

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 16, 2012**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 10 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 28, 2011, to each and every member of said Board, said date being at least five days prior to this February 16, 2012 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Mr. Scott Ross, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Robin J. Robinson and Ms. Amy Whitten were absent. The meeting was called to order by Mr. Ed Blakeslee, Vice President. Dr. Bettye Neely introduced Mr. Marcus Thompson who opened the meeting with prayer.

INTRODUCTION OF GUESTS

- Vice President Blakeslee welcomed the Student Government Association officers: Mr. Brandon Rook, President at Alcorn State University, Ms. Jeanna Wilkes, President at Delta State University; Mr. Matthew Thompson, President at Jackson State University; Mr. Leander Williams, President of Mississippi University for Women; Mr. Marvin Elder, President at Mississippi Valley State University; and Mr. Erick Brown, President at the University of Southern Mississippi.
- Vice President Blakeslee also introduced Miss Kaelyn Thompson, daughter of Mr. Marcus Thompson. Miss Thompson attended the meeting for a school project.
- Commissioner Bounds welcomed Leigh Patterson, who is the new Division Director Special Assistant Attorney General assigned to IHL by the Attorney General's Office.
- Commissioner Bounds also recognized two of the Trustees for receiving awards.
 - Trustee Blakeslee was named the Alumnus of the Year for the James Worth Bagley College of Engineering. A 1963 electrical engineering graduate, he is a retired vice president of Mississippi Power Co., having served in various engineering, accounting and administrative positions during a nearly 40-year career.
 - Trustee Smith was named Alumnus of the Year for the MSU-Meridian Campus. He is a 1991 business and industry graduate who went on to receive a master's degree in business administration in 1995. In addition to his position as an AT&T Mississippi regional director, he chairs the board of trustees of the Meridian-based G.V. "Sonny" Montgomery Institute.
- The Board and Commissioner Bounds wished Dr. James Keeton, Vice Chancellor for Health Affairs and Dean for the School of Medicine, a happy birthday.

2012 BLACK HISTORY MONTH RECOGNITION

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

Trustee Owens, Co-Chair of the Diversity Committee, thanked the members of the committee, Trustee Perry as Co-Chair, and Board members: Dr. Doug Rouse, Ms. Amy Whitten, and IHL staff member, Ms. Pearl Pennington for their time and effort. Trustee Owens also recognized the members of the IHL staff who worked to make this event happen: Mr. Marcus Thompson, Ms. Caron Blanton, Ms. Bridget Breithaupt, and

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Mr. Henry Anderson. Trustee Owens gave special thanks to Ms. Clotee Lewis, IHL Coordinator of Public Affairs, for her assistance with this event for the past 11 years.

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

Dr. Ruth R. Nichols	Alcorn State University
Dr. Vicki N. Webster	Delta State University
Dr. Mohammad Shahbazi	Jackson State University
Dr. Robert J. Damm	Mississippi State University
Dr. Mark L. Lawrence	Mississippi State University, Division of Agriculture, Forestry and Veterinary Medicine
Dr. Phillip Cockrell	Mississippi University for Women
Dr. Barbara Washington	Mississippi Valley State University
Ms. Janice W. Murray	University of Mississippi
Dr. Loretta Jackson-Williams	University of Mississippi Medical Center

Trustee Owens announced Dr. Kim M. LeDuff, Associate Professor and Associate Director, School of Mass Communication and Journalism, at the University of Southern Mississippi, as the Black History Month Educator of the Year. Former Board member, Dr. D. E. Magee, accepted the Community Leader award for his late wife, Mrs. Gwendolyn A. Magee, who is a nationally and internationally renowned textile artist and author. Drs. LeDuff and Magee were each presented with a resolution and plaque commemorating this award. A copy of the resolutions is included in the *February 16, 2012 Board Working File*.

APPROVAL OF THE MINUTES

On motion by Trustee Pickering, seconded by Trustee Patterson, with Trustees Robinson and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on January 19, 2012.

CONSENT AGENDA

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

BUDGET

1. **MVSU** - Approved the resolution authorizing the filing of an application to the Mississippi Department of Transportation for a grant to assist in providing transportation services. Through an agreement with the Mississippi Department of Transportation and the Federal Transit Administration, the university provides public transportation services in four Delta counties:

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Humphreys, Leflore, Sunflower and Washington. The mass transit system serves as a vital means of transportation for students to attend the university. A copy of the signed resolution is included in the *February 16, 2012 Board Working File*.

REAL ESTATE

2. **UMMC** - Approved the request to increase the project budget for **IHL 209-540, School of Dentistry Restorative Lab**, from \$1.4 million to \$1.51 million for an increase of \$110,000. The project is currently in the construction phase. This is the second budget escalation request made for this project by the university. The current escalation will re-establish a reasonable budget contingency and provide additional funding for pending change order #2 that will address modifications to an existing data closet area. The current contingency is not adequate to cover the estimated cost of the necessary revisions. Funds are available from patient revenue (\$785,600) and from tuition fees (\$724,400).
3. **USM** - Approved the appointment of The McCarty Company as design professional for **IHL 208-297, Dorm Replacement Phase II**. The project includes the projected demolition of Scott Hall, Vann Hall, and the East end of Bond Hall once approval is secured. The student residence project will include 956 beds, a student health center and Lucky Day Scholarship offices for the proposed amount of \$50 million. Funds are available from EBC revenue bonds (\$50 million) which are pending Board approval.
4. **USM** - Approved the request to increase the project budget for **IHL 210-243, Marine Education Center, Cedar Point**, from \$8 million to \$13,205,000 for an increase of \$5,205,000. The Board also approved the appointment of Lake/Flato Architects as design professional. The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The increase in budget is based on the latest FEMA funding amount and insurance proceeds received by the university. The budget amount that was included in the project initiation request was based on FEMA estimates available at the time. The project will replace the Marine Education Center located on Point Cadet in Biloxi prior to Hurricane Katrina. Funds are available from insurance funds and obligated FEMA funds (\$9,840,123); wind insurance proceeds (\$2,164,877); excess flood insurance proceeds (\$1 million); and NFIP proceeds (\$200,000).
5. **UM** - Approved the request to increase the project budget for **IHL 207-353, Coulter Hall Expansion**, from \$501,784.80 to \$15 million for an increase of \$14,498,215.20. The Board also approved the appointment of Cooke Douglass Farr Lemons/Barlow Eddy Jenkins - Professional Association as the design professional. The project is currently in the design phase. This is the first budget escalation request made for this project by the university. Since the project initiation, additional funding has become available. The project is comprised of two separate additions to Coulter Hall. Funds are available from internal R & R (\$15 million).

LEGAL

6. **MSU** - Approved the request to increase the total amount payable under an existing contract with the firm of Grunsky, Ebey, Farrar & Howell, a professional corporation, located at 240 Westgate Drive, Watsonville, CA, 95076, from \$20,000 to \$35,000 because total litigation expenses are exceeding original estimates. This firm is representing the interests of the university in a trust litigation matter filed in the probate court in Monterey County, California. The University of Arkansas, Auburn University, Mississippi State University, and the University of Tennessee are the beneficiaries of the Alfred Aydelott Trust that is currently the subject of litigation in probate court

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in Monterey County, California. Specifically, a relative of the decedents has filed a petition to invalidate the trust amendment allocating \$2.4 million to establish and administer a travel award for architecture students. All four universities were in agreement to retain the firm of Grunsky, Ebey, Farrar & Howell located in Watsonville, California, and all four universities share in the cost of defense. Rates are \$400 per hour for Shareholder Attorney time; \$300 per hour for Associate Attorneys with 10 years or more experience time; \$250 per hour for Associate Attorneys with less than 10 years experience; and \$175 per hour for paralegal time. Reasonable costs for investigators, consultants and expert witnesses which may be determined by the attorney to be reasonably necessary shall be reimbursed by the universities.

7. **UM** - Approved the request to enter into a contract for professional services with the law firm of Less, Getz & Lipman, P.L.C. to advise and represent the university regarding potential disputes over campus construction projects. The firm of Less, Getz & Lipman is based in Memphis, Tennessee and specializes in construction law. Joseph T. Getz will be the primary attorney performing work for the university. Mr. Getz, a partner with the firm, is a graduate of the University of Mississippi and a member of the Mississippi Bar. Mr. Getz has agreed to provide his services at the hourly rate of \$250. Other principals in the firm would provide services at a rate between \$200-\$225 per hour. Associates would bill at an hourly rate of \$150-\$175. These rates are lower than the firm's standard hourly rates of \$265-\$395 for principals and \$165-\$195 for associates. The term of the proposed contract is from January, 2012 to December, 2013, and total expenditures will not exceed \$80,000.

8. **PERSONNEL REPORT**

EMPLOYMENT

Mississippi University for Women

Allegra Brigham, Interim Vice President for University Relations and Advancement; salary of \$50,115.05 prorated through June 30, 2012; E&G Funds; effective February 8, 2012

Mississippi State University

Rehired retirees making more than \$20,000 who are NOT on contract during FY2012

- Brenda Blaylock, *former position:* Teacher; *re-employment position:* Teacher Intern Supervisor; *re-employment period:* January 1, 2012 to June 30, 2012; salary of \$27,500
- Dr. Clyde A. Lindley, *former position:* Mississippi Department of Education; *re-employment position:* Teacher Intern Supervisor; *re-employment period:* January 1, 2012 to June 30, 2012; salary of \$27,500
- Dr. Chun Su, *former position:* Professor; *re-employment position:* Research Professor; *re-employment period:* January 3, 2012 to June 30, 2012; salary of \$35,000

University of Mississippi

Rehired retirees making more than \$20,000 who are NOT on contract during FY2012

- Guthrie T. Abbott, *former position:* Professor of Law; *re-employment position:* Professor Emeritus of Law; *re-employment period:* January 23, 2012 through May 12, 2012; salary of \$25,000
- Don L. Fruge', *former position:* Vice Chancellor for University Advancement and Professor of Law; *re-employment position:* Professor Emeritus of Law; *re-employment period:* January 23, 2012 through May 12, 2012; salary of \$32,800

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CHANGE OF STATUS

Jackson State University

- Thomas C. Calhoun, *from* Interim Associate Dean of the College of Liberal Arts; salary of \$110,000 per annum, pro rata; E&G Funds; *to* Interim Dean of the College of Liberal Arts, salary of \$115,000 per annum, pro rata; E&G Funds; effective February 1, 2012
- Dollye M.E. Robinson, *from* Dean of the College of Liberal Arts; *to* Dean Emeritus of the College of Liberal Arts and Professor of Music; effective February 1, 2012

SABBATICALS

*All faculty are on nine-month contracts except where notes as * 12-month.*

Jackson State University

Doris O. Ginn, Associate Professor of English and Modern Foreign Language, College of Liberal Arts; *from* salary of \$60,562 per annum, pro rata; E&G Funds; *to* salary of \$30,281 for sabbatical period; E&G Funds; effective January 1, 2012 through December 31, 2012; professional development

University of Mississippi

- Jeanni Atkins, Associate Professor of Journalism, *from* salary of \$73,478 per annum, pro rata; E&G Funds; *to* salary of \$36,739 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to May 11, 2013; professional development
- Deborah Barker, Associate Professor of English, *from* salary of \$62,681 per annum, pro rata; E&G Funds; *to* salary of \$31,340 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to December 31, 2013; professional development
- Mark N. Bing, Associate Professor of Management, *from* salary of \$109,726 per annum, pro rata; E&G Funds; *to* salary of \$54,863 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development
- Richard Buchholz, Associate Professor of Biology, *from* salary of \$68,983 per annum, pro rata; E&G Funds; *to* salary of \$34,491 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development
- Xin Dang, Associate Professor of Mathematics, *from* salary of \$68,235 per annum, pro rata; E&G Funds; *to* salary of \$34,117 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development
- Elaine Baird Day, Assistant Professor of Biology, *from* salary of \$58,918 per annum, pro rata; E&G Funds; *to* salary of \$29,459 per annum, pro rata for sabbatical period; E&G Funds; effective January 22 2013, to May 11, 2013; professional development (contingent upon approval of tenure and promotion)
- Colin R. Jackson, Associate Professor of Biology, *from* salary of \$64,760 per annum, pro rata; E&G Funds, *to* salary of \$32,380 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2012; professional development
- Laura R. Johnson, Associate Professor of Psychology, *from* salary of \$63,000 per annum, pro rata; E&G Funds; *to* salary of \$31,500 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development

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- Willa Elaine Mathis Johnson, Assistant Professor of Sociology and Anthropology, *from* salary of \$54,922 per annum, pro rata; E&G Funds; *to* salary of \$27,461 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to December 31, 2013; professional development (contingent upon approval of tenure and promotion)
- Bradley W. Jones, Associate Professor of Biology, *from* salary of \$69,256 per annum, pro rata; E&G Funds; *to* salary of \$34,628 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2012; professional development
- Rhona Justice-Malloy, Professor of Theatre Arts, *from* salary of \$77,207 per annum, pro rata; E&G Funds; *to* salary of \$38,603 per annum, pro rata for sabbatical period; EUG Funds; effective August 16, 2012 to December 31, 2012; professional development
- *Dale G. Nagle, Professor of Pharmacognosy and Research Professor in the Research Institute of Pharmaceutical Sciences, *from* salary of \$109,625 per annum, pro rata; E&G Funds; *to* salary of \$41,109 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development
- John R. Neff, Associate Professor of History, *from* salary of \$65,540 per annum, pro rata; E&G Funds; *to* salary of \$32,770 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2012; professional development
- Molly Pasco-Pranger, Associate Professor of Classics, *from* salary of \$57,497 per annum, pro rata; E&G Funds; *to* salary of \$28,748 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2012; professional development
- Cesar Rego, Professor of Production Operations Management, *from* salary of \$117,447 per annum, pro rata; E&G Funds; *to* salary of \$58,723 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012, to December 31, 2012; professional development
- Jason E. Ritchie, Associate Professor of Chemistry and Biochemistry, *from* salary of \$73,293 per annum, pro rata; E&G Funds; *to* salary of \$36,646 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2012; professional development
- Mohammed Bashir Salau, Assistant Professor of History, *from* salary of \$56,260 per annum, pro rata; E&G Funds; *to* salary of \$28,130 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to May 11, 2013; professional development (contingent upon approval of tenure and promotion)
- Christopher D. Sapp, Assistant Professor of Modern Languages, *from* salary of \$53,581 per annum, pro rata; E&G Funds; *to* salary of \$26,790 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development (contingent upon approval of tenure and promotion)
- Nancy Maria Balach Schuesselin, Associate Professor of Music, *from* salary of \$59,634 per annum, pro rata; E&G Funds; *to* salary of \$29,817 per annum, pro rata for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development
- Laura Sheppardson, Associate Professor of Mathematics, *from* salary of \$66,791 per annum, pro rata; E&G Funds; *to* salary of \$33,395 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2013; professional development
- Chung R. Song, Associate Professor of Civil Engineering, *from* salary of \$84,146 per annum, pro rata; E&G Funds; *to* salary of \$42,073 for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development
- John Sonnett, Assistant Professor of Sociology and Anthropology, *from* salary of \$55,021 per annum, pro rata; E&G Funds; *to* salary of \$27,510 for sabbatical period; E&G Funds; effective

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- August 16, 2012 to May 11, 2013; professional development (contingent upon approval of tenure and promotion).
- Waheed Uddin, Professor of Civil Engineering, *from* salary of \$100,244 per annum, pro rata; E&G Funds; *to* salary of \$50,122 for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2012; E&G Funds; professional development
 - Randy M. Wadkins, Associate Professor of Chemistry and Biochemistry, *from* salary of \$74,604 per annum, pro rata; E&G Funds; *to* salary of \$37,302 for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development
 - Brooke White, Associate Professor of Art, *from* salary of \$59,419 per annum, pro rata; E&G Funds; *to* salary of \$37,302 for sabbatical period; E&G Funds; effective August 16, 2012 to May 11, 2013; professional development
 - *Kristine Lee Willett, Associate Professor of Pharmacology and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, *from* salary of \$97,144 per annum, pro rata; E&G Funds; *to* salary of \$36,428 for sabbatical period; E&G Funds; effective August 16, 2012 to December 31, 2012; professional development
 - *Clint Williford, Chair and Professor of Chemical Engineering, *from* salary of \$122,101 per annum, pro rata; E&G Funds; *to* salary of \$45,787 for sabbatical period; E&G Funds; effective January 22, 2013 to May 11, 2013; professional development

University of Southern Mississippi

- Randolph Arnau, Associate Professor of Psychology; *from* salary of \$65,398 per annum, pro rata; E&G Funds; *to* salary of \$29,066 for sabbatical period; E&G Funds; effective August 20, 2012 to December 31, 2012; professional development
- David Beckett, Professor of Biological Sciences; *from* salary of \$65,812 per annum, pro rata; E&G Funds; *to* salary of \$29,250 for sabbatical period; E&G Funds; effective August 20, 2012 to December 31, 2012; professional development
- Douglas Bristol, Associate Professor of History; *from* salary of \$53,915 per annum, pro rata; E&G Funds; *to* salary of \$23,962 for sabbatical period; E&G Funds; effective August 20, 2012 to December 31, 2012; professional development
- Sam Bruton, Associate Professor of Philosophy and Religion; *from* salary of \$54,815 per annum, pro rata; E&G Funds; *to* salary of \$30,453 for sabbatical period; E&G Funds; effective January 1, 2013 to May 18, 2013; professional development
- David Butler, Associate Professor of Political Science, International Development and International Affairs; *from* salary of \$78,446 per annum, pro rata; E&G Funds; *to* salary of \$34,865 for sabbatical period; E&G Funds; effective August 20, 2012 to December 31, 2012; professional development
- Michael DeArmey, Professor of Philosophy and Religion; *from* salary of \$70,908 per annum, pro rata; E&G Funds; *to* salary of \$31,515 for sabbatical period; E&G Funds; effective August 20, 2012 to December 31, 2012; professional development
- Jameela Lares, Professor of English; *from* salary of \$63,654 per annum, pro rata; E&G Funds; *to* salary of \$35,363 for sabbatical period; E&G Funds; effective August 20, 2012 to December 31, 2012; professional development
- Shadad Naghshpour, Professor of Political Science, International Development and International Affairs; *from* salary of \$100,799 per annum, pro rata; E&G Funds; *to* salary of \$55,999 for sabbatical period; E&G Funds; effective January 1, 2013 to May 18, 2013; professional development

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- Robert Press, Associate Professor of Political Science, International Development and International Affairs; *from* salary of \$52,000 per annum, pro rata: E&G Funds; *to* salary of \$28,889 for sabbatical period; E&G Funds; effective January 1, 2013 to May 18, 2013; professional development
- Michael Salda, Associate Professor of English; *from* salary of \$64,216 per annum, pro rata; E&G Funds; *to* salary of \$35,676 for sabbatical period; E&G Funds; effective January 1, 2013 to May 18, 2013; professional development

ACADEMIC AGENDA

Presented by Trustee Doug Rouse, Chair

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

1. **System** - Approved the following new academic programs in accordance with Board Policy 501 Academic Programs and Units.
 - a. **ASU** - Offer the Master of Science in Applied Science & Technology degree (CIP 29.9999).
 - b. **MSU** - Offer the Bachelor of Arts in Women's Studies degree (CIP 05.0207).
 - c. **UMMC** - Offer the Doctor of Health Administration degree (CIP 51.0701).

BUDGET AGENDA

Presented by Trustee Aubrey Patterson, Chair

On motion by Trustee Patterson, seconded by Trustee Owens, with Trustees Robinson and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Budget Agenda. On motion by Trustee Patterson, seconded by Trustee Pickering, with Trustees Robinson and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Patterson, seconded by Trustee Pickering, with Trustees Robinson and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3.

1. **DSU** - Approved the request to enter into a professional services agreement with Barnes and Noble College Booksellers, LLC (B & N) to operate the university's bookstore. B & N will serve as the university's exclusive buyer and seller of all required, recommended, or suggested course materials and supplies, including books, course packs, computer software, textbook rentals, and materials published or distributed electronically. This exclusive right includes but is not limited to all educational supplies, notebooks, stationary, and desk and room accessories. The contract period is four years - March 1, 2012 through February 20, 2016. There is an option to renew for an additional four years, subject to mutual agreement and Board approval. The total projected revenue over the four-year contract is \$667,000. The agreement, which has been reviewed and approved by the Attorney General's Office, is on file in the Board Office.
2. **MSU** - Authorized the MSU Educational Building Corporation to establish an extendible commercial paper program that allows the institution to issue up to a maximum aggregate principal amount up to \$50 million in the form of commercial paper, the appointment of Jones, Walker, Waechter, Poitevent, Carrere & Denegre L.L.P. as the bond counsel and Morgan Stanley and Co.,

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Inc. as the commercial paper dealer. The Board also approved the standard legal documents to be used for this program. First Southwest is the financial advisor. There will be short-term financial instruments with maturities from 1 to 270 days. The extendible commercial paper program will be utilized for Board-approved educational building program projects. The Attorney General's Office has approved the standard legal documents for this program. Documents relating to this item are on file in the Board Office.

3. **UMMC** - Approved the request to waive the annual audit requirement applicable to the IHL approved affiliation agreement with the Medical Center Research Development Foundation for the fiscal year ending June 30, 2012. The assets of the Foundation are less than \$30,000 which is not expected to change by year-end. The request for a waiver is based on lack of activity during the fiscal year which includes only deposits of interest income from the bank. Assets remain unchanged except by this amount.

REAL ESTATE AGENDA

Presented by Mr. Scott Ross, Chair

On motion by Trustee Ross, seconded by Trustee Rouse, with Trustees Robinson and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #1 - #4 as submitted on the following Real Estate Agenda.

1. **ASU** - Approved the initiation of **GS 101-292, Campus Safety Phase II**, and the appointment of a design professional through the "Request for Qualification" method. The project will include the installation of video surveillance cameras, exterior lighting, emergency blue lights, renovation of the campus welcome centers, and improvement of the public communication systems. The proposed project budget is \$1.5 million. Funds are available from SB 3100, Laws of 2011 (\$1.5 million).
2. **MVSU** - Approved the initiation of **GS 106-224, Energy Management Upgrades**. Approval by Board staff was secured to initiate this project with a budget of \$225,000 which is below the threshold requiring Board approval. Since that time, it has been determined that the escalation of the budget is needed based on the additional telecommunications infrastructural work needed in all buildings under the project scope. The project will provide for the integration of the university's campus mechanical controls system at academic and auxiliary buildings. The current budget of \$225,000 was an estimate of the project costs and has since been updated to reflect more accurate market costs of \$1,285,586 which exceeds the \$1 million threshold established by the Board and requires Board approval. Funds are available from HB 1641, Laws of 2008 (\$227,860) and HB 1701, Laws of 2010 Bureau of Building Discretionary Funds (\$1,057,726).
3. **UMMC** - Approved the initiation of **GS 109-204, Boiler Room Upgrades**, and the appointment of Eldridge and Associates Consulting Engineers as design professional. Approval by Board staff was secured to initiate this project with a budget of \$750,000 which is below the threshold requiring Board approval. During the design phase the budget was determined to be \$1.2 million. The project will remove the existing older deaerator tank and replace it with a new, modern generator, new pumps, and necessary equipment to improve the central plan ventilation. The existing deaerator tank is currently supplying the steam deaerator boilers without problems. However, an additional deaerator tank will ensure the university has reliable redundancies for years to come. Funds are available in the amount of \$1.2 million from HB 1701, Laws of 2010.

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4. **UM** - Approved the initiation of **IHL 207-356, Johnson Commons East Renovations**, and the appointment of Architecture South as design professional. The Johnson Commons was constructed in 1929. Since then, the building has seen significant deterioration from moisture infiltration through the building envelope. The project will correct the moisture issues as follows: new roofs, masonry restoration and repointing, stone restoration, sealant replacement, window restoration, correction of below-grade and below-slab moisture infiltration, removal/replacement of deteriorated and infected materials, new carpet, new ceilings, and new light fixtures as needed. The project budget is \$1.7 million. Funds are available from internal R & R.

INFORMATION AGENDAS

Presented by Commissioner Hank M. Bounds

REAL ESTATE

1. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the January 19, 2012 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

LEGAL

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

ADMINISTRATION/POLICY

3. **System** - The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.
 - a. **MSU** - 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 January 16, 2012, the Commissioner approved the request to enter into a lease agreement with the USDA Forest (Forest Service). This agreement is for the lease of 2,760 square feet of office and laboratory space to the Forest Service. The space, which is located in Thompson Hall on the MSU campus, includes 698 square feet of office space and 2,062 square feet of laboratory space. A prior twenty year lease between the parties ended in 2011. The lease term will run for a five year period and may be extended for an additional five year period upon a least ninety days written notice by Lessee prior to the end of the term. In lieu of a monthly rent payment, the Forest Service personnel will provide ongoing cooperation and collaboration on research projects to designated MSU faculty. In addition, the Forest Service will provide funding for the research projects. The Executive Office legal staff have reviewed and approved the contract documents.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 16, 2012**

- b. **System** - On January 24, 2012, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning October 1, 2011 and ending December 31, 2011. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations.

ANNOUNCEMENTS

- ▶ Trustee Blakeslee invited the Institutional Executive Officers to speak about events occurring on each of their campuses.
- ▶ Trustee Ross notified the Board that there will be a Real Estate Committee meeting on Wednesday afternoon on March 14.
- ▶ Trustee Blakeslee reminded the Board that the next meeting will be Thursday, March 15, 2012.
- ▶ Trustee Blakeslee updated the Board on the status of the partnership between the EdNet Institute and Clearwire, Inc. which is a joint effort to comply with FCC Regulations for renewal of EdNet channel licenses. The official report was received indicating that the channels have been renewed for 10 years. Trustee Blakeslee expressed his appreciation of all the work that the universities have done.

EXECUTIVE SESSION

On motion by Trustee Perry, with Trustees Robinson and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Pickering, with Trustees Robinson and Whitten absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of four personnel matters at one of the public universities under the Board's purview.

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

The Board discussed four personnel matters at one of the public universities under the Board's purview.

On motion by Trustee Pickering, seconded by Trustee Smith, with Trustees Neely, Robinson, Ross, and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to approve the following personnel change of status items at the University of Southern Mississippi.

- ▶ L. Chad Driskell; *from* Executive Assistant to the President for External Affairs; salary of \$150,000 per annum, pro rata; E&G Funds; *to* Executive Assistant the President for External Affairs and Interim Vice President for Administrative Affairs; no change in salary; effective February 1, 2012
- ▶ Russell Willis; *from* Vice President for Administrative Affairs; salary of \$185,000 per annum, pro rata; E&G Funds; *to* Assistant Director for Fundraising Initiatives and Planned Giving, Office of Advancement; salary of \$80,000 per annum, pro rata; effective February 1, 2012

**MINUTES OF THE BOARD OF TRUSTEES OF
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On motion by Trustee Rouse, seconded by Trustee Pickering, with Trustees Neely, Robinson, Ross, and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

**BUDGET COMMITTEE MEETING
Thursday, February 16, 2012, 9 a.m.**


The meeting was called to order by Chairman Aubrey Patterson. On motion by Trustee Davidson, seconded by Trustee Pickering, with Trustee Whitten absent and not voting, all Committee Members legally present and participating voted unanimously to recommend the following item to the Board for approval.

Request for authorization for the MSU Educational Building Corporation (EBC) to establish an extendible commercial paper program that allows the institution to issue up to a maximum aggregate principal amount of \$50 million in the form of commercial paper, to appoint the bond counsel and commercial paper dealer, and to approve the standard legal documents to be used for this program. Morgan Stanley and col, Inc. Will serve as the commercial paper dealer, and Jones, Walker, Waechter, Poitevent, Carrere & Denegre L.L.P. will serve as bond counsel for the commercial paper program. First southwest is the financial advisor. There will be short-term financial instruments with maturities from 1 to 270 days. Up to a maximum of \$50 million in an extendible commercial paper program for Board-approved education building program projects. The Attorney General's Office has approved the standard legal documents for this program.

On motion by Trustee Pickering, seconded by Trustee Perry, with Trustee Whitten absent and not voting, all Committee Members legally present and participating voted unanimously to adjourn the meeting. The following Committee members were present: Aubrey Patterson (Chair), Dr. Stacy Davidson, Mr. Bob Owens, Mr. Alan Perry, and Mrs. Christy Pickering. Committee Member Amy Whitten was absent. Other Board members attending the meeting were: Mr. Ed Blakeslee, Dr. Bettye Neely, Dr. Doug Rouse, and Mr. C.D. Smith.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Perry, seconded by Trustee Pickering, with Trustees Neely, Robinson, Ross, and Whitten 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
February 16, 2012**

EXHIBITS

- Exhibit 1 Real Estate items that were approved by the IHL Board staff subsequent to the January 19, 2012 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

February 16, 2012

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE January 19, 2012 BOARD MEETING SUBMISSION DEADLINE

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

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$7,690.88 and sixteen (16) additional days to the contract of Paul Jackson & Son, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 6, 2012

Change Order Justification: **Change Order #3** is necessary to add longer beams at mechanical room 107 and 210 to accommodate the larger opening for new ductwork and fire damper, modifying steel to accommodate variances in the existing structure and for capping the existing water line.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$139,958.88

Project Initiation Date: January 31, 2008

Design Professional: Duval Decker Architects, P. A.

General Contractor: Paul Jackson & Son, Inc.

Contract Award Date: December 7, 2010

Project Budget: \$7,000,000.00

Funding Source(s): HB 246, L'07 (\$2,057,735.00); HB 1641, L'08 (\$368,847.64); SB 2988, L'03 (\$300,000.00); SB 2010, L'04 (\$4,273,417.36)

2. ASU – GS 101-278 – Lanier Hall

Staff Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Scott Ross, Chair of the Real Estate and Facilities Committee on December 16, 2011 **approving a budget increase** for the Lanier Hall project. The budget increase was increased from \$1,000,000.00 to \$1,550,735.00 for an increase in the amount of \$550,735.00.

Staff Approval Date: December 16, 2011

Project Initiation Date: May 14, 2009

Design Professional: Waycaster and Associates

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$1,550,735.00

Funding Source(s): HB 1722, L'09 (\$700,000.00); HB 1701, L'10 (\$579,000.00); HUD Grant (\$271,735.00)

3. ASU – GS 101-285 – Building Envelope Repairs

Staff Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Scott Ross, Chair of the Real Estate and Facilities Committee on December 16, 2011 **approving initiation of Building Envelope Repairs** project.

Staff Approval Date: December 16, 2011

EXHIBIT 1

February 16, 2012

Project Initiation Date: August 5, 2010
Design Professional: Burris and Wagnon Architects, P.A.
General Contractor: TBA
Contract Award Date: TBA
Project Budget: \$1,700,000.00
Funding Source(s): HB 1701, L'10 (\$1,000,000.00); DFA Discretionary Funds (\$700,000.00)

4. **ASU – GS 101-285 – Building Envelope Repairs – Phase 1**

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

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

Staff Approval Date: January 6, 2012

Project Initiation Date: August 5, 2010

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

General Contractor: Paul Jackson & Son, Inc.

Contract Award Date: January 6, 2012

Project Budget: \$1,700,000.00

Funding Source(s): DFA Discretionary Funds (\$700,000.00); HB 1701, L'10 (\$1,000,000.00)

5. **ASU – GS 101-285 – Building Envelope Repairs – Phase 2 Simmons Roof**

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

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

Staff Approval Date: January 6, 2012

Project Initiation Date: December 16, 2011

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

General Contractor: Rowell Roofing

Contract Award Date: January 6, 2012

Project Budget: \$1,700,000.00

Funding Source(s): DFA Discretionary Funds (\$700,000.00); HB 1701, L'10 (\$1,000,000.00)

6. **ASU – GS 101-291 – Rowan Hall**

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Duval Decker Architects, P.A.

EXHIBIT 1

February 16, 2012

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

Staff Approval Date: January 11, 2012

Project Initiation Date: August 18, 2011

Design Professional: Duval Decker Architects, P.A.

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$2,000,000.00

Funding Source(s): HB 1722, L'09 (\$850,000.00); HB 1701, L'10 (\$1,150,000.00)

7. JSU – GS 103-234 – ADA Compliance Phase II-B (BP1)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$34,705.99 and sixty (60) additional days to the contract of FP Contracting, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 4, 2012

Change Order Justification: **Change Order #3** is necessary to credit back to project to change door hardware manufacturer from Cal Royal to install Yale door hardware and change wood door from factory stain finish to on-site finish, install handicap grab bars, install new p-trap to replace existing rusted & unserviceable p-trap at the 4th level mechanical room Reddix Hall Building, extend length of 17 handrails at the administration tower stair wells as required and at Reddix Hall recessed floor slab needs to be filled to raise floor elevation and repair stair treads due to chunks of concrete removed during asbestos abatement, rerouting of sewer piping to repair sewer lines found to be deteriorated and starting to leak and existing drain lines for electrical drinking fountains will require roding out to maintain acceptable drain flow.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$187,681.87

Project Initiation Date: August 17, 2006

Design Professional: WFT Architects, P.A.

General Contractor: FP Contracting, LLC

Contract Award Date: June 22, 2010

Project Budget: \$5,032,985.50

Funding Source(s): HB 246, L'07 (\$4,032,985.50); HB 1701, L'10 (\$500,000.00); SB 3197, L'02 (\$500,000.00)

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

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$77,092.80 and thirty (30) additional days to the contract of Weathers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 4, 2012

Change Order Justification: **Change Order #6** is necessary to abate the asbestos in the steam tunnel and direct bury the steam lines.

EXHIBIT 1

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Total Project Change Orders and Amount: Eight (6) change orders for a total amount of \$379,780.81.

Project Initiation Date: November 18, 2005

Design Professional: Shafer & Associates, PLLC

General Contractor: Weathers Construction, Inc.

Contract Award Date: April 23, 2010

Project Budget: \$3,750,000.00

Funding Source(s): HB 246, L'07 (\$3,000,000.00); SB 2010, L'04 (\$750,000.00)

9. MSU – IHL 213-139 - Stoneville Office Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$14,708.19 and twenty-one (21) additional days to the contract of McMillan-Pitts Construction Company, LLC.

Staff Approval Date: January 4, 2012

Change Order Justification: **Change Order #1** is necessary to replace an existing storm inlet that was not large enough to accept the new storm drain and to add 51 computer outlets omitted on the contract.

Project Initiation Date: November 19, 2009

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

General Contractor: McMillan-Pitts Construction Company, LLC

Contract Award Date: December 13, 2010

Project Budget: \$3,000,000.00

Funding Source(s): MAFES Sales Funds (\$1,795,000.00); MSU-ES State Funds (\$1,205,000.00)

10. MUW – GS 104-149 – Poindexter Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$21,938.19 and one (1) additional day to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 6, 2012

Change Order Justification: **Change Order #8** is necessary to furnish and install additional rough-in and components at entry doors 106 to provide access control per RFP 11 and to provide standard size brick to match existing brick lengths where replacement brick is required in the existing walls.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$484,666.50.

Project Initiation Date: November 20, 2003

Design Professional: Pryor & Morrow Architects and Engineers

General Contractor: West Brothers Construction

Contract Award Date: July 13, 2010

Project Budget: \$9,579,000.00

Funding Source(s): SB 2010, L'04 (\$6,930,000.00); HB 246, L'07 (\$714,000.00); HB 1641, L'08 (\$435,000.00); HB 722, L'09 (\$1,500,000.00)

EXHIBIT 1

February 16, 2012

11. MVSU – GS 106-201 – Library Enhancements Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$1,003,464.00 and twenty-one (21) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 11, 2012

Change Order Justification: **Change Order #1** is necessary to add to the project Bid Alternate No. 2 the fit out of the second floor of the library. In order to complete this added work within the funds available strategic cost reducing changes were made in the awarded work and the alternate 2 scope of work. In addition, the university required additional time to prepare for the move of the library collection to the temporary library.

Project Initiation Date: February 22, 2008

Design Professional: Duval Decker Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: November 5, 2010

Project Budget: \$11,500,000.00

Funding Source(s): AYERS (\$9,000,000.00); HB 1722, L'09 (\$2,500,000.00)

12. UMMC – IHL 209-510 – Guyton Contract III Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the **credit amount** of \$84,330.00 and zero (0) additional days to the contract of Evan Johnson and Sons Construction, Inc.

Staff Approval Date: January 4, 2012

Change Order Justification: **Change Order #5** is necessary due to the electrical and mechanical items left out of design which were required for proper operation, the removal of the concrete thrust block was unforeseen and not anticipated and the balance of the unused allowances need to be credited out of the contract and back to the owner.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$91,667.78.

Project Initiation Date: June 17, 2008

Design Professional: Simmons Associates/Eley Associates – A Joint Venture

General Contractor: Evan Johnson and Sons Construction, Inc.

Contract Award Date: February 10, 2010

Project Budget: \$16,500,000.00

Funding Source(s): Interest Income (\$700,000.00); MCEBC (\$15,800,000.00)

13. UMMC – IHL 209-538 – 4th (and 2nd) Floor Renovations – 764 Lakeland Building

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Facilities Planning Department, 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: January 11, 2012

Project Initiation Date: October 21, 2010

Design Professional: Dale and Associates Architects

EXHIBIT 1

February 16, 2012

General Contractor: TBA
Contract Award Date: TBA
Project Budget: \$5,915,536.00
Funding Source(s): Restricted Funds (\$5,915,536.00)

14. USM– GS 108-217 and GS 114-015 – Science Building & Recreation Building

Repair & Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$14,076.41 and twenty-four (24) additional days to the contract of J.F. Pate and Associates Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In Accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$1,557,521.00 and two hundred forty (240) additional days to the contract of J.F. Pate and Associates Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Change Order Justification: **Change Order #1** is necessary for re-routing of site utilities, storm drainage and fire protection lines due to obstructions, deduction for work pertaining to changes regarding the hollow core slab requirements and waterproofing of exterior grade beam walls, and to create a new retention pond as part of an existing runoff retention swale. **Change Order #2** is necessary to renovate the recreation building into new classes, lab and office space for the College of Health building.

Staff Approval Date: December 19, 2011

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$1,571,597.41.

Project Initiation Date: January 21, 2010

Design Professional: Studio South/Allred Architectural Group

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

Contract Award Date: July 25, 2011

Project Budget: \$12,292,109.24

Funding Source(s): HB 1641, L'08 (\$249,488.02); SB 2010, L'04 (\$6,031,955.11); SB 2988, L'03 (\$1,279,656.30); SB 3197, L'03 (\$231,009.81); SB 3100, L'11 (\$1,500,000.00); HB 1701, L'10 (\$3,000,000.00).

15. USM– GS 108-261 – School of Nursing Building

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

Staff Approval Date: January 13, 2012

Project Initiation Date: September 17, 2009

Design Professional: Eley associates/Studio South

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$1,500,000.00

Funding Source(s): Federal Grant (\$1,500,000.00)

EXHIBIT 1

February 16, 2012

16. USM – IHL 214-014 – Hardy Hall Storm Damage Repair

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$34,039.99 and fourteen (14) additional days to the contract of C. Perry Builders, Inc.

Staff Approval Date: January 13, 2012

Change Order Justification: **Change Order #1** is necessary to provide additional asbestos abatement work, adjustment for energy management allowance and to add one way viewing film for control room 340, 344 and 370A.

Project Initiation Date: August 21, 2008

Design Professional: Dale and Associates Architects

General Contractor: C. Perry Builders, Inc.

Contract Award Date: August 22, 2011

Project Budget: \$10,095,459.54

Funding Source(s): Insurance & FEMA reimbursements (\$10,095,459.54)

17. ERC – GS 111-049 – Road Improvements

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by W. L. Burle Engineers. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 12, 2012

Project Initiation Date: October 20, 2011

Design Professional: W. L. Burle Engineers

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$2,250,000.00

Funding Source(s): BOB Discretionary Funds- HB 1701, L'10 (\$1,000,000.00); IHL Discretionary Funds- SB 3100, L'11 (\$750,000.00); HB 1701, L'10 (\$250,000.00)

EXHIBIT 2

February 16, 2012

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 Grunsky, Ebey, Farrar & Howell (statements dated 11/30/11 and 12/31/11) from the funds of Mississippi State University. (These statements, in the amounts of \$939.88 and \$857.48, respectively, represent services and expenses in connection with Aydelott Trust Litigation.)

TOTAL DUE.....\$ 1,797.36

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statement dated 11/7/11) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$1,197.00, represents services and expenses in connection with an Environmental Audit.)

TOTAL DUE.....\$ 1,197.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 8/31/11, 9/23/11, 11/18/11, 11/18/11, 11/18/11 and 11/18/11) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with *Jackson HMA, LLC vs. UMMC, et al.* - \$30,273.01; University of Mississippi Medical Center - North Clinic - Intellectual Property - \$945.00; University of Mississippi Medical Center - North Clinic - Healthcare Regulatory and Compliance - Family Practice Plan - \$132.50; University of Mississippi Medical Center - Healthcare Regulatory and Compliance - 409A - Deferred Compensation - \$2,042.50; University of Mississippi Medical Center - Healthcare Regulatory and Compliance - Cardiologist Agreement - \$1,397.50 and *Jackson HMA, LLC vs. UMMC, et al.* - \$17,941.26, respectively.)

TOTAL DUE.....\$ 52,731.77

Payment of legal fees for professional services rendered by Watkins, Ludlam, Winter & Stennis (statement dated 10/25/11) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$328.00, represents services and expenses in connection with General Advice.)

TOTAL DUE.....\$ 328.00

EXHIBIT 2

February 16, 2012

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 12/6/11) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the case styled *The University of Iowa, et al. v. The University of Southern* - \$675.00.)

TOTAL DUE.....\$ 675.00

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 11/18/11, 11/18/11 and 1/6/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Alcohol Esterification (Condensor Train)" - \$42.50; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$177.50 and "Pelvic Floor Strength Assessment Device" - \$160.50, respectively.)

TOTAL DUE.....\$ 380.50

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 10/13/11, 11/7/11, 11/7/11, 11/18/11 and 11/30/11) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Method for Detecting Buried Objects by Measuring Seismic Vibration" - \$2,140.00; "Utilizing Tactile Speech Feedback for Stuttering and other Speech/Fluency/Motor Initiation Disorders" - \$127.50; "Utilizing Tactile Speech Feedback for Stuttering and other Speech/Fluency/Motor Initiation Disorders" - \$405.00; "Emerging Models for Wireless Communication Systems" - \$42.50 and "Utilizing Tactile Speech Feedback for Stuttering and other Speech/Fluency/Motor Initiation Disorders" - \$34.00, respectively.)

TOTAL DUE.....\$ 2,749.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 9/30/11, 9/30/11, 10/12/11, 10/26/11, 10/31/11 and 11/28/11) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Methods of Centrifugal Preparative Chromatography" - \$247.50; "Highly Selective Sigma Receptor Ligands" - \$546.50; "Highly Selective Sigma Receptor Ligands" - \$547.50; "Immunostimulatory Composition Comprising Lipoprotein in Microalgae Extract" - \$620.57; "Highly Selective Sigma Receptor Ligands" - \$960.00 and "Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$589.50, respectively.)

TOTAL DUE.....\$ 3,511.57

EXHIBIT 2

February 16, 2012

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 10/24/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11, 11/23/11 and 11/23/11) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "AU324, A Stable Plasmonic Cluster of Molecular Definition" - \$94.00; "In-Furnace Reduction Nitrogen Oxide" - \$954.00; "Highly Purified Amphotericin-B" - \$350.00; "Highly Purified Amphotericin-B" - \$350.00; "Highly Purified Amphotericin-B" - \$350.00; "Highly Purified Amphotericin-B" - \$350.00; "Highly Purified Amphotericin-B" - \$350.00; "Process for Solubilization and Disposal of Radioactive Scale and Sludge from Oil and Gas Production" - \$840.00; "Novel Compounds and Methods for Inhibiting Cellular Responses to Hypoxia" - \$490.00; "High-Speed Data Compression based on Set-Associative Cache Mapping Techniques" - \$288.00; "Delivery of Medicaments to the Nail and Perionychium via 'Etching'" - \$372.00; "Stabilized Formulation of Triamcinolone Acetonide" - \$372.00; "Method and Device for Reducing Engine Noise" - \$350.00; "Process and Apparatus for Producing Spherical Pellets" - \$915.00; "In-Furnace Reduction of Nitrogen Oxide" - \$1,963.00; "Highly Purified Amphotericin-B" - \$1,032.47; "Highly Purified Amphotericin-B" - \$927.30; "Highly Purified Amphotericin-B" - \$685.69; "Highly Purified Amphotericin-B" - \$435.90; "Highly Purified Amphotericin-B" - \$500.34; "Highly Purified Amphotericin-B" - \$586.96; "High-Speed Data Compression based on Set-Associative Cache Mapping Techniques" - \$1,293.00; "High-Speed Data Compression based on Set-Associative Cache Mapping Techniques" - \$915.00; "Delivery of Medicaments to the Nail and Perionychium"- \$721.29 and "Method and Device for Reducing Engine Noise" - \$1,942.25, respectively.)

TOTAL DUE.....\$ 17,410.10