

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session in Ballrooms A and B at the Jackson State University Student Center in Jackson, Mississippi, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 27, 2012, to each and every member of said Board, said date being at least five days prior to this October 17, 2013 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee (by phone), Mrs. Karen L. Cummins (by phone), Dr. Ford Dye, Mr. Shane Hooper, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Robin J. Robinson, Dr. Douglas Rouse, and Mr. C.D. Smith. Mr. Bob Owens and Ms. Christine Pickering were absent. The meeting was called to order by Mr. Aubrey Patterson, Vice President, and opened with prayer by Reverend C. J. Edward Rhodes.

INTRODUCTION OF GUESTS

- Vice President Aubrey Patterson welcomed the Student Government Association Officers: Avery Ford, SGA President at Alcorn State University; Sydney Hodnett, SGA President at Delta State University; Charles Cathey, SGA President at Jackson State University; Michael Hogan, SGA President at Mississippi State University; Timothy Mbogo, SGA President at the Mississippi University for Women; Gregory Alston, SGA President at the University of Mississippi; and Bradley Deere, SGA President at the University of Mississippi Medical Center.
- Vice President Patterson welcomed the newly appointed President of Mississippi Valley State University, Dr. William Bynum. Dr. Bynum will begin his tenure on November 6, 2013.

APPROVAL OF THE MINUTES

On motion by Trustee Robinson, seconded by Trustee Hooper, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on September 11, 2013, September 16, 2013, September 18, 2013, September 19, 2013, and October 3, 2013.

PRESENTATIONS

- Dr. Carolyn Meyers, President of Jackson State University, welcomed the Board to the campus and shared some of the wonderful events taking place.
- Over two years ago the Board of Trustees asked the universities to place a high priority on campus diversity. To that end, the following university presidents gave a brief update regarding diversity initiatives on their campuses: Dr. M. Christopher Brown, President of Alcorn State

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

University; Dr. Carolyn Meyers, President of Jackson State University; Dr. Jim Borsig, President of the Mississippi University for Women; and Dr. Dan Jones, Chancellor of the University of Mississippi. Trustee C.D. Smith, Chair of the Diversity Committee, commended the universities for working with Mr. Marcus Thompson, IHL Chief Administrative Officer, and other IHL staff members in the development and implementation of the diversity plans.

CONSENT AGENDA

On motion by Trustee Blakeslee, seconded by Trustee Dye, with Trustee Cummins participating by phone and with Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

ACADEMIC AFFAIRS

1. **System** – Approved the following new academic units.
 - a. **ASU** – Approval of the Department of Social Work. The Social Work program was awarded initial accreditation by the Council on Social Work Education during the 2013 spring semester. It is anticipated that the number of students majoring in Social Work will increase significantly because of the accreditation and seeks to establish the Department of Social Work independent from the Department of Social Sciences. The anticipated cost will average \$138,400 annually. The proposed Department of Social Work budget will be transferred from the current Department of Social Sciences where the program now exists. No new funds are requested.
 - b. **UMMC** – Approval of the Department of Dermatology. The Department of Dermatology will help meet the acute shortage of dermatologists in the state. Establishing Dermatology as a Department will provide the autonomy necessary to further UMMC's commitment to research, leadership, and service. Department status will also provide the opportunity to freely experiment with methods of team-based clinical care that will improve the financial strength of UMMC. This will allow for the continuing provision of care to underserved populations in our region. The anticipated cost for the Center will average \$1,993,699 annually. The proposed Department of Dermatology budget will be transferred from the current Division of Dermatology budget with patient revenue providing the primary source of funding. Incremental expenses will not be added until corresponding revenues are generated.
 - c. **UMMC** – Approval of the Department of Health Administration. Establishing the Department of Health Administration moves the program to an independent department, thus making clear that the health administration program is growing to meet the needs of the state. The only cost difference will be the \$3250 difference between the stipend for the program director and department chair. The difference will be covered through tuition revenue.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

- d. **UMMC** – Approval of the Department of Health Informatics and Information Management. The Bachelor of Science in Health Informatics and Information Management has achieved a level of enrollment equal to enrollment in other departments. Establishing the Department of Informatics and Information Management reflects the growth of the degree program. The only cost difference will be the \$3250 difference between the stipend for the program director and department chair. The difference will be covered through tuition revenue.
- e. **UMMC** – Approval of the Department of Medical Laboratory Science. The Bachelor of Science in Medical Laboratory Science has achieved a level of enrollment equal to enrollment in other departments. Establishing the Department of Medical Laboratory Science reflects the growth of the degree program. The only cost difference will be the \$3250 difference between the stipend for the program director and department chair. The difference will be covered through tuition revenue.

Centers and Institutes

- f. **MSU** – Approval of the Center of Excellence for Watershed Management. The Center will integrate its expertise and resources into a comprehensive approach to benefit all water resource stakeholders at the local, state, regional, and national levels. The Center will enhance the ability of both MSU and the MS Department of Environmental Quality to fulfill their individual mission statements, while leveraging resources to jointly address future needs. The anticipated cost for the Center will average \$114,485 annually. Existing facilities are available and adequate, and no new faculty is associated with the Center. It is anticipated that the unit will be self-supporting after Year 1, and external funding will be sought to support additional staffing. External funding will be generated through grant and contract activities with current partners and federal agencies.
- g. **MSU** – Approval of the Global Center for Aquatic Food Security. The Center will serve as the MSU entity that the United Nations Food and Agriculture Organization will recognize as an FAO Center of Excellence. A major function of the proposed Center will be to collaborate with FAO to provide capacity building in developing countries. The Center will actively partner with the FAO to seek funding to support the diagnostic, capacity building, and investigative research programs that will assist developing countries. The anticipated cost for the Center will average \$20,000 annually to cover travel support for participants to meet with FAO scientists and participate in FAO activities internationally. It is anticipated that as the unit matures, the cost for travel and student exchange will be supported through extramural grants and contracts.
- h. **UM** – Approval of the Center for Health and Sports Performance. There is a need for applied practice in all areas of sports medicine, including the clinical application as well as management. The Center will serve as a model for best practices in sports medicine and provide an avenue for students to gain experience in order to be more competitive job applicants. The anticipated cost for the Center will average \$287,900 annually over a six year period. The program will require a full time sports dietitian for which a new

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

position has been approved. Funding for the position will come from an existing agreement between the Department of Nutrition and Hospitality Management and UM Athletics.

- i. **UM** – Approval of the Child Advocacy and Play Therapy Institute (CAPTI). The Institute will serve the needs of children throughout north Mississippi and provide research in the area of child and adolescent mental health as well as in the area of child advocacy and the social issues that are inherent for children who experience problems both developmentally and through abuse. The program will provide opportunities for current licensed counselors to obtain a certificate in Play Therapy. As the program will be offered online, mental health clinicians throughout the United States could utilize the program. The anticipated cost for the Institute will average \$325,000 annually over a six year period. CAPTI will include a research protocol that will provide opportunities for grant and research funding.
2. **System** – Approved the academic unit modifications as follows.

Rename

- a. **MSU** – Rename the Forest Products Department the Department of Sustainable Bioproducts. The name change more accurately reflects the contemporary and projected future of the profession. No new funding is requested; minimal cost for signage will be covered with existing funds.
- b. **JSU** – Rename the Department of Mathematics the Department of Mathematics and Statistical Sciences. The name change more appropriately reflects the training, academic, and scholarly activities in the department; provides a platform for statistical related research to be developed; and build strong programs in statistics, biostatistics, social statistics, and the mathematical sciences. No new funding is requested; minimal cost for signage will be covered with existing funds.
- c. **JSU** – Rename the Department of Computer Engineering the Department of Electrical and Computer Engineering. The name reflects the addition of the recently approved Bachelor of Science in Electrical Engineering degree. No new funding is requested; minimal cost for signage will be covered with existing funds.
- d. **UM** – Rename the Sarah Isom Center for Women's Studies the Sarah Isom Center for Women and Gender Studies. The name change better reflects the expansion of the Center to include broader topics in gender studies. No new funding is requested; minimal cost for signage will be covered with existing funds.
- e. **UMMC** – Rename the Mississippi Institute for Geographic Minority Health the Myrlie Evers-Williams Institute for the Elimination of Health Disparities. The name change better reflects the researched-based focus on three main areas of research: The Social Determinants of Health, Health Literacy and African American Men's Health. Additionally, Dr. Evers-Williams and her life of tireless work to eliminate disparities of all types symbolizes the importance of interdisciplinary and inter-institutional efforts to

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

eliminate health disparities by improving the health of all Mississippians. No new funding is requested; minimal cost for signage will be covered with existing funds.

- f. **USM** – Rename the Marketing and Fashion Merchandising to Marketing and Merchandising. A proposal has been submitted to change the name of Fashion Merchandising and Apparel Studies BS to Merchandising BS/BA. Changing the name of the department will reflect the proposed program name change. No new funding is requested; minimal cost for signage will be covered with existing funds.

Reorganize and Rename

- g. **JSU** – Combine the School of Lifelong Learning and the College of Education and Human Development and to name the combined unit the College of Education and Human Development/School of Lifelong Learning. The restructuring supports the mission of the University by continuing to offer quality teacher education programs and outreach services in the community and throughout the state. No new funding is requested; minimal cost for signage will be covered with existing funds.
- h. **MUW** – Reorganize the Continuing Education and name the unit Office of Outreach and Innovation. The reorganization will provide MUW with a central office to oversee and coordinate non-credit learning activities; provide administrative and logistical support for campus-wide initiatives serving the university, local communities, and the state; and, facilitate interaction between the university and the community. No new funding is requested; minimal cost for signage will be covered with existing funds.

Delete

- i. **UM** – Delete the Research and Training Center for the Handicapped. The Center ceased to exist many years ago following the retirement of a faculty member.
- j. **UM** – Delete the Marine Minerals Technology Center. The Center no longer exists as a separate unit. Its function is now under the Center for Marine Resources and Environmental Technology.
- k. **UM** – Delete the Center for Media Production and Distributed Learning. The Center's function was subsumed under other offices.
- l. **UM** – Delete the Center for Rural Studies. The Center no longer exists, following the retirement of a faculty member.
- m. **UM** – Delete the Center for Science, Engineering, and Mathematics Education. The Center stopped functioning years ago follow a retirement. Many of the functions of the center have been subsumed under the Center for mathematics and Science Education.
- n. **UM** – Delete the Institute for Innovation in Mathematics Education. The Institute, which had been externally funded, ceased to function following the retirement of its director. Some of the functions have been subsumed under the Center for mathematics and Science Education.
- o. **UM** – Delete the Enterprise for Innovative Geospatial Solutions. The activities of this alliance are no longer coordinated by the University. The functions are now controlled by businesses using geospatial technologies.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

- p. **UM** – Delete the Institute for Humanitarian De-Mining. The Institute, which had been externally funded, no longer functions.
3. **System** – Approved the following academic program modifications.

Rename

- a. **MSU** – Rename the Bachelor of Science in Office Systems Technologies (CIP 11.1006) the Bachelor of Science in Information Technology Services (CIP 11.1006) degree. Changing the name from an office focus will allow recruitment of both male and female students. An additional six hours of training (design, implementation, and evaluation) will supply a logical transition from the undergraduate degree in ITS to the master's degree in instructional technology. No new funding is requested; minimal cost for signage will be covered with existing funds.
- b. **MSU** – Rename the Master of Science in Wildlife and Fisheries (CIP 03.0601) the Master of Science in Wildlife, Fisheries and Aquaculture (CIP 03.0601) degree. The name change better reflects the name of the department and the subject matter taught within the MS graduate program. Course content of the major will not change as a result of the name change. No new funding is requested; minimal cost for signage will be covered with existing funds.
- c. **MSU** – Rename the Doctor of Philosophy in Cognitive Science (CIP 03.0601) the Doctor of Philosophy in Applied Psychology (CIP 42.2813) degree. The name change more accurately reflects the degree program's location (the Department of Psychology) and a curriculum that consists largely of Psychology courses. The current CIP code is associated with Systems Science and Theory, not Cognitive Sciences; the new CIP code denotes a more accurate description of the current degree. No new funding is requested; minimal cost for signage will be covered with existing funds.
- d. **UM** – Rename the Bachelor of Arts in Parks and Recreation Management (CIP 31.0301) the Bachelor of Arts in Recreation Administration (CIP 31.0301) degree. The name change better reflects updated accreditation standards from the Council on Accreditation of Parks, Recreation, Tourism and Related Professions (COAPRT) that the program must adhere to during the next –reaccreditation phase in 2015. No new funding is requested; minimal cost for signage will be covered with existing funds.
- e. **UM** – Rename the Master of Arts in Parks and Recreation Management (CIP 31.0301) the Master of Arts in Recreation Administration (CIP 31.0301) degree. The name change better reflects the management and administration focus of the degree with graduates prepared to become front-line supervisors in a variety of recreation, tourism, parks, sport or related area organizations.. No new funding is requested; minimal cost for signage will be covered with existing funds.
- f. **USM** – Rename the Bachelor of Science in Fashion Merchandising and Apparel Studies (CIP 52.1902) the Bachelor of Science/Bachelor of Arts in Merchandising (CIP 52.1902) degree. The name change and repositioning of the degree is requested to better serve the needs of students and the companies that recruit and hire program graduates. It is

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

anticipated that expanding the focus to include merchandising and the retail industry in a broader sense will recruit more male students into the program. No new funding is requested; minimal cost for signage will be covered with existing funds.

Consolidate

- g. **JSU** – Consolidate the Specialist Degree in Secondary Education (CIP 13.1205) into the Education Specialist (CIP 13.0101) degree with a concentration in Secondary Education. The degree offers an AAA teacher certification in secondary education and allows teachers to become highly qualified in a content area. No new funding is requested and current education faculty is sufficient to provide instruction.

FINANCE

4. **ASU** – Approved the request to enter into a sponsorship agreement with Coca-Cola Refreshments USA, Inc., d/b/a/ Natchez Coca-Cola Bottling Company (Coca-Cola) who in return will serve as exclusive beverage sponsor to ASU with campus-wide beverage availability rights, on and off campus marketing rights, and the right to operate full-service vending on campus. This sponsorship agreement was originally submitted to the IHL Board for approval at the August 2013 meeting. The form of sponsorship agreement presented to ASU by the vendor was outdated and did not reflect recent corporate entity changes made by Coca-Cola. The vendor acknowledged its error and submitted the correct form of sponsor agreement to ASU, which includes the appropriate vendor party to the contract. No other terms of the proposed original agreement were altered. This is a ten (10) year approximate agreement effective August 16, 2013, through August 1, 2023. Under this agreement, ASU estimates that they will receive \$1,436,290 over the ten (10) year period. This estimate represents a 46.6% increase in comparative revenues versus the most current agreement. Final contract revenues may vary based on actual beverage sales incurred. A breakdown of the estimated total revenues is included in the bound *October 17, 2013 Board Working File*. This is a revenue-generating agreement. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
5. **MSU** – Approved the request to enter into a charter services agreement with Delta Air lines, Inc. for air transportation for the Men's Basketball team during the 2013/2014 basketball season. The contract shall commence upon signing by both parties and terminate on March 30, 2014. The first flight is scheduled for January 7, 2014 and the last flight is scheduled to correspond to the dates of the SEC Conference Basketball Tournament. The total cost for the contract period is estimated to equal \$279,356. This includes air charter for 8 round-trip flights. There could be slight adjustments in final fees, as fuel charges may be adjusted to reflect actual costs paid by the vendor. Funds are available from Athletic revenues (Auxiliary funds). The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
6. **MVSU** – Approved the request to escalate its On-Campus Budget for FY 2014 as shown below. The escalation will be funded by Title III Endowment Matching Funds and will be used to fund academic and talent (band) scholarships.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

Mississippi Valley State University FY 2014 On-Campus Budget			
Category	Original FY 2014 Operating Budget	Revision/ Escalation	Revised FY 2014 Operating Budget
Salaries, Wages, and Fringe Benefits	\$20,543,978	\$-	\$20,543,978
Travel and Subsistence	\$780,719	-	\$780,719
Contractual Services	\$8,482,709	\$700,000	\$9,182,709
Commodities	\$1,026,856	-	\$1,026,856
Capital Outlay: Non-Equipment	\$160,716	-	\$160,716
Capital Outlay: Equipment	\$168,200	-	\$168,200
Mandatory Transfers	\$116,310	-	\$116,310
Non-Mandatory Transfers	\$(516,443)	-	\$(516,443)
Increase in Fund Balance	\$-	-	\$-
Total	\$30,763,045	\$700,000	\$31,463,045

7. **UM** – Approved the request to enter into a charter services agreement with New England Flight Watch, LLC (d/b/a CharterSearch) for air transportation for the Men’s Basketball team during the 2013/2014 basketball season. The contract will begin on November 16, 2013 and end on March 5, 2014. The total cost for the contract period is estimated to equal \$257,783. This includes air charter for 7 round-trip flights and 1 one-way flight. There could be slight adjustments in final fees, as fuel charges may be adjusted to reflect actual costs paid by the vendor. Funds are available from Athletic revenues (Auxiliary funds). The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office. Confirmation that the vendor has completed the registration process with the Mississippi Secretary of State will be provided by the university.
8. **UMMC** – Approved the request to enter into a three (3) year agreement with Integrated Medical Systems International, Inc. (IMS) to provide on-location surgical instrument repair for UMMC’s hospitals and clinics. An on-location repair service allows for surgical instruments to be repaired and put back into circulation within hours, which helps decrease immediate use sterilization and delays due to lack of instrumentation. Without this type of agreement, UMMC would need to mail out instruments for repair, which significantly lengthens the process and results in surgeons being without instruments for several days or weeks. The contract is for years three (3) years, beginning November 16, 2013, and ending November 15, 2016. The total cost of the contract is \$540,000. The annual costs will be \$180,000. Payment of \$15,000 will be issued on a monthly basis upon receipt of an invoice. The agreement will be funded by patient revenues included in

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

UMMC's 2013-2014 Board approved operating budget. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

9. **UMMC** – Approved the request for an amendment to the current software license and service agreement with Corepoint Health, LLC. The amendment will be for the purchase of software licenses and service for use with an additional Corepoint interface engine, connections and related implementation and support services. Under the original agreement, Corepoint provided UMMC with a license for use with the Corepoint interface engine, connection licenses and, implementation and support services. At the amendment, UMMC would purchase software licenses and service for use with an additional Corepoint interface engine, connections and related implementation and support services. The interface engine is used to integrate clinical and business systems at UMMC by directing and transferring data to the Epic system. The term of the amendment is for the remaining two (2) years of the 2010 agreement – November 1, 2013 through October 31, 2015. The total cost of the amendment for the remaining two (2) years of the contract period is \$122,200. The amendment will increase the total contract cost to \$423,270. Costs associated with the amendment include: licenses for the production Corepoint interface engine environment and for 140 production connections - \$78,000; 2 years of continual support service - \$34,200; and 40 hours of implementation service - \$10,000. Funds are available from patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
10. **UMMC** – Approved the request to amend the current services agreement with Rotolo Consultants, LLC. The amendment will increase the coverage area to include service at the new Lakeland Drive entrance to the main campus as well as at the roadway which intersects Lakeland Drive. The term of the amendment is for the remainder of the term of the 2012 agreement commencing November 1, 2013 through June 30, 2017. The total cost of the amendment for the remainder of the contract period is \$80,271.40. The amendment will increase the total contract cost to \$2,294,416.36. The agreement will be funded by General Funds. The University of Mississippi will reimburse UMMC \$38,843.04 annually for costs associated with grounds maintenance services for the areas around the School of Pharmacy. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
11. **UMMC** – Approved the request to enter into an agreement with Jackson Medical Mall Foundation (JMMF) for valet services to UMMC patients and visitors at the University Hospital and Blair E. Batson Children's Hospital during the hours of 5:30 AM through 5:30 PM on Monday through Friday. The term of the agreement is for three (5) years – November 1, 2013 through October 31, 2018. The estimated total cost for the three (5) year contract term is \$1,216,800 or \$243,360 annually. UMMC may also request additional staff at a rate of \$13.00 per hour during the term. Funds are available from patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
12. **UMMC** – Approved the request to enter into an agreement with Medtronic USA, Inc. for the purchase of proprietary neurological and otolaryngological supplies for use with the Medtronic surgical systems currently owned by UMMC. The supplies and disposables will be purchased on

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

an “as needed” basis at a discounted rate. The term of the agreement is for five (5) years beginning on or about January 1, 2014 through December 30, 2018. The total estimated contract cost for the five (5) year agreement is \$1,451,283. Beginning twelve (12) months after the commencement of the agreement, Medtronic may annually adjust the rate for the purchase of supplies and disposables in an amount not to exceed 4% yearly. In addition, UMMC has calculated a 10% increase into the annual cost for years two through five of the agreement in anticipation of an increase in patient volume. Assuming an annual rate increase of 4% , as well as a 10% annual cost increase based on expected increases in patient volume each year after Year 1 of the agreement, UMMC would pay the following annually: Year 1 - \$219,555; Year 2 - \$250,293; Year 3 - \$285,334; Year 4 - \$325,281 and Year 5 - \$370,820. Funds are available from patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

13. **UMMC** – Approved the request to enter into an agreement with NxStage Medical, Inc. for the provision of dialysis systems and supplies to those patients who use the home method of hemodialysis therapy. Qualified patients will be trained on the equipment by a designated UMMC employee prior to use at home. The term of the agreement is for twenty six (26) months, November 1, 2013 through December 31, 2015. The total estimated cost for equipment and supplies is \$1,650,196.80. This amount is based on an estimated number of patients who will participate in the home therapy program and incorporates a contingency to cover a 20% cost increase due to special patient orders, expedited shipping costs, etc. The projected annual costs including the 20% price increase are as follows: Year 1 – \$733,420.80; Year 2 - \$785,808.00 and Months 25 and 26 - \$130,968. Funds are available from patient revenues. The agreement is on file in the Board Office. Approval by the Attorney General’s Office is contingent upon submission of a copy of the Department of Finance and Administration’s certification of sole source.
14. **UMMC** – Approved an amendment to its Master Terms and Conditions Agreement with Infor (US), Inc. formerly Lawson Software Americas, Inc. At its June 2012 meeting the IHL Board approved an upgrade in maintenance from the Bronze Maintenance plan to the Silver Maintenance plan which provided a dedicated Support Account Manager, priority status regarding software issues, and a more rapid response time for repairs. The term of the maintenance agreement is for two (2) years, July 1, 2012 through June 30, 2014 at a cost of \$125,000 which increased the overall contract cost to \$1,773,021.63. The amendment is for specific revisions to the current agreement in order to ensure a successful upgrade to the new Infor platform. The term of the amendment is for the remainder of the term of the current agreement commencing November 1, 2013 through June 30, 2014. The total cost of the amendment for the purchase of additional software licenses and related support service is \$119,350. The cost for the two (2) Infor amendments that have been submitted for October IHL Board approval increases the total cost of the Infor agreement to \$1,905,221.63. Funds are available from general funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

REAL ESTATE

15. **JSU** – Approved the request to initiate **GS 103-281, Alexander Center Renovation Phase II**, and the appointment of Foil-Wyatt Architects and Planners, PLLC as the design professional. Alexander Hall is a five-story residence hall that houses freshmen students. Upon completion of phase I, the university will realize a total of 264 beds for occupancy, which will include ten (10) ADA accessible rooms. Phase II is a continuation of phase I, which will complete the east side and center portion of the building. The facility will be a turnkey project that will include the replacement of mechanical, electrical, roof, windows, ADA Compliance, interior renovation and all other safety requirements to operate the facility. The construction of phase II of this project is part of the Campus Master Plan. The proposed project budget is \$8.5 million. Funds are available from S.B. 2913, Laws of 2013 (\$8.5 million).
16. **MSU** – Approved the initiation of **GS 113-136, Meat Science Laboratory**, and the appointment of Pryor & Morrow Architects and Engineers, PA as the design professional. This new facility will replace an existing older facility that does not meet current USDA standards. The project will construct a new Meat Science Laboratory building. The building will include a harvest area, demonstration area, freezer space and a classroom. The proposed project budget is \$7.7 million. Funds are available from S.B. 2913, Laws of 2013 (\$7.5 million) and S.B. 3100, Laws of 2011 (\$200,000).
17. **MUW** – Approved the initiation of **IHL 204-132, Fire Sprinklers for Callaway and Grossnickle Halls**, and the appointment of Atherton Consulting Engineers as the design professional. In order to comply with life safety requirements, the university will install fire sprinklers in the residence halls. The project will include design calculations, field investigations, plans, specifications, administration of bidding process, recommendations for award of construction contract, and project inspections for fire sprinklers in both Callaway and Grossnickle Hall. The proposed project budget is \$1,143,866. Funds are available from Unexpended Plant Funds (\$1,143,866). This fund is made up of S.B. 2851, Laws of 2013 appropriation funds designated for facilities and any future FY 2015 appropriation funds that may be needed to complete project.
18. **MSU** – Approved the initiation of **IHL 205-264, MSU Post Office**, and the appointment of Allred Architectural Group as the design professional. This project will relocate the Post Office from the basement of the YMCA building to the space in the Roberts Building currently housing the campus Laundry. The Laundry will close and the Roberts Building will be renovated to house the Post Office. The proposed project budget is \$1,691,040. Funds are available from Student Capital Fee (\$1,691,040).
19. **MSU** – Approved the initiation of **IHL 205-271, Robert L. Jones Circle Road and Utility Completion**, and the appointment of Pritchard Engineering as the design professional. The project will require the paving and extension of utilities and infrastructure to complete Robert L. Jones Circle. This project is necessary to complete the road to service the needed access to the

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

new sorority houses. The proposed project budget is (\$1,260,315). Funds are available from Internal R&R Funds (\$1,260,315).

20. **MSU** – Approved the initiation of **IHL 205-272, Campus Services Shop Building Buckner Lane**, the appointment of Michael T. Muzzi, University Architect, as the design professional, and the exterior design of the building. A rendering is included in the bound *October 17, 2013 Board Working File*. With the Mill project moving forward at a rapid pace, facilities for the campus services shop that are presently housed in the Cooley Building will be temporarily relocated to various locations. A new facility must be constructed to house the shops in a single location. The proposed project budget is \$2 million. Funds are available from Land Sale Proceeds and Internal R&R Funds (\$2 million).
21. **ERC** – Approved the request to increase the scope and budget for **GS 111-049, Road Improvements**. The budget will increase from \$2,551,057.07 to \$2,651,057.07 for an increase of \$100,000. The project is currently in the construction phase. This is the third budget escalation/change or scope request made for this project by the Education and Research Center. The project will add \$100,000 from HB 1701, Laws of 2010 and \$20,225.97 from HB 1701, Laws of 2010 BOB Discretionary Funds. The budget increase is due to the need to cover unexpected change orders on the project. Funds are available from H.B. 1701, Laws 2010-BOB Discretionary Funds (\$1,220,225.97); S.B. 3100, Laws of 2011-IHL/Bureau of Building Discretionary Funds (\$750,000); H.B. 1701, Laws of 2010 (\$350,000); S.B. 3100, Laws of 2011 (\$250,000) –from JSU; H.B. 1701, Laws of 2010 Bureau of Building Energy Funds (\$80,000); and H.B. 246, Laws of 2007 IHL Bond Funds (\$21,057.07).
22. **DSU** – Approved the request to grant a temporary, non-exclusive easement and right-of-way to Cleveland Music Foundation for the purpose of installing the easternmost portion of the Statesman Park Boulevard in the property in such places and along such paths as the Foundation has graphically denoted on the plat., along with the right of reasonable pedestrian and vehicular ingress and egress to the property including without limitation, access to all utility easements, trenches, rights of way and common areas for the purposes of constructing the roadway. The agreement shall be temporary and shall remain in effect for the duration of the construction phase. The owner (DSU) will have the right to terminate the easement and rights granted in the agreement should the Cleveland Music Foundation fail to use the easement or the property to complete the construction of the eastern portion of the boulevard within thirty-six (36) months after the granting of the easement. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities. The Attorney General's Office has reviewed and approved this item.
23. **MSU** – Approved the request to advertise, accept, and award the sale to the highest and best bid for timber sales 13-03PT, 13-04PT, and 13-05PT from the John W. Starr Memorial Forest. A copy of the legal description of the timber sales and a description of the timber sale process are included in the bound *October 17, 2013 Board Working File*. The Attorney General's Office has reviewed and approved this item pending receipt of the final executed agreement.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

24. **UM** – Approved the exterior design of **IHL 207-354 – Approval of the Exterior Design for the Honors College Renovation & Addition**. A copy of the rendering is included in the bound *October 17, 2013 Board Working File*. The project is currently in the design phase. The project was initiated with the Board on November 17, 2011 and consists of two phases, the addition of 15,400 gross square feet and the renovation of the existing structure. The addition will nearly double the size of the facility. It will include offices, support space, conference rooms, and classrooms. The renovation of the existing structure will reconfigure space to better accommodate the needs of the increased Honors College program at the university.
25. **UM** – Approved the exterior design of **IHL 207-369 – Approval of the Exterior Design for the Proposed Parking Garage for the Multi-Purpose Facility**. A copy of the rendering is included in the bound *October 17, 2013 Board Working File*. The approval of the exterior of the parking garage is related to Finance Regular Agenda Item # 2 which seeks approval of a resolution for the ground leases and operational leases that will allow the Foundation to construct a new multi-purpose facility/arena with a seating capacity of approximately 9,500, a multi-level parking structure with approximately 820 stalls, associated west side improvements to Vaught Hemingway stadium, road realignment and other infrastructure improvements, and landscaping. A dedicated food service operation will be included in the multi-purpose facility/arena as an additional campus dining venue. The multi-level garage will adjoin the multi-purpose facility/arena and will be used as parking inventory when not in use for athletics and other special events. These facilities will be constructed in the parking lot adjacent to the west side of Vaught-Hemingway stadium and in the adjacent practice field.
26. **USM** – Approved the request to purchase a residential property located at 3701 and 3702 Pearl Street, Hattiesburg, Mississippi adjacent to the Hattiesburg campus in Forrest County, Mississippi from Dr. Martin H. Baker, Sr. in the amount of \$155,000 (project **IHL 208-306**). The property consists of a single family residence built in 1945 with +/- 2100 square feet of living area. This particular property is located at the edge of the university campus and within the university's primary land acquisition zone. The university received two independent property appraisals. The average of the two appraisals is \$162,000. The university is purchasing the property for \$155,000 which is less than the property's appraised value. The university also has a tentative closing date of on or before December 15, 2013 or upon an earlier or later date as agreed upon by both parties. A Phase I Environmental Site Assessment (ESA) has been conducted on the property. No recognized environmental conditions are evident at the subject property. The EDR report listed no regulatory findings for the subject property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities.
27. **USM** – Approved the request to delete Building 208 (Yelverton House), Building 211 (Center for Community and Civic Engagement), Building 213 (Thomas House), and Building 873 (3401 Morningside Drive) from inventory and demolish them. Yelverton House (208): The house is located at 104 North 31st Avenue in Hattiesburg. The house is currently vacant and in poor condition. The university plans to use the property as space for parking and future expansion.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

Center for Community and Civic Engagement (211): The house is located at 106 North 31st Avenue in Hattiesburg. The house currently serves as the Center for Community and Civic Engagement. The occupants in the building are being relocated. The house is located in a flood zone and is in poor condition. The university plans to use the property as space for parking and future expansion. Thomas House (213): The house is located at 108 North 31st Avenue in Hattiesburg. The house currently serves as the Community Health Services building. The occupants in the building are being relocated. The house is located in a flood zone and is in very poor condition. The property has frequent standing water under the house that has resulted in the sub-flooring being deteriorated significantly. The university plans to use the property as space for future parking. 3401 Morningside Drive (873): The house is located at 3401 Morningside Drive in Hattiesburg. The house has been vacant for four (4) years and is in disrepair. The university plans to use the property as space for future parking and expansion. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

28. **USM** – Approved the request to name the new College of Nursing Building as “Asbury Hall” in recognition of the Asbury Foundation of Hattiesburg, Inc., a longtime and generous benefactor of the university and lead donor for the construction of this facility. The Asbury Foundation of Hattiesburg, Inc. is a private grant making foundation serving Hattiesburg, Mississippi and the surrounding area.

LEGAL

29. **MSU** – Approved the request to modify a contract with the firm Watkins Ludlam Winter & Stennis P.A., now known as Jones Walker L.L.P., located at 190 E. Capitol Street, Suite 800, Jackson, MS 39201, to provide services necessary in connection with the issuance of bonds for the financing of the construction and acquisition of buildings for Mississippi State University. The initial contract entered into on August 25, 2010 was modified by Modifications #1 and #2 to extend the term until August 24, 2012 and August 24, 2013, respectively. Proposed Modification #3 will extend the term until August 24, 2014. All other provisions of the Agreement for Legal Services dated August 25, 2010 shall remain in effect. As such, the fees to be charged as bond counsel will be \$1.15 for every \$1,000 of bonds issued by the EBC, plus any out of pocket expenses not to exceed \$4,000. The Attorney General has approved this item.
30. **MSU** – Approved the request to renew the contract for legal services between Mississippi State University and Butler Snow O’Mara Stevens & Cannada PLLC located at Suite 1400, 1020 Highland Colony Parkway, Ridgeland, MS 39157, to provide services necessary in the practice areas of intellectual property and commercial matters; this representation does not and is not intended to include any representation by the law firm for or on behalf of the university as bond counsel or in any related role in connection with any financing transaction undertaken by or for the university, including any other matters which may concern advice in connection with indebtedness of the university. The firm will provide legal representation on a single, blended hourly rate which will apply to any attorney in the firm that works on an Intellectual Property or

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

Commercial matter at a rate of \$240 per hour and any legal assistant at a rate of \$95 per hour. The term of the contractual agreement will be for one (1) year and the total amount payable, pursuant to the contract, shall not exceed \$75,000. The Attorney General has approved this item.

31. **UMMC** – Approved the request to employ Stites and Harbison, PLLC to perform services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with the University of MS Medical Center as well as copyright and tech transfer matters. The contract period will be November 1, 2013 through October 31, 2014. The hourly rate would be \$320 for the partner and \$175 to \$195.00 for associates. The maximum amount payable under the contract would be \$100,000. The Attorney General has approved this item.
32. **UMMC** – Approved the request to employ Baker, Donelson, Bearman, Caldwell and Berkowitz, PC to advise on environmental related issues. The contract period will be November 1, 2013 through October 31, 2014. The hourly rate would be \$210. The maximum amount payable under the contract would be \$50,000. The Attorney General has approved this item.
33. **USM** – Approved the request to hire George Estes III, of Estes and Estes, PA, located in Gulfport, MS, as outside counsel to perform real estate services for multiple real estate closings. It is anticipated that the university will have a minimum of two closings with the possibility of a maximum of five closings during this fiscal year ending June 30, 2014. The closings will be for purchases of property near the Gulf Park, Long Beach campus and the Gulf Coast Research Laboratory, Ocean Springs campus. An additional closing may be the sale of surplus university property located in Jackson County, MS. It is expected that each closing will cost the University approximately \$1,000. The maximum amount budgeted for payment under the contract is \$5,000. The attorney's average hourly rate, depending on services rendered, is \$150. The Attorney General has approved this item.
34. **USM** – Approved the request to hire Stephen K. Thomas, of Hattiesburg, MS, as outside counsel to perform real estate services for multiple real estate closings. It is anticipated that the university will have a minimum of two closings with the possibility of a maximum of five closings during this fiscal year ending June 30, 2014. The closings will be for purchases of property near the Hattiesburg campus. It is expected that each closing will cost the university approximately \$1,000. The maximum amount budgeted for payment under the contract is \$5,000. The attorney's average hourly rate, depending on services rendered, is \$150. The Attorney General has approved this item.
35. **UMMC** – By law, the HIPAA Privacy Rule applies only to covered entities (i.e. hospitals, insurers, etc.). However, most covered entities do not carry out all of their health care activities and functions by themselves. Instead, they often use the services of a variety of other persons or businesses. The Privacy Rule allows covered entities to disclose protected health information to these "business associates" if they obtain satisfactory assurances that the business associate will use the information only for the purposes for which it was engaged by the covered entity, will safeguard the information from misuse, and will help the covered entity comply with some of the covered entity's duties under the Privacy Rule. The requisite satisfactory assurances are

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

documented through business associate agreements (BAAs). The Health Information Technology for Economic and Clinical Health (HITECH) Act Omnibus Rule ("Omnibus Rule") expanded the definition of "business associate" to include many new entities. UMMC is considered a covered entity and under the Omnibus Rule needed to update its BAAs with new and existing business associates. In addition to previous requisites, BAAs must now also require business associates to: 1) Comply with the Security Rule (administrative, technical, and physical safeguards for electronic PHI); 2) Execute BAAs with their subcontractors (i.e. outside counsel hiring an expert); 3) To the extent the business associate will carry out an obligation of a covered entity, agree to comply with any Health Insurance Portability and Accountability Act (HIPAA) rule applicable to that obligation; and 4) Timely report breaches of unsecured PHI to the covered entity. The Board approved the request to amend all contracts which it had previously approved that required a BAA to now include a revised BAA pursuant to the Omnibus Rule published in the Federal Register on January 25, 2013 at 78 Fed. Reg. 5566.

36. PERSONNEL REPORT

EMPLOYMENT

Delta State University

Mr. Steve McClellan; Chief Financial Officer and Vice President of Finance & Administration; salary of \$131,000, per annum, pro rata; E&G funds; effective August 1, 2013

SABBATICAL

Jackson State University

(Nine-month appointment)

Safiya R. Omari, Associate Professor of Social Work; *from* salary of \$58,719, per annum, pro rata; E&G Funds; *to* salary of \$29,359.50 for sabbatical period; E&G Funds; effective August 15, 2013 to May 5, 2014; professional development.

EMERITUS STATUS

University of Southern Mississippi

- Richard L. Conville; Professor Emeritus of Communication Studies and Service Learning
- Francis D. Glamser; Professor Emeritus of Sociology
- Mabel Jane Hudson; Professor Emerita of Medical Laboratory Science
- Charles E. Jordan; Professor Emeritus of Accounting
- Vladimir Kamenkovich; Professor Emeritus of Marine Science
- Patricia P. Munn; Instructor Emerita of Accounting
- Roderick B. Posey; Professor Emeritus of Accounting

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

ACADEMIC AFFAIRS

Presented by Trustee Robin Robinson, Chair

On motion by Trustee Robinson, seconded by Trustee Blakeslee, with Trustee Cummins participating by phone and with Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1a-c as submitted on the Academic Affairs Agenda. On motion by Trustee Robinson, seconded by Trustee Rouse, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **System** – Approved the academic program productivity reviews. Academic productivity reviews are triggered when cumulative graduates over the past 3 academic years for a single degree program are <15 for baccalaureate-level degrees, <9 for master-level degrees, and <5 for doctorate and specialist-level degrees. Twenty-eight academic programs were evaluated to assess need, potential to grow enrollment, productivity potential, and unnecessary duplication. Based on institution-prepared proposals and subsequent review by the Office of Academic and Student Affairs (OASA), the Board approved the following recommendation.

- a. DELETE the following 7 academic programs

JSU	Education Specialist in Secondary Education (CIP 13.1205)
MSU	Master of Science in Business Administration (MSBA) (CIP 52.0801)
MSU	Master of Science in Computer Engineering (CIP 14.0901)
MSU	Doctor of Philosophy in Computer Engineering (CIP 14.0901)
USM	Master of Education in Adult Education (CIP 13.0403)
USM	Doctor of Philosophy in Counseling Psychology (CIP 42.2803)
USM	Doctor of Music Education (CIP 413.1312)

- b. SUSPEND the following 4 academic programs

Although students may earn degrees from suspended academic programs, no additional students will be accepted into these majors. If the institution does not request that a suspended program be deleted or removed from suspension within 3 academic years, OASA will recommend to the Board that the program be deleted from the academic program inventory.

USM	Bachelor of Science in Business Technology Education (CIP13.1301)
USM	Master of Arts in Philosophy (CIP 38.0101)
UMMC	Master of Science in Clinical Health Sciences (CIP 51.1399)
UMMC	Doctor of Philosophy in Clinical Health Sciences (CIP 51.1399)

- c. CONTINUE WITH STIPULATION the following 17 academic programs (these programs will be subjected to additional review by OASA for two years to assess progress toward future productivity)

ASU	Bachelor of Science in Agribusiness Management (CIP 01.0101)
ASU	Bachelor of Science in Robotics and Automation (CIP 15.0405)
DSU	Bachelor of Science in Environmental Science (CIP 30.0101)

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

DSU	Master of Science in Natural Sciences (CIP 30.0101)
JSU	Bachelor of Music Performance (CIP 50.0903)
MSU	Bachelor of Science in General Science (CIP 24.0101)
MSU	Bachelor of Science in Environmental Economics and Management (CIP 03.0202)
MSU	Master of Arts in Economics (CIP 052.0601)
MSU	Doctor of Philosophy in Cognitive Sciences (CIP 30.0601)
MUW	Bachelor of Arts in Music (CIP 50.0901)
MVSU	Bachelor of Arts in Political Science (CIP 45.1001)
MVSU	Bachelor of Science in Public Administration (CIP 44.0401)
UM	Bachelor of Arts in Secondary Education – Biology, Chemistry, and Physics (CIP 13.1316)
UMMC	Master of Science in Biomedical Materials Science (CIP 14.1801)
USM	Master of Science in Human Performance (CIP 31.0505)
USM	Doctor of Philosophy in Geography (CIP 45.0701)
USM	Doctor of Philosophy in Music Education (CIP 13.1312)

2. **System** – Approved for first reading the proposed changes to Board Policy 201.0507 Subsection E as follows.

E. OFF-CAMPUS CONFLICTS

~~Whenever one institution desires or is requested to offer programs or courses in close proximity to another state university, such instruction may be offered providing an agreement is made with the closest institution. Any exceptions shall be mediated by the Institutional Executive Officers and reported to the Commissioner. If necessary, the Commissioner shall mediate any remaining conflicts and make recommendations as to a resolution to the Board as needed.~~

Whenever one institution desires or is requested to offer a program/course within 50 miles of the main and/or branch campuses of another state university that currently does not offer that program/course, state universities should first explore offering the program/course collaboratively.

If attempts for collaborative program/course delivery have been exhausted, the program/course may be offered by the requesting institution providing an agreement is made with the closest institution.

- i. The IEO at the institution requesting to offer a program/course within the area/region of another IHL institution(s) must notify (in writing) the IEO(s) at the closest IHL institution(s) of that intent at least one full semester prior to the anticipated date of enrolling students, and copy the Commissioner. IEO notification is required, regardless of the program/course availability at the closest institution(s).
- ii. The IEO(s) at the closest institution(s) must respond (opposing or not opposing the intent in writing) to the IEO at the requesting institution within 30 days of receiving the request and copy the Commissioner.
- iii. If the IEO(s) at the closest institution(s) does not oppose the intent of the requesting institution, then the requesting institution has satisfied Board policy 201.0607 E.
- iv. Opposition by the closest institution(s) to the requesting institution delivering a program/course in the area/region of the closest institution(s) should be based on program/course duplication or future plans of the closest institution(s) to deliver said program/course.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

- v. If the closest institution(s) plans to offer said program/course in the near future, that institution(s) must provide the IEO at the requesting institution and the Commissioner documentation of current efforts to offer said program/course, a reasonable timeline for implementation, and the institution must adhere to that timeline.
 - vi. Following written opposition from the IEO(s) at the closest institution(s), the IEO from the requesting institution may request that the Commissioner mediate the conflict.
 - vii. If mediation from the Commissioner is necessary to resolve a conflict, the Commissioner will inform the IEOs of his/her decision to resolve the conflict and report his/her decision to the Board.
3. **Other Business** – Trustee Robinson reported that given the importance of preparing teachers, Commissioner Bounds and Dr. Susan Lee, IHL Director of Academic Affairs, have worked on creating five initiatives to improve the quality of teachers in Mississippi. Dr. Bounds noted that to impact teacher quality and teacher shortage, you must also look at teacher compensation. The latest statistics from the Mississippi Department of Education indicates that Mississippi has a shortage of well over 1,000 teachers. This shortage will probably increase over time. There are several short-term and long-term strategies that have been created to address this shortage.

FINANCE AGENDA

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1a-c as submitted on the Finance Agenda. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2a-c. On motion by Trustee Perry, seconded by Trustee Dye, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3a. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3b-d. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3e. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3f. On motion by Trustee Perry, seconded by Trustee Dye, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #4a. On motion by Trustee Perry, seconded by

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

Trustee Robinson, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #4b. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Cummins voting by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #5.

1. **MSU** – Approved the request to enter into two contracts with Cooley Center, LLC related to the renovation of the Cooley Building as described below and authorized the Commissioner and Board President to approve any changes to the contract which are required by the project lenders and which do not change the substantive terms of the contract without further Board approval. Any changes which do impact the substantive terms of the contract will be submitted to the Board for consideration.

- a. Pending approval by the Attorney General's Office, MSU will lease the Cooley Building to Cooley Center, LLC for the purpose of renovating the Cooley Building to the university's approved specifications. The renovated building will consist of 72,000 usable square feet of which approximately 22,000 will be developed into a conference center and operated by Cooley Center Hotel, LLC; 36,000 will be leased back to the university for use as office space, and 14,000 will be available for other university approved subleases. The contract provides for three contract terms: a construction term, an initial term, and optional terms. The construction term is for up to two years in order to provide Cooley Center, LLC with access to complete renovations of the Cooley Building. The initial term is for 41 years and begins upon expiration of the construction term. The optional terms provide for two 5-year extensions of the lease agreement after the expiration of the initial term. The university will provide Cooley Center, LLC access to the Cooley Building during the construction term for the purpose of renovating the Cooley Building. During the initial and optional terms, the Cooley Center, LLC will use the renovated Cooley Building to sublease office space, operate a conference center, and other uses approved by the university. The proposed contract provides for the following rent payments from Cooley Center, LLC to the university. There will be no rent paid during the construction term. During the initial term, Cooley Center, LLC shall pay the university \$100,000 per year for a total of \$4.1 million. Should the optional terms be exercised, Cooley Center, LLC will pay an additional \$100,000 per year for a maximum contract payment of \$5.1 million over 51 years. A copy of the contract is on file in the Board Office.
- b. MSU will lease back approximately 36,000 square feet in the Cooley Building from Cooley Center, LLC to be used as office space by the university. The contract provides for two term types: an initial term and optional terms. The initial term is for 15 years. In addition, there are 4 optional terms of 5 years and a final optional term of 6 years for a total potential term of 41 years including all optional terms. A breakdown of leaseback provisions is included in the bound *October 17, 2013 Board Working File*. Funds are

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

available from E&G funds. A copy of the agreement with has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

- c. MSU will lease the bottom floor of the proposed parking garage to be constructed by the city of Starkville. In August 2013, the Board approved the lease of 1.677 acres to the city of Starkville to allow the city to construct a 450-space parking garage. Also in August 2013, the Board approved a lease back of the parking garage to MSU once construction is completed. MSU will operate the parking garage at its own expense for 10 years. After 10 years, the garage will become the property of the university. The contract runs for 41 years and has a provision for an optional, additional 41 year term. The university will provide exclusive use of the 110 parking spaces on the first floor of the proposed parking garage to be constructed by the city of Starkville and operated by the university. The university will receive payment of one-fourth of the operations and maintenance costs of the parking garage for years 1 through 15. Beginning in lease year 15, the university will receive an annual fee of \$15,155 in year 15 for a five year period. The annual fee will be escalated by 10 percent each five years thereafter for a total fee received of \$487,000. The university will continue to receive one-fourth of the maintenance and operation costs. Maintenance costs include electricity, water, sewer, landscaping, lawn care, janitorial, exterior maintenance, structural maintenance, and elevator maintenance. A breakdown of fees is included in the bound *October 17, 2013 Board Working File*. The contract which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
2. **UM** – Approved a resolution to enter into two ground leases and two operating leases with the Ole Miss Athletic Foundation for the construction and operation of an arena and parking garage. The four (4) leases are presented as Exhibits “A-1”, “A-2”, “B-1” and “B-2” to the Resolution and are described below. The Attorney General's office has reviewed and approved the resolution and the form of the ground leases and operating leases.
 - a. Approved the request to enter into two (2) ground leases (Exhibits “A-1” and “A-2”, respectively) with the Ole Miss Athletics Foundation for the purpose of constructing a parking structure and for the purpose of constructing a multi-purpose arena. The university will lease the property to the Foundation, which will facilitate the construction, financing, and delivery of a new multi-use facility/arena, adjoining parking structure, and related improvements, to be financed by the Foundation and paid back, in-part, by private gifts to the Foundation, and will lease such improvements back to the university for its general use. The exterior designs are presented today on the Real Estate Consent Agenda for approval. The ground leases will allow the Foundation to construct a new multi-purpose facility/arena with a seating capacity of approximately 9,500, a multi-level parking structure with approximately 820 stalls, associated west side improvements to Vaught Hemingway stadium, road realignment and other infrastructure improvements, and landscaping. A dedicated food service operation will be included in the multi-purpose facility/arena as an additional campus dining venue. The multi-level garage will

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

adjoin the multi-purpose facility/arena and will be used as parking inventory when not in use for athletics and other special events. These facilities will be constructed in the parking lot adjacent to the west side of Vaught-Hemingway stadium and in the adjacent practice field. The Lease, unless earlier terminated by an event of default hereunder or mutual agreement of the parties, shall be for a primary term of five (5) years, and shall automatically renew for successive one (1) year terms, unless either party shall provide one hundred eighty (180) days written notice of termination prior to the expiration of the then-current term. The Attorney General's office has reviewed and approved the form of the ground leases. A copy of the ground leases and property description are on file in the Board Office.

- b. Approved the request to enter into an operating lease (Exhibit "B-1") with the Ole Miss Athletics Foundation (OMAF) to operate a parking garage. The OMAF will lease the parking garage constructed after execution of a ground lease of university property. The garage will have approximately 820 stalls and be located near Vaught-Hemingway Stadium. The exterior designs are presented today on the Real Estate Consent Agenda for approval. The lease contract provides for a primary lease term of five (5) years and will automatically renew for a successive one (1) year term unless either party submits an advance written notice of termination 180 days prior to the then-current term. At the end of the lease, the parking garage will become the property of the university. The university will lease the parking garage from the OMAF and have beneficial possession. The university will operate the parking garage. To finance the parking garage, the OMAF has requested the Mississippi Business Finance Corporation ("MBFC") to issue bonds which will be purchased by Regions Bank and Regions Capital Advantage, Inc. The proceeds of the Bonds will then be loaned by MBFC to OMAF and used by OMAF for the construction of the proposed parking garage. Pursuant to the Lease, the university will make rental payments equal to the debt service associated with the issuance of Bonds. Currently, the estimated debt finance portion of the parking garage is \$14 million which will have an average annual principal and interest obligation of \$1.1 million beginning in the Fall of 2014 and ending in fifteen years in the Fall of 2028. Total estimated principal and interest payments are \$17.4 million. The university will use revenues generated from parking garage operations, contributions from the athletic department, and other university transportation operations revenues. The Attorney General's office has recommended approval of the form of the operating leases. A copy of the operating lease and the property description are on file in the Board Office.
- c. Approved the request to enter into an operating lease (Exhibit "B-2") with the Ole Miss Athletics Foundation (OMAF) to operate an arena. The OMAF will lease the arena constructed after execution of a ground lease of University property. The arena will contain a seating capacity of approximately 9,500. The exterior designs are presented today on the Real Estate Consent Agenda for approval. The lease contract provides for a primary lease term of five (5) years and will automatically renew for a successive one (1)

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

year term unless either party submits an advance written notice of termination 180 days prior to the then-current term. At the end of the lease, the arena will become the property of the university. The university will lease the arena from the OMAF and have beneficial possession. The university will operate the arena. To finance the arena, the OMAF has requested the Mississippi Business Finance Corporation (“MBFC”) to issue bonds which will be purchased by Regions Bank and Regions Capital Advantage, Inc. The proceeds of the Bonds will then be loaned by MBFC to OMAF and used by OMAF for the construction of the proposed parking garage. Pursuant to the Lease, the university will make rental payments equal to the debt service associated with the issuance of Bonds. Currently, the estimated debt finance portion of the arena is \$64.8 million which will have an average annual principal and interest obligation of \$4.48 million beginning in the Fall of 2017 and ending in twenty years in the Fall of 2036. Total estimated principal and interest payments are \$89.4 million. The university proposes to use funds generated from the Forward Together fundraising campaign, which includes football and basketball seating priority plans and philanthropic gifts, as well as university cash flows becoming available from expiring debt amortization on other Athletic debt obligations. The Attorney General’s office has recommended approval of the form of the operating leases.

A copy of the operating lease and the property description are on file in the Board Office.

3. **UMMC** – Approved the following agreements with AutoMed Technologies, Inc. (1) an Equipment Purchase and Software License Agreement for automated pharmacy dispensing cabinets and related software, and (2) a System Maintenance Agreement for support services for both existing and newly purchased equipment and technology. The AutoMed equipment and technology has the ability to secure and dispense Schedule II-V narcotics without requiring the healthcare provider to access more than one medication dose at a time thus greatly reducing the risk of theft. The new equipment will be used in UMMC’s new Cardiovascular Unit. The term of the agreement is for five (5) years, November 1, 2013 through October 31, 2018. The total estimated contract cost is \$2,733,543.67. The agreements which have been reviewed and approved by the Attorney General’s Office are on file in the Board Office.
4. **UMMC** – Approved the request to enter into an agreement with Edwards Lifesciences, LLC (Edwards) for the purchase of tissue heart valves, rings, bands, and other cardiac surgery accessories needed to perform heart valve repair and replacement procedures, at prices locked-in for two (2) years at a discounted rate. The initial term of the agreement is for two (2) years with the option to renew for three (3) additional one (1) year terms. The total maximum term of the agreement is five (5) years, approximately December 1, 2013 through November 30, 2018. UMMC is requesting approval for the maximum five (5) year term. The total estimated contract cost for the maximum five (5) year contract term and is \$2,289,749.00. The estimated total cost breakdown by year is as follows: Year 1 \$307,696; Year 2 \$369,235; Year 3 \$443,082; Year 4 \$531,698; and Year 5 \$638,038. Prices are fixed for the first two years of the agreement. The first year estimate is based on historical numbers plus a 20% growth factor. There *may* be an annual rate adjustment in an amount not to exceed the increase in the Hospital and Related

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

Services component of the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, as released by the U.S. Labor Department, Bureau of Labor Statistics. UMMC has factored in a 20% growth, beginning in year two, for increases in patient volume and addition of physician staff due to the new cardiovascular unit will open soon. In years three through five, UMMC continued to factor in 20% growth to account for increases in pricing and patient volume. Funds are available from patient revenues. The contract which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

5. **UMMC** – Approved the request to enter into an agreement with St. Jude Medical S.C., Inc. d/b/a/ St. Jude Medical, U.S. Division for the purchase of mechanical heart valves, rings, bands, and other cardiac surgery accessories needed to perform heart valve repair and replacement procedures, at prices locked-in for two (2) years at a discounted rate. The initial term of the agreement is for two (2) years with the option to renew for three (3) additional one (1) year terms. The total maximum term of the agreement is five (5) years, approximately December 1, 2013 through November 30, 2018. UMMC is requesting approval for the maximum five (5) year term. The total estimated contract cost for the maximum five (5) year contract term and is \$2,289,749.00. The estimated total cost breakdown by year is as follows: Year 1 \$307,696; Year 2 \$369,235; Year 3 \$443,082; Year 4 \$531,698; and Year 5 \$638,038. Prices are fixed for the first two years of the agreement. The first year estimate is based on historical numbers plus a 20% growth factor. There may be an annual rate adjustment in an amount not to exceed the increase in the Hospital and Related Services component of the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, as released by the U.S. Labor Department, Bureau of Labor Statistics. UMMC has factored in a 20% growth, beginning in year two, for increases in patient volume and addition of physician staff due to the new cardiovascular unit will open soon. In years three through five, UMMC continued to factor in 20% growth to account for increases in pricing and patient volume. Funds are available from patient revenues. The contract which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
6. **UMMC** – Approved the request to enter into an agreement with St. Jude Medical S.C., Inc. d/b/a/ St. Jude Medical, U.S. Division for the purchase of tissue heart valves, rings, bands, and other cardiac surgery accessories needed to perform heart valve repair and replacement procedures, at prices locked-in for two (2) years at a discounted rate. The initial term of the agreement is for two (2) years with the option to renew for three (3) additional one (1) year terms. The total maximum term of the agreement is five (5) years, approximately December 1, 2013 through November 30, 2018. UMMC is requesting approval for the maximum five (5) year term. The total estimated contract cost for the maximum five (5) year contract term and is \$2,289,749.00. The estimated total cost breakdown by year is as follows: Year 1 \$307,696; Year 2 \$369,235; Year 3 \$443,082; Year 4 \$531,698; and Year 5 \$638,038. Prices are fixed for the first two years of the agreement. The first year estimate is based on historical numbers plus a 20% growth factor. There *may* be an annual rate adjustment in an amount not to exceed the increase in the Hospital and Related Services component of the Consumer Price Index for All

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

Urban Consumers (CPI-U), U.S. City Average, as released by the U.S. Labor Department, Bureau of Labor Statistics. UMMC has factored in a 20% growth, beginning in year two, for increases in patient volume and addition of physician staff due to the new cardiovascular unit will open soon. In years three through five, UMMC continued to factor in 20% growth to account for increases in pricing and patient volume. Funds are available from patient revenues. The contract which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

7. **UMMC** – Approved the following related to the agreement with Philips Healthcare, a division of Philips Electronics North America Corporation: (1) renewal of the eCare Manager system and service agreement which currently will expire on October 31, 2013, (2) amendment to the renewed eCare Manager system and service agreement to include the Epic 2012 Upgrade Services Addendum, and (3) amendment to the renewed eCare Manager system and service agreement to include the Orion Addendum. The purpose of the agreements is to extend service and support for the eCare Manager system through the Service and Support Agreement; to provide service and support during the Epic 2012 upgrade through the Epic 2012 Upgrade Services Addendum, and to provide Orion software licensing through the Orion Addendum. The term of the agreement is for three years, November 1, 2013 through October 31, 2016. The total estimated cost for the three terms is \$1,615,960 and is based on the following: service and support fees for the eCare Manager system - \$1,558,960; service and support fees for the Epic 2012 system upgrade - \$25,000; and licensing for the Orion interface engine - \$32,000. Funds are available from patient revenues. The renewal agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office. The Board also granted retroactive approval of two amendments to the original 2008 system and services agreement with VISICU, Inc. In October 2009 UMMC entered into an amendment for an additional fifteen software license at a cost of \$96,120 as well as a November 2011 amendment for an additional nine software licenses at a cost of \$80,740. Because the cost associated with the October 2009 amendment was included in the original contract cost, the two amendments only increased the overall contract cost by \$80,740 to \$13,096,480. The contract amendment increased the 2008 contract cost *from* \$13,015,740 *to* \$13,096,480. The Attorney General's Office could not issue a formal approval of these retroactive items.
8. **UMMC** – Granted retroactive approval of the amendment to the Master Terms and Conditions Agreement with Infor (US), Inc. formerly Lawson Software Americas, Inc. for the purchase of Micro Focus servicers and for the provision of an upgrade of the current operating system or platform on which the Infor system resides. At its June 2012 meeting the IHL Board approved an upgrade in maintenance from the Bronze Maintenance plan to the Silver Maintenance plan which provided a dedicated Support Account Manager, priority status regarding software issues, and a more rapid response time for repairs. The term of the maintenance agreement was for two (2) years, July 1, 2012 through June 30, 2014 at a cost of \$125,000 which increased the overall contract cost to \$1,773,021.63. The term of this amendment is for the remainder of the term of the current agreement or through June 30, 2014. Retroactive approval is for the October 2012

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

purchase of \$12,840 for Micro Focus servers. There is no cost associated with the platform upgrade. The cost for the two (2) Infor amendments that have been submitted for October IHL Board approval increases the total cost of the Infor agreement to \$1,905,221.63. Funds are available from general funds. The Attorney General's Office could not issue a formal approval of this retroactive item.

9. **USM** – Granted retroactive approval for the original agreement with Elsevier B.V. for subscription products and services for library materials, including books and journals, as well as all subsequent amendments to the original since its inception. The original agreement began on January 1, 2011. The agreement has been amended on five separate occasions since. Neither the original agreements, nor the amendments have ever been brought to the IHL Board for approval as there was a misunderstanding as to whether-or-not library subscription contracts should follow the IHL Contract approval process. The original agreement is scheduled to expire on December 31, 2015. The Board approved the ratification of the Fifth Amendment which alters the fees for annual payment periods 2013, 2014, and 2015. The purpose of the Fifth Amendment modification is to mitigate against sharp increases in costs for library materials by providing predictability and stability in pricing as well as securing discounted pricing for scientific journals. The name of the package of journals supported by this agreement is "Science Direct ® online", and it provides access to 203 e-journals. In addition, this subscription provides access to the journals dating back to 1995. The term of the agreement, as amended remains the same and will continue until December 31, 2015. The agreement will be automatically be renewed for successive one-year terms, unless either party gives notice to the other by August 1st prior to the end of then current term. A breakdown of the fees under this agreement since its inception in January 2011 is included in the bound *October 17, 2011 Board Working File*. The total cost of the agreement from inception is estimated to equal \$2,258,556. Funds are available from Educational & General (E&G) funds. The Attorney General's Office could not issue a formal approval of this retroactive item.
10. **USM** – Granted retroactive approval of the original agreement with EBSCO Information Services for print and electronic subscription resources. This is a three-year agreement that began on January 1, 2012 and is slated to end on December 31, 2014. The agreement has an automatic one-year extension through December 31, 2015, unless notice of termination is provided by USM prior to September 30, 2014. The original agreement was not brought to the IHL Board for approval as there was a misunderstanding as to whether-or-not library subscription contracts should follow the IHL Contract approval process. The purpose of the agreement is to allow EBSCO to serve as USM's information service interface to handle many thousands of invoices to obtain individual journal subscriptions and electronic resources with publishers. Without these services, USM would have to individually deal with dozens of publishers to correct issues of misplaced journal volumes, failed software platforms, changes in line-up and similar issues. EBSCO also provides statistical information for USM's use. EBSCO collaborates with large international publishers and software vendors to help USM obtain better pricing and discounts. The term of the original agreement began on January 1, 2012 and is slated

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

to end on December 31, 2014. The agreement will automatically extend one additional year through December 31, 2015, unless USM formally cancels that extension by giving's its intent by September 30, 2014. A breakdown of the fees that have been expended or are expected to be expended is included in the bound *October 17, 2013 Board Working File*. Included in this breakdown are expected additional fees for the one-year extension. Should that extension be exercised, total expected costs are estimated to equal \$4,299,001. Funds are available from Educational & General (E&G) funds. The Attorney General's Office could not issue a formal approval of this retroactive item.

11. **System** – Approved the proposed multi-year tuition rates for resident and non-resident students effective FY 2015 and FY 2016 for first reading. In compliance with Board Policy 702.04 (C) Consideration of Request, final approval of the tuition rates will be considered in 30 days. **(See Exhibits 1 and 2.)**

REAL ESTATE AGENDA

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Hooper, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1a as submitted on the Real Estate Agenda. On motion by Trustee Parker, seconded by Trustee Hooper, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1b.

1. **MSU** – Mill Development at MSU Conference Center related items as follows.
 - a. **MSU** - Approved the sale of 1.63 acres of land (Lot 2) to Cooley Center Hotel, LLC and the sale of 1.30 (Lot 3) and .59 acres (Parcel 2) of land to Russell Street Development, LLC as part of the Mill at MSU Conference Center. The Board also granted the Commissioner and Board President the authority to approve any changes to the contract which are required by the project lenders and which do not change the essential terms of the contract without further Board approval. Any changes which do impact the essential terms of the contract will be submitted to the Board for consideration. Lot 2 which will be sold to the Cooley Center Hotel, LLC is limited to the development of a Marriot Courtyard. Lot 3 and Parcel 2 which will be sold to Russell Street Development, LLC is limited to the development of restaurants or retail use approved by MSU. The land is not needed by the university, is not located on campus, and is not part of the campus master plan. The legal description of the land (Lot 2, Lot 3 and Parcel 2) to be sold along with a plat is included in the *October 17, 2013 Board Working File*. The hotel parcel (Lot 2) must close on or before November 30, 2013. The 2 outparcels (Parcel 2 and Lot 3) must close on or before April 30, 2014. MSU does have the option to grant up to six (6) months extension for the sale of any parcel upon good cause shown. Cooley Center, LLC

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

shall have the option not to purchase the property if it is not satisfied with the inspections or if it is unable to obtain the necessary approvals to develop a hotel on the property. Should Cooley Center Hotel, LLC or Russell Street Development, LLC fail to develop the property as agreed to or fail to adhere to the terms of the Master Lease Agreement regarding the Cooley Building, MSU shall have the right to repurchase the property for the purchase price as well as any actual costs incurred in construction less \$25,000 or for the average of two appraisals, whichever is less. Mississippi State University has received two independent property appraisals for the property. The first appraisal of the property reflected a total property value of \$1,430,000. The second appraisal of the property reflected a total property value of \$2,080,000. The university is selling the Hotel property (1.63 acres) to Cooley Center Hotel, LLC for \$665,000.00 (Lot 2) and the Outparcels to Russell Street Development for \$1,090,000.00. The sale price of the Outparcels is broken down as follows: \$355,000 for the 0.59 acres (Parcel 2) + \$735,000 for the 1.30 acres (Lot 3). The total sale price for all 3 pieces of property is \$1,755,000.00 which is the average of the two appraisals and complies with Board Policy for the sale of property. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. 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 this item.

- b. **MSU** - Approved a temporary construction easement to Cooley Center, LLC; Cooley Center Hotel, LLC; and Russell Street Development, LLC allowing the access to the remaining property Mississippi State University owns surrounding the Cooley Building in order for these entities to construct a road on a portion of the property and to grade a portion of the property as well as run utilities to it as described in the Agreement for the Purchase, Sale, and Redevelopment of Real Estate. In the event construction of the improvement is not commenced within six (6) months from the date in signed agreement, the rights and privileges in the agreement shall at once revert to the Grantor, its successors, and assigns. The easement includes the rights of ingress or egress at any time over and upon the property. There is reserved to the Grantor, its successors and assigns the right and privilege to use the property at any time, in any manner, and for any purpose not inconsistent with the full use and enjoyment by the Grantees, their successors and assigns, of the rights and privileges granted in agreement. The Grantees are responsible, at their expense, for constructing, operating, and maintaining improvements. All rights granted by this instrument from the Grantor to the Grantees are temporary and terminate upon the completion of the Construction of Improvements described above. Grantor may terminate this easement and all rights granted herein at any time after six (6) months of continuous non-use of the easement by Grantees. Upon completion of the above construction of Improvements, the Grantees shall relinquish all rights granted herein, and any and all interest in the Grantor's property conveyed in this easement shall

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

automatically revert to the Grantor or its successors or assigns. The Attorney General's Office has reviewed and approved this item.

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

FINANCE

1. **System** - Mississippi Department of Information Technology Services is acting as contracting agent for the Mississippi Institutions of Higher Learning (IHL) and is entering into an agreement with Ellucian Company, L.P. This agreement will afford the institutions that utilize Banner Enterprise Resource Planning Systems a pool of consulting hours available for consulting and training services on an as needed basis. The institutions that use Banner are ASU, DSU, JSU, MSU, MUW, MVSU. The contract will be two-years in length and provides for 5,000 hours of consulting and training services at a rate of \$180 per hour. The 5,000 hour work order is time and materials bases. There is no obligation to consume the hours and member institutions are only billed for hours consumed. The total contract cost will not exceed \$900,000.
2. **System** - In accordance with the *JAKE AYERS, JR. ET.AL. and United States of America v RONNIE MUSGROVE, GOVERNOR, STATE OF MISSISSIPPI, ET.AL.* Settlement (aka: *Ayers Settlement Agreement*), the Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information. This document is due October 1 of each year and has been presented to the court. A copy of the document is on file in the Board Office.

REAL ESTATE

3. **System** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 15, 2013 Board meeting in accordance with Board Policy 904 Board Approval. (See **Exhibit 3.**)

LEGAL

4. **System** – The Board received a report of the payment of legal fees to outside counsel. (See **Exhibit 4.**)

ADMINISTRATION/POLICY

5. **System** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
 - a. **UM** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to 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 September 25, 2013, the Commissioner approved the request for budget

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

revisions to the Center for Manufacturing Excellence for the University of Mississippi. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents are included in the *October 17, 2013 Board Working File*.

- b. **USM** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to 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 September 25, 2013, the Commissioner approved the request for final revisions to the On Campus Budget, Gulf Coast Campus Budget, and Gulf Coast Research Lab Budget for Fiscal Year 2013 for the University of Southern Mississippi. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents are included in the *October 17, 2013 Board Working File*.
- c. **UM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On September 30, 2013, the Commissioner approved the request by the University of Mississippi to amend a lease agreement between The Board of Trustees of State Institutions of Higher Learning and The Tau House Corporation of Chi Omega Sorority (Lessee). This is a no-cost amendment that will allow Lessee to extend the northern property line of Lot 256 on the Oxford campus of UM by twenty (20) feet beyond the current lot line. Extending the property line will enable Lessee to construct an addition to the northeast corner of the present sorority house in order to house additional students. The current lease was executed in August 2009 and runs for a thirty (30) year term, expiring on or about July 31, 2039. The Executive Office legal staff have reviewed and approved the contract documents.
- d. **UMMC** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On September 30, 2013, the Commissioner approved the request for the University of Mississippi Medical Center to enter into a lease agreement with the Mississippi Fair Commission (Commission). The agreement is for the lease of booth space at the Mississippi State Fairgrounds during the 2013 Mississippi State Fair. The space will be used by UMMC to offer community health education and screenings to patrons of this year's fair. The total cost of the agreement is \$1,300. The agreement will be funded by general funds. The Executive Office legal staff have reviewed and approved the contract documents.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

LEGAL AGENDA

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Dye, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to move agenda items #1 through #4 to the Executive Session Agenda.

1. **MSU – Settlement of IHL Self-Insured Workers’ Compensation Claim No. 55-34088-1. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
2. **UMMC – Settlement of Tort Claim No. 1797 Johnnie Stuart. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
3. **UMMC – Settlement of Tort Claim No. 1878 David McBride. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**
4. **UMMC – Settlement of Tort Claim No. 1877 Edward Murphy. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)**

ANNOUNCEMENTS

- Vice President Patterson announced the next Board meeting will be in Jackson on November 21, 2013.
- Trustee Rouse commended Dr. Carolyn Meyers, President of Jackson State University, who indicated in her earlier presentation that the student athletes and all the students are involved in community service now.

**FINANCE COMMITTEE
MEETING REPORT**

Wednesday, October 16, 2013

The committee was brought to order by Chairman Alan Perry at approximately 2:40 p.m.

1. The Committee received information regarding Regular Finance Agenda items to be presented to the Board for approval on October 17, 2013. No action was taken.
2. The Committee received a presentation regarding the proposed housing development at Jackson State University through the Jackson State Development Foundation. No action was taken.
3. On motion by Trustee Patterson, seconded by Trustee Rouse, with Trustees Cummins and Pickering absent and not voting, all Committee members legally present and participating voted unanimously to adjourn the meeting.

The following Committee members were present: Mr. Alan Perry (Chair), Mr. Aubrey Patterson, Ms. Robin Robinson, and Dr. Doug Rouse. Committee members Ms. Karen Cummins and Ms. Christy Pickering were absent. Other Trustees attending were Dr. Ford Dye, Mr. Shane Hooper and Mr. Hal Parker.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

**ACADEMIC AFFAIRS COMMITTEE
MEETING REPORT**

Wednesday, October 16, 2013

The committee was brought to order by Chairman Robin Robinson at 4:00 p.m.

1. The Committee discussed the Academic Affairs Regular Agenda items to be acted upon at the October 17, 2013 Board meeting. No action was taken.
2. The Committee received an update on Teacher Education Preparedness by Dr. Susan Lee, IHL Director of Academic Affairs.
3. On motion by Trustee Hooper, seconded by Trustee Dye, with Trustees Blakeslee and Smith absent and not voting, all Committee members present and participating voted unanimously to adjourn the meeting.

The following Committee members attended the meeting: Ms. Robin Robinson (Chair), Dr. Ford Dye, Mr. Shane Hooper. Committee members Mr. Ed Blakeslee and Mr. C. D. Smith were absent. Others Trustees attending the meeting were: Mr. Hal Parker, Mr. Aubrey Patterson, Mr. Alan Perry, and Dr. Doug Rouse.

**HEALTH AFFAIRS COMMITTEE
MEETING REPORT**

Wednesday, October 16, 2013

The committee was brought to order by Chairman Aubrey Patterson at 4:30 p.m. Chairman Patterson noted this is the first meeting of this committee since its inception.

1. Executive Session

On motion by Trustee Perry, with Trustee Blakeslee absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether or not is should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Blakeslee absent and not voting, all Committee members 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 three possible land transactions at the University of Mississippi Medical Center

During Executive Session, the following matters were discussed:

The Board received updates regarding three possible land transactions. No action was taken.

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Blakeslee participating by phone, all Committee members legally present and participating voted unanimously to return to Open Session.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

2. Chairman Patterson indicated that this committee will be meeting monthly for the near future. The next meeting will be Wednesday, November 20, 2013.
3. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Blakeslee participating by phone, all Committee members legally present and participating voted unanimously to adjourn the meeting.

The following Committee members were present: Mr. Aubrey Patterson (Chair), Mr. Ed Blakeslee (by phone), Dr. Ford Dye, Mr. Shane Hooper, Mr. Alan Perry, and Dr. Doug Rouse. Other Trustees attending included Mr. Hal Parker and Ms. Robin Robinson.

EXECUTIVE SESSION

Thursday, October 17, 2013

On motion by Trustee Perry, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not is should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens, and Pickering 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 four litigation matters, one at one public university and three at another public university,
Discussion of a personnel matter at one of the public universities, and
Discussion of a personnel matter at the Board Office.

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

On motion by Trustee Dye, seconded by Trustee Hooper, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the proposed settlement of Tort Claim No. 1797, styled as *Johnnie Stuart vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Rouse, seconded by Trustee Hooper, with Trustee Cummins participating by phone and Trustees Blakeslee, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the proposed settlement of Tort Claim No. 1878, styled as *David McBride vs. UMMC, et al.*, as recommended by counsel.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

On motion by Trustee Perry, seconded by Trustee Dye, with Trustees Blakeslee, Cummins, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the proposed settlement of Tort Claim No. 1877, styled as *Edward Murphy vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Dye, seconded by Trustee Hooper, with Trustees Blakeslee, Cummins, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the proposed settlement of IHL Self-Insured Workers' Compensation Claim No. 55-34088-1, styled as *Helen Jean Virgil vs. MSU, et al.*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee Dye, with Trustee Blakeslee, Cummins, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to give Dr. Jim Borsig, President of the Mississippi University for Women, a new four-year employment contract.

The Board discussed a personnel matter at the Board Office.

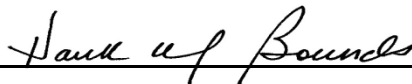
On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Blakeslee and Robinson participating by phone and with Trustees Cummins, Owens, and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

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



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
October 17, 2013**

EXHIBITS

- | | |
|------------|---|
| Exhibits 1 | Proposed multi-year tuition rates for resident students effective FY 2015 and FY 2016 for first reading. |
| Exhibit 2 | Proposed multi-year tuition rates for non-resident students effective FY 2015 and FY 2016 for first reading. |
| Exhibit 3 | Real Estate items that were approved by the IHL Board staff subsequent to the August 15, 2013 Board meeting. |
| Exhibit 4 | Report of the payment of legal fees to outside counsel. |

EXHIBIT 1



Resident Tuition Proposed Rate Increases Summary Slide

FY 2015

	Approved	Proposed	\$ Change	% Change
ASU	\$ 6,108	\$ 6,200	\$ 92	1.5%
DSU	6,012	6,012	-	0.0%
JSU	6,348	6,602	254	4.0%
MSU	6,672	7,040	368	5.5%
MUW	5,640	5,540	(100)	-1.8%
MVSU	5,916	5,916	-	0.0%
UM	6,660	6,996	336	5.0%
USM	6,744	6,980	236	3.5%
UMMC	6,660	6,996	336	5.0%

FY 2016

	Proposed	\$ Change	% Change
ASU	\$ 6,386	\$ 186	3.0%
DSU	6,012	-	0.0%
JSU	6,866	264	4.0%
MSU	7,392	352	5.0%
MUW	5,540	-	0.0%
MVSU	5,916	-	0.0%
UM	7,344	348	5.0%
USM	7,224	244	3.5%
UMMC	7,344	348	5.0%

EXHIBIT 2



Non-Resident Tuition Proposed Rate Increases Summary Slide

FY 2015

FY 2016

	Approved	Proposed	\$ Change	% Change		Proposed	\$ Change	% Change
ASU	\$ 15,108	\$ 15,433	\$ 325	2.2%	ASU	\$ 16,205	\$ 772	5.0%
DSU	N/A	N/A			DSU	N/A	N/A	
JSU	15,552	16,174	622	4.0%	JSU	16,821	647	4.0%
MSU	16,860	18,378	1,518	9.0%	MSU	20,032	1,654	9.0%
MUW	15,360	15,260	(100)	-0.7%	MUW	15,260	-	0.0%
MVSU	N/A	N/A			MVSU	N/A	N/A	
UM	17,628	19,044	1,416	8.0%	UM	20,574	1,530	8.0%
USM	15,024	15,550	526	3.5%	USM	16,094	544	3.5%
UMMC	17,628	19,044	1,416	8.0%	UMMC	20,574	1,530	8.0%

EXHIBIT 3

October 17, 2013

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE August 15, 2013 BOARD MEETING SUBMISSION DEADLINE

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

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

1. ASU – GS 101-291 – Rowan Hall

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$7,706.40 and fourteen (14) additional days to the contract of Barnard & Sons Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 6, 2013

Change Order Justification: **Change Order #3** is necessary to provide repairs to the undocumented waterline uncovered during the excavation at the front entry plaza.

Total Project Change Orders and Amount: Three (3) change order for a total amount of \$212,874.40.

Project Initiation Date: August 18, 2011

Design Professional: Duvall Decker Architects, P.A.

General Contractor: Barnard & Sons Construction

Project Budget: \$2,338,928.00

2. ASU– GS 101-294 – Utility Infrastructure

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

Staff Approval Date: August 8, 2013

Project Initiation Date: March 21, 2013

Design Professional: Atherton Consulting Engineers

General Contractor: TBD

Project Budget: \$1,292,079.00

3. JSU– GS 103-268 – Capitol Centre Improvement

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by M3A Architects. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: July 10, 2013

EXHIBIT 3

October 17, 2013

Project Initiation Date: November 17, 2011

Design Professional: M3A Architects

General Contractor: TBD

Project Budget: \$3,065,842.00

4. JSU – GS 103-275 – Administration Tower Exterior Waterproofing

Interim Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on August 2, 2013 **approving a budget increase** for the Administration Tower Exterior Waterproofing project. The project budget was increased from \$2,000,000.00 to \$2,804,452.00 for an increase in the amount of \$804,452.00. In addition, **approving the addition of a funding source** to the project. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Interim Approval Date: August 2, 2013

Project Initiation Date: April 18, 2013

Design Professional: Burris/Wagnon Architects, P.A.

General Contractor: Coleman Hammons Construction Company, Inc.

Project Budget: \$2,804,452.00

5. JSU– GS 103-275 – Administration Tower Exterior Waterproofing

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Coleman Hammons Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 6, 2013

Project Initiation Date: April 18, 2013

Design Professional: Burris/Wagnon Architects, P.A.

General Contractor: Coleman Hammons Construction Company, Inc.

Project Budget: \$2,804,452.00

6. MSU– GS 105-345 (GC02) – Classroom Building with Parking (Mechanical)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Upchurch Plumbing, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: June 26, 2013

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Upchurch Plumbing, P.A.

Project Budget: \$37,509,471.00

7. MSU– GS 113-130 – Necropsy Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the amount of \$22,045.58 and thirty-one (31) additional days to the contract of T. L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: July 1, 2013

EXHIBIT 3

October 17, 2013

Change Order Justification: **Change Order #10** is necessary to add a hot water line to the hose reel located near the large animal coolers, to furnish & install a sink and components in the sample receiving room, to provide & install a drain for the incinerator and to add 11 days due to rain delays.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$787,604.63.

Project Initiation Date: October 21, 2010

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: T. L. Wallace Construction, Inc.

Project Budget: \$12,197,791.22

8. **MSU– IHL 205-260 – Expansion and Renovation to Davis Wade Stadium (Signage)**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Mitchell Signs, Inc.

Staff Approval Date: July 3, 2013

Project Initiation Date: May 19, 2011

Design Professional: LPK Architects, P.A.

General Contractor: Mitchell Signs, Inc.

Project Budget: \$80,000,000.00

9. **MSU– IHL 205-260 – Expansion and Renovation to Davis Wade Stadium**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$556,251.16 and zero (0) additional days to the contract of Harrell Contracting Group, LLC.

Staff Approval Date: August 7, 2013

Change Order Justification: **Change Order #2** is necessary for removal & replacement of soil, removal of concrete obstruction, additional steel beams for support, relocation of the existing storm drain, re-routing of east stadium medium voltage conduit, to provide increase width of grade beams GB5-GB9, northwest site sanitary sewer revisions, to re-route 6" water main for east stadium, to re-feed M-Club power from Lloyd Ricks,, modifications made to rigid conduit requirements, relocation of generator, north ramp modifications at west concourse, additional 4" domestic water piping, capping of 4" water line discovered at the northwest corner of the site, re-design of the southwest elevator tower, to re-route existing west side rain leaders, to re-route existing west concourse feeds, relocation of an unknown 42" storm drain, additional A/V conduits from west concourse to M-Club and revision to the west concourse south ramp.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$704,677.71.

Project Initiation Date: May 19, 2011

Design Professional: LPK Architects

General Contractor: Harrell Contracting Group, LLC

Project Budget: \$80,000,000.00

EXHIBIT 3

October 17, 2013

10. MVSU– GS 106-218 – New President’s Home

Interim Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on August 2, 2013 **approving a budget increase** for the New President’s Home project. The project budget was increased from \$993,696.00 to \$1,292,696.00 for an increase in the amount of \$299,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Interim Approval Date: August 2, 2013

Project Initiation Date: March 20, 2009

Design Professional: Shafer & Associates, Office of Architecture

General Contractor: David Smith Construction, Inc.

Project Budget: \$1,292,696.00

11. MVSU– GS 106-240 – Leflore Hall Bath Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Atherton Engineers, 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: July 1, 2013

Project Initiation Date: January 17, 2013

Design Professional: Atherton Consulting Engineers

General Contractor: TBD

Project Budget: \$1,617,079.00

12. UM – GS 107-308 – Student Union Addition and Renovation

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

Staff Approval Date: July 17, 2013

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Project Budget: \$50,000,000.00

13. UM– IHL 207-306 – Center for Manufacturing Excellence

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #12** in the **credit amount** of \$10,500.00 and zero (0) additional days to the contract of Panola Construction Co., Inc.

Staff Approval Date: July 17, 2013

Change Order Justification: **Change Order #12** is necessary to deduct for assessment of liquidated damages.

EXHIBIT 3

October 17, 2013

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.
Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of \$337,896.25.
Project Initiation Date: November 15, 2007
General Contractor: Panola Construction Co., Inc.
Project Budget: \$17,700,000.00

14. UM– IHL 207-346 – Stockard Hall & Martin Hall Brick Veneer Replacement

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$1,909.36 and two (2) additional days to the contract of Evan Johnson & Sons Construction, Inc.

Staff Approval Date: July 17, 2013

Change Order Justification: **Change Order #4** is necessary for removal of existing exhaust fans and infill and to replace two window sashes.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$35,812.01.

Project Initiation Date: February 17, 2011

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Evan Johnson & Sons Construction, Inc.

Project Budget: \$8,000,000.00

15. UM– IHL 207-348 – Johnson Commons West Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$183,864.96 and zero (0) additional days to the contract of Zellner Construction.

Staff Approval Date: July 17, 2013

Change Order Justification: **Change Order #6** is necessary for additional plumbing & electrical work specified for the food service equipment, to modify the glass canopy & glass wall systems, to add a new door to replace the existing door 104b, and to modify the opening to accommodate access hardware, to replace the vanities in restrooms 112 & 113 as the existing units could not be salvaged, to replace the existing damaged louvers, for miscellaneous steel modifications & additions for market diffusers & furrdowns and to install blocking for POS and needed electrical for POS systems.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$1,216,905.25.

Project Initiation Date: May 19, 2011

Design Professional: Tipton Associates, A Professional Architectural Corporation

General Contractor: Zellner Construction

Project Budget: \$14,500,000.00

16. UM – IHL 207-353 – Coulter Hall Addition and Renovation

Interim Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on August 2, 2013 **approving sole source** of the Building Energy

EXHIBIT 3

October 17, 2013

Management & Control System (Johnson Controls) and the Laboratory Airflow Control System (Phoenix Controls).

Interim Approval Date: August 2, 2013

Project Initiation Date: February 16, 2012

Design Professional: CDFL & BEJ - A Professional Association

General Contractor: N/A

Project Budget: \$18,000,000.00

17. UM– IHL 207-358 – Lewis Hall Academic Heating Modifications

Staff Approval #1 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$6,310.63 and zero (0) additional days to the contract of Acy Mechanical.

Staff Approval #2 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the **credit amount** of \$1,827.00 and five (5) additional days to the contract of Acy Mechanical.

Staff Approval Date: (#1) July 3, 2013; (#2) August 8, 2013

Change Order Justification: **Change Order #2** is necessary to add additional light fixtures in storage room 110, venetian blinds in room 109 & 212, window boxes in room 110 and to deduct for a laptop computer. **Change Order #3** is necessary for changes to modify 21 windows installed in the 1930's and the hardware required for repair is no longer available.

Total Project Change Orders and Amount: Three (3) change orders for a total **credit amount** of \$4,684.17.

Project Initiation Date: March 15, 2012

Design Professional: The CGM Group

General Contractor: Acy Mechanical

Project Budget: \$1,600,000

18. UM– IHL 207-363 – Library Cooling Tower Replacement

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by The CGM Group, Inc., design professional.

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

Staff Approval Date: July 29, 2013

Project Initiation Date: October 18, 2012

Design Professional: The CGM Group, Inc.

General Contractor: TBD

Project Budget: \$1,500,000.00

19. UM– IHL 207-365 – Kinard Hall Water Storage Tank Replacement at Rebel Drive

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

EXHIBIT 3

October 17, 2013

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

Staff Approval Date: June 25, 2013

Project Initiation Date: October 18, 2012

Design Professional: Engineering Solutions, Inc.

General Contractor: TBD

Project Budget: \$2,500,000.00

20. UMMC – GS 109-195 – AED (Adult Emergency Department Renovations)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$20,134.00 and thirty-five (35) additional days to the contract of Flagstar Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property

Staff Approval Date: July 30, 2013

Change Order Justification: **Change Order #8** is necessary to omit replacement of the ceiling grid & removal of existing abandoned ducts, to add new lights & other electrical devices, branch ducts & grilles, and to install new 2x2 ceiling panels, to add tv outlets for six treatment rooms and change fluorescent 2x4 fixtures to 2x2 fixtures in the x-ray diagnostic room, provide changes to the HVAC serving Comm Room E009 to provide adequate cooling based on actual heat loads of equipment selected & being installed under the separate MITS project for the Adult Emergency Renovation, to extend the fiber cable connection point for the new fire alarm panel installed to Comm Room #5 on the first floor of the South wing & make connections in that space where directed by DIS, to provide smoke detectors tied to the new fire alarm system on both sides of Door E080-C in order to comply with code requirements, and to change casework in the treatment rooms from stainless steel to phenolic core construction panels with solid surface tops.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$840,224.94.

Project Initiation Date: November 14, 2007

Design Professional: Dale/Morris Architects, PLLC

General Contractor: Flagstar Construction Company, Inc.

Project Budget: \$11,755,000.00

21. UMMC– GS 109-204 – Boiler Room Upgrades

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$70,652.00 and zero (0) additional days to the contract of McLain Plumbing and Electrical Service, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: July 3, 2013

Change Order Justification: **Change Order #1** is necessary to revise the roof hatch & the roof opening size and location, and to change the main electrical breaker to a 300 amp and feed from a new emergency motor control center in the boiler plant.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$70,652.00.

Project Initiation Date: February 16, 2012

EXHIBIT 3

October 17, 2013

Design Professional: Eldridge and Associates Consulting Engineers

General Contractor: McLain Plumbing and Electrical Service, Inc.

Project Budget: \$1,200,000.00

22. UMMC – GS 109-210 – School of Medicine (GC-001)

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by CDFL + ELEY, A Joint Venture, 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: July 25, 2013

Project Initiation Date: June 16, 2011

Design Professional: CDFL + ELEY, A Joint Venture

General Contractor: TBD

Project Budget: \$14,500,000.00

23. UMMC – GS 109-210 – School of Medicine (GC-003)

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by CDFL + ELEY, A Joint Venture, 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: July 25, 2013

Project Initiation Date: June 16, 2011

Design Professional: CDFL + ELEY, A Joint Venture

General Contractor: TBD

Project Budget: \$14,500,000.00

24. UMMC– IHL 209-532 – Cardiovascular Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$33,927.84 and seven (7) additional days to the contract of Fountain Construction Company.

Staff Approval Date: August 7, 2013

Change Order Justification: **Change Order #9** is necessary to credit for 21 recessed trash cans not needed, due to a change in the plumbing supplemental drawing the supports for the main storm drain piping will be changed to allow for more useable shelled basement space, and to remove the dated ceiling grid & tile in the main hospital corridor and install a ceiling system & lighting.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$259,568.84.

Project Initiation Date: February 18, 2010

EXHIBIT 3

October 17, 2013

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, PA

General Contractor: Fountain Construction Company

Project Budget: \$20,182,526.00

25. USM – GS 108-235 – College Hall Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$13,572.00 and zero (0) additional days to the contract of W. G. Yates & Sons Construction Company. 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 #5** in the amount of \$24,781.00 and forty-three (43) additional days to the contract of W. G. Yates & Sons Construction Company. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: July 18, 2013

Change Order Justification: **Change Order #4** is necessary to replace type x basement drywall with gold bond xp drywall, to use steel in lieu of aluminum for connector rails, to add pro cyc base in the photo studio and change the finishes to flat white paint and delete the wall base. **Change Order #5** is necessary to add a fire transfer switch to the fire pump controller panel and to add electrical service for security.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$126,495.00.

Project Initiation Date: October 21, 2004

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

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

Project Budget: \$6,252,302.68

26. USM– GS 108-267 – College of Business Building

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$21,770.00 and twenty (20) additional days to the contract of Hanco Corporation.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$61,518.02 and zero (0) additional days to the contract of Hanco Corporation.

Staff Approval Date: July 18, 2013

Change Order Justification: **Change Order #3** is necessary for work related to structural concrete modifications as required and to add 20 additional days to complete this work. **Change Order #4** is necessary for work related to modifying the roofing system and work related to changing all door closers from Sargent to LCN.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$68,423.98.

Project Initiation Date: March 2, 2005

Design Professional: Eley Guild Hardy Architects-Jackson, P.A./Studio South Architects, PLLC – A Joint Venture.

General Contractor: Hanco Corporation

Project Budget: \$34,000,000.00

EXHIBIT 3

October 17, 2013

27. USM – IHL 208-313 – Fine Arts Complex Tornado Repairs and Renovations

Interim Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on June 4, 2013 **approving initiation** of the Fine Arts Complex Tornado Repairs and Renovations project.

Interim Approval Date: June 4, 2013

Project Initiation Date: June 4, 2013

Design Professional: Allred Architectural Group

General Contractor: TBD

Project Budget: \$4,664,516.57

28. USM– Gulf Park - IHL 214-016 – Elizabeth Hall Storm Damage Repair

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$29,633.00 and seventy-two (72) additional days to the contract of Starks Contracting Company, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$0.00 and ten (10) additional days to the contract of Starks Contracting Company, Inc.

Staff Approval Date: (#1) June 3, 2013; (#2) July 25, 2013

Change Order Justification: **Change Order #2** is necessary to furnish all labor & materials to provide clear anodized class II in lieu of the originally specified painted finish for all aluminum storefront windows & door framing due to the existing window openings being approximately 1'-0" wider than indicated on plans, to provide new aluminum sill flashing at windows there was no existing flashing, and to add ten days to complete this work. **Change Order #3** is necessary to furnish all labor & materials to furr out and sheetrock the West wall of the production room to accommodate the installation of the Green Screen Cove Base system to include installing 3-5/8" metal stud framing with new 5/8" gypsum wallboard along the West wall over the existing masonry surface, installing 5/8" plywood nailer strips as required to attach the Green Screen Cove Base system to the new wall & installing a 6' wide section of Pro Matte III Virtual Green flooring in front of the Green Screen Cove Base.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$99,535.00.

Project Initiation Date: August 21, 2008

Design Professional: Klee Odom + Klee

General Contractor: Starks Contracting Company, Inc.

Project Budget: \$2,000,000.00

29. USM– Gulf Coast - IHL 214-018 – Central Mechanical Plant Expansion

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$5,260.35 and zero (0) additional days to the contract of J. F. Pate and Associates Contractors, Inc.

Staff Approval Date: July 25, 2013

EXHIBIT 3

October 17, 2013

Change Order Justification: **Change Order #2** is necessary to furnish all labor, materials, equipment & services to add treated blocking covered with a prefinished metal cap to match other elevations in lieu of the top masonry wall being open, to lower the main chill water header in order to clear the existing coiling doors opening header/lintel construction and services needed to change the fan coil power to 120 volts.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$8,860.35.

Project Initiation Date: October 18, 2012

Design Professional: Studio South Architects, PLLC

General Contractor: J. F. Pate and Associates Contractors, Inc.

Project Budget: \$1,500,000.00

30. ERC– GS 111-049 – Road Improvements

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the **credit amount** of \$5,867.33 and twenty (20) additional days to the contract of Southern Rock, LLC. 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 #5** in the **credit amount** of \$787.74 and zero (0) additional days to the contract of Southern Rock, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: (#1) June 10, 2013; (2) June 18, 2013

Change Order Justification: **Change Order #4** is necessary to deduct for deletion of concrete stairs at the maintenance building, deletion of the sidewalk at stations 21+00 to 22+80, and to add for over-excavation of one additional foot of depth, full width of road, and to replace with sand-clay grave, underlain by Tensar TriAx TX-160 from stations 32+80 to 34+85, installation of four light fixtures and additional 15 days due to adverse weather conditions. **Change Order #5** is necessary to deduct for deletion of 50% of the budget for crepe myrtle trees, deletion of the concrete cap over the fiber optic line at station 34+75, to add for over-excavation of one additional foot of depth, full width of road, and replace with sand-clay gravel, underlain by Tensar TriAx TX-160 from stations 31+50 to 32+80, adjustments made to RCI-13 and RCI-14, installation of 6% lime stabilization mixed 6" deep from stations 27+50 to 31+50 full width of road, excavation of existing soil & installation of select fill above new 24" RCP between RCI-13 and RCI-14.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$183,655.88.

Project Initiation Date: October 20, 2011

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

General Contractor: Southern Rock, LLC

Project Budget: \$2,551,057.07

EXHIBIT 4

October 17, 2013

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 Ware/Gasparian (statements dated 9/1/13) from the funds of Mississippi State University. (These statements, in the amounts of \$2,000.00 and \$1,500.00, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 3,500.00

Payment of legal fees for professional services rendered by Evans Petree (statement dated 9/4/13) from the funds of the University of Mississippi. (This statement, in the amount of \$2,507.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,507.50

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell and Berkowitz (statement dated 9/6/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$399.00, represents services and expenses in connection with litigation matters.)

TOTAL DUE.....\$ 399.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 8/26/13, 8/26/13 and 8/28/13) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,140.00, \$5,180.00 and \$1,280.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 10,600.00

Payment of legal fees for professional services rendered by Jones Walker (statements dated 5/31/13, 6/27/13, 7/25/13 and 8/27/13) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,427.80, \$227.44, \$205.00 and \$389.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 7,249.44

EXHIBIT 4

October 17, 2013

Payment of legal fees for professional services rendered by Kitchens, Hardwick & Ray (statements dated 9/5/13, 9/5/13, 9/5/13 and 9/6/13) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$9,594.50, \$2,754.50, \$685.50 and \$3,184.50, respectively, represent services and expenses in connection with general legal advice and litigation matters.)

TOTAL DUE.....\$ 16,219.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 8/7/13 and 8/15/13) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$4,907.00 and \$924.50, respectively, represent services and expenses in connection with general legal advice - J.L. Scott Marine Education Center.)

TOTAL DUE.....\$ 5,831.50

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 8/22/13, 8/22/13, 8/22/13, 8/22/13, 9/12/13, 9/12/13, 9/12/13, 9/12/13, 9/12/13, 9/12/13 and 9/12/13) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Esterification and Bio Oil Upgrading" - \$585.00; "Live Attenuated Catfish Vaccine" - \$1,905.50; "Srinivasan - Elusieve Processing CIP Application" - \$830.00; "Klink - Glycine Max Resistance" - \$42.50; "Fully Scalable Computer Architecture for Parallel Discrete Event" - \$1,070.00; "Live Attenuated Catfish Vaccine" - \$610.00; "Srinivasan - Elusieve Processing CIP Application" - \$42.50; "PCT Appl. for Thermal Transfer Mech. for Auger Pyrolysis" - \$42.50; "Klink - Glycine Max Resistance" - \$42.50; "Steele - Provisional-Upgrading of Bio-Oil Using Synthesis Gas" - \$87.50; "Esterification and Bio-Oil Upgrading" - \$200.00 and "Live Attenuated Catfish Vaccine" - \$229.50, respectively.)

TOTAL DUE.....\$ 5,687.50

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 8/19/13) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Enhancers of Paraoxanase 1 (PON1) Activity Toward Degrading Organophosphates" - \$630.00.)

TOTAL DUE.....\$ 630.00

EXHIBIT 4

October 17, 2013

Payment of legal fees for professional services rendered by HersHKovitz & Associates (statement dated 9/5/13) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: "Highly Selective Sigma Receptor Ligands" - \$1,615.00.)

TOTAL DUE.....\$ 1,615.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/19/13) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Gas Separating Membranes" - \$180.00; "Methods for Detecting Humans" - \$2,726.03 and "Methods for Detecting Humans" - \$261.66.)

TOTAL DUE.....\$ 3,167.69

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/16/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 6/20/13, 7/15/13, 7/15/13, 7/15/13, 7/15/13, 7/15/13, 7/15/13 and 7/15/13) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,360.90, \$528.00, \$3,251.30, \$346.10, \$91.50, \$132.90, \$434.00, \$443.50, \$71.00, \$78.00, \$350.00, \$2,091.00, \$4,167.58, \$713.00, \$913.00, \$839.10, \$431.50, \$3,999.50 and \$1,286.10, respectively, represent services and expenses in connection with intellectual property/patents.)

TOTAL DUE.....\$ 23,527.98

Payment of legal fees for professional services rendered by Watkins & Eager (statement dated 8/27/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$15,103.20, represents services and expenses in connection with intellectual property/patents.)

TOTAL DUE.....\$ 15,103.20

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 7/12/13, 7/15/13, 7/23/13 and 7/26/13) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: "Trademark Application for the Centennial Anniversary" - \$1,827.50; "Lockhead - Oil Dispersant Patent" - \$1,277.50; "Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks" - \$4,837.50 and "Photocurable Thiol-Ene Gas Permeability Membranes" - \$1,050.00, respectively.)

TOTAL DUE.....\$ 8,992.50