU – IHL 205-235G – Residence Halls Fire Protection

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by LPK Architects, P.A., design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by LPK Architects, P.A., design professional.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: December 15, 2010

Project Initiation Date: January 21, 2010

Design Professional: LPK Architects, P.A.

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$29,960,000

Funding Source(s): MSU EBC (\$29,960,000)

EXHIBIT 2

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

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to McMillan-Pitts Construction, Inc, the lower of twelve (12) bidders, for a total contract amount of \$2,484,000.00.

Staff Approval Date: December 14, 2010

Project Initiation Date: November 19, 2009

Design Professional: Pryor & Morrow

General Contractor: McMillan-Pitts Construction

Contract Award Date: December 14, 2010

Project Budget: \$3,000,000

Funding Source(s): MAFES Sales Funds (\$1,795,000) ; MSU-Experiment Station State Funds (\$1,205,000)

6. **MVSU – GS 106-230 – Stadium Seating Replacement-Demolition Bid Package**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to D.H. Griffin Wrecking Company, the lower of eleven (11) bidders, for a total contract amount of \$83,354.00 plus \$28,223.00 for alternate #1 if chosen. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 14, 2011

Project Initiation Date:

Design Professional: JBHM Architects

General Contractor: D.H. Griffin Wrecking Company

Contract Award Date: January 14, 2011

Project Budget: \$4,900,000

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

7. **UM– IHL 207-258 – New Law School**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$134,409.71 and thirty-six (36) additional days to the contract of W.G. Yates Construction, Inc.

Staff Approval Date: January 6, 2011

Change Order Justification: **Change Order #9** is necessary to address millwork changes, window structural supports, attic fire sprinklers, change VCT to carpet in classroom, add donor pavers/modify ramps, relocate switches and moot court 2035, add paint, and to add limestone protection.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$888,761.84

Project Initiation Date: April 21, 2005

Design Professional: Eley Guild Hardy Architects

General Contractor: W.G. Yates Construction

Contract Award Date: May 13, 2008

Project Budget: \$50,000,000

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Funding Source(s): HB 1634, Laws of 2006 (\$10,000,000); EBC (\$19,977,699.06); Private gifts and Federal Grant (\$20,022,300.94)

8. 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 #5** in the amount of \$4,011.10 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Staff Approval Date: January 5, 2011

Change Order Justification: **Change Order #5** is necessary to add concrete sidewalk at west side of building, upgrade floor adhesive to accommodate moisture vapor emission as tested on site, add 4' wide concrete sidewalk connecting main entry to cart parking location and to deduct refunded amount from signage allowance #1.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$137,813.10

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

9. USM– GS 108-260 – Residence Halls Sprinkler Systems

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

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

Staff Approval Date: January 14, 2011

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 (\$2,000,000)

10. USM– GS 108-267 – College of Business Building (Pre-Design)

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

Staff Approval Date: January 12, 2011

Project Initiation Date: March 2, 2005

Design Professional: Eley Associates/Studio South

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General Contractor: N/A
Contract Award Date: N/A
Project Budget: \$547,413 (Pre-Design Budget)
Funding Source(s): SB 2010, Laws of 2004 (\$547,413)

11. USM – GS 108-268 – Campus Security Lighting and Code Blue Phone Upgrades

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$300,000. 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: December 16, 2010

Project Initiation Date: December 16, 2010

Design Professional: N/A

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$300,000

Funding Source(s): HB 246, Laws of 2007 IHL Discretionary Funds (\$300,000)

12. USM– GS 110-089A – Research / Facility (Phase II)

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2 for a credit** in the amount of (\$5,355.00) and seventy-two (72) additional days to the contract of C. Perry Builders.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$15,062.13 and forty-three (43) additional days to the contract of C. Perry Builders.

Staff Approval Date: December 13, 2010

Change Order Justification: **Change Order #2** is necessary to adjust for credits to the project that include eliminating shades on window Type H, deleting stained concrete as shown on plans, adding smoke detector and programming, conduit, wire, and labor, changing the specified biological safety cabinet to a 5' cabinet, adding 15 days to the contract to execute the above items. **Change Order #3** is necessary to install gypsum board, add two 4" PVC conduits with concrete easements, addition of electrical items, relocation of tempering valve, and adding 23 weather related delay days to the contract.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$14,846.13

Project Initiation Date: February 24, 2005

Design Professional: Allred Architectural Group

General Contractor: C. Perry Builders

Contract Award Date: January 8, 2009

Project Budget: \$9,041,697.88

Funding Source(s): SB 2010, Laws of 2004 (\$1,971,044.88); Mississippi DMR (\$1,700,000); NOAA Grant GRO 02733 (\$5,370,653)

EXHIBIT 2

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13. USM – GS 114-017 – Gulf Park Campus Upgrades

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$50,000. 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: December 16, 2010

Project Initiation Date: December 16, 2010

Design Professional: N/A

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$50,000

Funding Source(s): HB 246, Laws of 2007 IHL Discretionary Funds (\$50,000)

14. Education & Research Center – GS 111-049 – ADA Compliance Project Pre-Plan

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$150,000. 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: December 16, 2010

Project Initiation Date: December 16, 2010

Design Professional: N/A

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$150,000

Funding Source(s): HB 246, Laws of 2007 IHL Discretionary Funds (\$150,000)

EXHIBIT 3

February 17, 2011

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, 1/6/11, 1/6/11 and 1/10/11) from the funds of Mississippi State University. (These statements, in the amounts of \$11.46, \$24.22, \$118.70, \$384.90 and \$106.80, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 646.08

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 10/28/10, 11/11/10, 11/11/10 and 11/29/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with *Jackson HMA LLC vs. UMMC* - \$27,344.30; *Jackson HMA LLC vs. UMMC* - \$19,951.77; General Rep. of the Medical School and Facility Practice Plans - UMMC North Clinic - \$107.50 and General Advice - UMMC North Clinic - \$8,773.25, respectively.)

TOTAL DUE.....\$ 56,176.82

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 10/29/10, 10/29/10, 10/29/10, 10/29/10, 10/29/10, 10/29/10, 11/30/10, 11/30/10, 11/30/10 and 11/30/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled *Kermode* - \$3,943.50; *Kermode* (Federal Case) - \$3,828.00; *Kermode* (State Case) - \$1,171.50; *Seid* - \$2,925.00; *Smith* - \$445.50; *Walker* - \$1,452.00; *Kermode* - \$1,452.00; *Kermode* (Federal Case) - \$2,737.50; *Seid* - \$2,706.00; *Jaralah* - \$1,483.50 and *UMMC* (General) - \$1,530.00, respectively.)

TOTAL DUE.....\$ 23,674.50

Payment of legal fees for professional services rendered by Watkins, Ludlam, Winter & Stennis (statement dated 11/24/10) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$17.00, represents services and expenses in connection with financial concerns.)

TOTAL DUE.....\$ 17.00

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 12/13/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the

EXHIBIT 3

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following patents: “Compact Time-of-Flight Mass Spectrometer - United Kingdom” - \$410.50; “Compact Time-of-Flight Mass Spectrometer - Japan” - \$25.50; “Methods of Preparation of Live Attenuated Bacterial Vaccines” - \$25.50; “Methods for Maize Transformation Utilizing Nodal Section Explants and Mature Zygotic Embryos” - \$2,565.00; “Alcohol Esterification (Condensor Train)” - \$473.88; “Esterification and Bio Oil Upgrading” - \$1,415.00 and “Steele - Reactor Design Patent” - \$2,137.50, respectively.)

TOTAL DUE.....\$ 7,052.88

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 11/16/10, 11/16/10, 12/14/10, 12/16/10 and 12/16/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Utilizing Tactile Speech Feedback for Stuttering and Other Speech/Fluency/Motor Initiation Disorders” - \$112.50; “Complexes and Compounds for Light Emitting Applications” - \$9,390.00; “Chick Separation-Anxiety-Depression (SAD) Model” - \$42.50; “Utilizing Tactile Speech Feedback for Stuttering and Other Speech/Fluency/Motor Initiation Disorders” - \$4,182.00 and “Complexes and Compounds for Light Emitting Applications” - \$42.50, respectively.)

TOTAL DUE.....\$ 1,376.95

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 10/31/10, 11/30/10 and 12/14/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$2,088.73; “Manzamines for Treatment of Drug Resistant Infection” - \$138.00 and “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,111.80, respectively.)

TOTAL DUE.....\$ 3,338.53

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 11/22/10, 12/21/10, 12/21/10, 12/21/10, 12/21/10, 12/21/10 and 12/21/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Canada - Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$375.00; “Canada - Highly Purified Amphotericin-B” - \$927.89; “Highly Purified Amphotericin-B” - \$202.50; “Germany - Highly Purified Amphotericin-B” - \$614.63; “France - Highly Purified Amphotericin-B” - \$443.95; “United Kingdom - Highly Purified Amphotericin-B” - \$399.12; “Ireland - Highly Purified Amphotericin-B” - \$546.96; “US - Highly Purified Amphotericin-B” - \$248.00; “Europe - A Corrugated and Ported Prism Engine Nozzle for Reduction of Supersonic Jet Exhaust Noise” - \$1,686.75; “Australia - High-Speed Data Compression Based on Set

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Associative Cache Mapping Techniques” - \$2,028.38; “China - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$96.00; “Mexico - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$1,634.00; “Method of Detecting Vibration and Sound Signatures of Human Footsteps” - \$574.00; “US - Multi-Domain Plate Acoustic Wave Devices” - \$360.00; “US - Delivery of Medicaments to the Nail and Perionychium via (Etching)” - \$780.50; “China - High speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$923.00; “Mexico - High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$41.34; “US - Highly Purified Amphotericin-B” - \$1,336.20; “Japan - High Purified Amphotericin-B” - \$4,659.52; “Highly Purified Amphotericin -B” - \$4,402.00 and “Canada - Highly Purified Amphotericin-B” - \$391.07, respectively.)

TOTAL DUE.....\$ 22,670.81

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/31/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$288.50; “Eishamy/Novel Breast, Ovarian BRCA1-Iris” - \$132.00; “General Advice” - \$1,305.00; “Raucher/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$111.60; “Raucher/Modular Thermally Targeted Biopolymers for Drug Delivery” - \$27.00 and “Vig/Therapeutic Use of Dopamine D2 Receptor Aganists for Treating SCA1” - \$5,854.62, respectively.)

TOTAL DUE.....\$ 7,718.72

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RESOLUTION

HONORING

DR. MINION KENNETH

CHAUNCEY MORRISON

Educator of the Year

*WHEREAS, the Board of Trustees of State Institutions of Higher Learning pays tribute and recognizes **Dr. Minion Kenneth Chauncey Morrison**, Professor and Head, Department of Political Science and Public Administration and Senior Associate, African American Studies, Mississippi State University (MSU), as the 2011 Educator of the Year; and*

*WHEREAS, **Dr. Morrison** earned a bachelor's degree in political science from Tougaloo College; and a master's and doctorate degree in political science from the University of Wisconsin, Madison; and*

*WHEREAS, since arriving at MSU in 2009, **Dr. Morrison** has played a vital role in advancing diversity on MSU's campus through such contributions as serving on the President's Commission on the Status of Minorities, chairing the MSU Diversity Conference Committee, and organizing public lectures that address the importance of diversity; and*

*WHEREAS, **Dr. Morrison** began his collegiate career in 1969 as an instructor and assistant professor of Political Science at Tougaloo College. He has served as an assistant professor of Political Science and Coordinator of Third World Studies at Hobart and William Smith Colleges (New York); Associate Professor of Afro-American Studies and Political Science; Chairman Afro-American Studies, Syracuse University; Vice Provost, Minority Affairs and Faculty Development, MU; Professor of Political Science and Black Studies Affiliate, University of Missouri; and*

*WHEREAS, in his academic career spanning over 30 years, **Dr. Morrison** has encouraged the advancement of diversity as evidenced through his teaching, research and service; and as an educator, **Dr. Morrison** has educated and trained numerous students whose placements in important civic, social, and political leadership positions enhance diversity throughout the country; and*

*WHEREAS, **Dr. Morrison's** contributions to diversity and to positive relations among all elements of the university and the broader community are numerous and varied, and highlighted by his leadership efforts to develop and maintain strong relationships across racial, gender and economic boundaries; and*

*WHEREAS, as result of **Dr. Morrison's** strong understanding of counseling a diverse population of students with varied needs, he has developed an international reputation for his research that consists of dozens of publications that attest to his knowledge of Black history, government and politics, and the critical importance of enhancing diversity; and*

*WHEREAS, **Dr. Morrison** has been a dynamic leader off campus as well as on campus. He is a well known community leader serving on the Board of Directors at the Stennis Institute of Government. He served as Adjudicator for the Center of Civic Education High School Competition on the United States Constitution, Mississippi and national judging. He was keynote speaker for MVSU International Convocation on Globalization as well as Tougaloo College, Conference on Aaron Henry, Mississippi Department of Archives and History. He has*

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been the organizer and master of ceremonies for the Martin Luther King Jr. program at MSU and in Columbia, Missouri for 15 years; and has more than 20 years committee service to the NAACP; and

WHEREAS, Dr. Morrison's service extends beyond the MSU campus as he has participated in service activities related to civil rights, diversity, and globalization throughout the State of Mississippi, giving him the opportunity to serve as an outstanding role model for future educators and professionals; and

WHEREAS, Dr. Morrison has received numerous honors and awards for his work as an educator and community leader including but not limited to Martin Luther King Community Award, Columbia, Missouri; University of Missouri Diversity Enhancement Award; Black Alumni Kwanzaa Recognition Award; Who's Who Among Black Americans; Barbara Jordan Leadership Award; Directory of Distinguished Americans; Outstanding Young Men of America; Teacher of the Year, Tougaloo College; Who's Who in American Colleges and Universities; Foreign Affairs Scholar—State Department; and

WHEREAS, Dr. Mark Keenum, President of Mississippi State University, summarizes Dr. Morrison's success:

"Dr. Morrison's efforts as a teacher, researcher, and provider of service to the State of Mississippi are evidence of his advocacy for advancing diversity at MSU, within the Starkville/Oktibbeha County region, and throughout the state. When I consider the importance of Black history and the advancement of diversity, Dr. Morrison is the individual whom I believe exemplifies the title "Educator of the Year."

THEREFORE, BE IT RESOLVED, that the Board of Trustees of State Institutions of Higher Learning takes great pride in recognizing **Dr. Minion Kenneth Chauncey Morrison** as "Educator of the Year" in observance of Black History Month for his tireless efforts in the pursuit of excellence in education and commitment to positive advancement of diversity at Mississippi State University and in the community, that have fostered a better understanding and appreciation of African-American history and culture.

BE IT FURTHER RESOLVED, that a copy of this resolution be included in the minutes of the Board and a copy presented to **Dr. Morrison** to share with his family in recognition of his commitment to diversity in higher education.

DONE, this the 17th day of February, 2011.





Dr. Bettye H. Neely, President
Board of Trustees of State Institutions of Higher Learning



Mr. Bob Owens, Co-Chair of the Board of Trustees'
Diversity Committee



Mr. Alan Perry, Co-Chair of the Board of Trustees'
Diversity Committee

EXHIBIT 5

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RESOLUTION

HONORING

Mississippi Supreme Court

PRESIDING JUSTICE

THE HONORABLE JAMES E. GRAVES, JR.

WHEREAS, the Board of Trustees of State Institutions of Higher Learning pays tribute to and recognizes Honorable James E. Graves, Jr., Presiding Mississippi Supreme Court Justice and recently confirmed Federal Judge to the United States Court of Appeals for the Fifth Circuit, in observance of Black History Month; and

WHEREAS, Justice Graves was born and raised in Clinton, Mississippi, and, after graduating as valedictorian of his high school class, he attended Millsaps College and graduated with a Bachelor of Arts Degree in Sociology. He received his law degree from Syracuse University College of Law and a Master of Public Administration degree from the Maxwell School of Citizenship and Public Affairs at Syracuse University; and

WHEREAS, Justice Graves began his legal career in 1980 as a staff attorney at Central Mississippi Legal Services. Soon thereafter, he also began his 17 years of service as an Adjunct Professor at Jackson State University, teaching in the departments of Mass Communications, Political Science, and Public Policy and Administration. Justice Graves entered private practice, focusing primarily on civil matters in state and federal court. From 1986 to 1990, he joined the Office of the Mississippi Attorney General, working as a Special Assistant Attorney General in the Human Services and Health Law divisions. He then served in the Mississippi Department of Human Services as the Director of Child Support Enforcement until his appointment to the Hinds County Circuit Court in 1991 where he served as a Circuit Court Judge in Hinds County, Mississippi, for ten years; and

WHEREAS, Justice Graves has served on the Mississippi Supreme Court since 2001. He was appointed to the Court by Governor Ronnie Musgrove and later won election to the Court in 2004; and

WHEREAS, Justice Graves is the only African-American currently serving on the Mississippi Supreme Court and was nominated by President Barack Obama and confirmed by the U.S. Senate to serve on the United States Court of Appeals for the Fifth Circuit; and

WHEREAS, President Obama said: "Justice Graves has shown unwavering integrity and outstanding commitment to public service throughout his career, and I am proud to nominate him to serve on the United States Court of Appeals;" and

WHEREAS, Justice Graves is deeply committed to working with Mississippi youth and has received numerous distinctions for his dedication to teaching, motivating and inspiring young people; and

WHEREAS, Justice Graves' distinctions include:

- Jackson Public School District's Parent of the Year Award (2001)
- First Alternate for the State of Mississippi's Parent of the Year Award (2001)
- United States Department of Health and Human Services' Commissioner's Award (2001)
- Mississippi Association of Educators' Humanized Education Award (2002); and

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WHEREAS, in addition to his legal work and teaching career, **Justice Graves** has been very active in local and national bar associations. **Justice Graves** is currently a Fellow of the Mississippi State Bar, and has served on a variety of committees of the National Conference of State Trial Judges. He also serves the state's court system as the current Chair of the Mississippi Supreme Court Rules Committee on Criminal Practice and Procedure; and

WHEREAS, **Justice Graves** has been recognized by numerous organizations for his steadfast adherence to the principle of equal justice for all and his outstanding ability as a judge including, but not limited to: the 2009 Maxwell Public Administration Award, from the School of Citizenship and Public Affairs at Syracuse University; 2004 recipient of Millsaps College's Jim Livesay Service Award for service to the college and the community; 2002 Law Related Public Education Award by the Mississippi Bar Foundation for excellence in enhancing the public's understanding of the law and the legal system; National Bar Association's Distinguished Jurist Award, National Conference of Black Lawyers' Judge of the Year Award, and the Hinds County Bar Association's Innovation Award; and

WHEREAS, **Justice Graves** is a renowned orator, frequently speaking at universities, schools, churches and conventions throughout the country. His past speaking engagements include a keynote address at the International Reading Association's 50th Annual Convention; and

WHEREAS, **Justice Graves'** commitment to working to enhance the quality of life for African-Americans and all the citizens of Mississippi has touched the lives of all who know him and earned him the respect and admiration of people in Mississippi and all over the world; and

WHEREAS, **Justice Graves** has been praised by his friends and colleagues for his courage, compassion, honor and willingness to serve; and

WHEREAS, **Justice Graves'** service to the state may best be summed up in the words of Marian Anderson: "Leadership should be born out of the understanding of the needs of those who would be affected by it;" and

WHEREAS, **Justice James E. Graves, Jr.**, is to be commended and accorded the Board's highest accolades for the distinction and honor he has brought to our state in furthering the cause of justice and equality for all citizens.

THEREFORE, BE IT RESOLVED, that the Board of Trustees of State Institutions of Higher Learning takes great pride in honoring **Presiding Mississippi Supreme Court Justice, James E. Graves, Jr.**, for his tireless efforts for preserving the heritage of African-Americans and commitment to equal justice for all citizens of the state of Mississippi.

BE IT FURTHER RESOLVED, that a copy of this resolution is included in the minutes of the Board and a copy presented to **Justice James E. Graves, Jr.**, to share with his family in recognition of his work as **Presiding Mississippi Supreme Court Justice**.

DONE, this the 17th day of February, 2011.






Dr. Betty H. Neely, President
Board of Trustees of State Institutions of Higher Learning



Mr. Bob Owens, Co-Chair of the Board of Trustees'
Diversity Committee



Mr. Alan Perry, Co-Chair of the Board of Trustees'
Diversity Committee