

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2004**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on April 22, 2004, to each and every member of said Board, said date being at least five days prior to this November 18, 2004 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mr. Thomas W. Colbert, Dr. Stacy Davidson, Mr. Roy Klumb, Dr. D. E. Magee, Jr., Dr. Bettye Henderson Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Scott Ross, and Ms. Amy Whitten. Ms. Robin J. Robinson was absent. The meeting was called to order by Mr. Roy Klumb, President. Mr. Bob Owens introduced Reverend Charles Watson, who conducted the prayer.

BOARD DINNER

Ms. Newton thanked Dr. and Mrs. Stacy Davidson for allowing the Board dinner to be held in their home. Ms. Newton also thanked Dr. Robert Khayat, Chancellor of The University of Mississippi, and his faculty and staff, as well as, Dr. Dan Jones, Vice Chancellor for Health Affairs and Dean, School of Medicine, at The University of Mississippi Medical Center, and his faculty and staff, for hosting the November 18, 2004 Board dinner.

APPROVAL OF THE MINUTES

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

RESOLVED, That the Minutes of the Board meeting held on October 21, 2004 and the special Board meeting held on November 4, 2004, stand approved.

UNANIMOUS CONSENT

On motion by Ms. Newton, seconded by Ms. Whitten, with Ms. Robinson absent and not voting, it was

RESOLVED, That consent to be considered is granted to all items not previously placed on the agenda and hereinafter reported.

RATIFICATION OF COMMITTEE AGENDA ITEMS

On motion by Ms. Whitten, seconded by Mr. Patterson, with Ms. Robinson absent and not voting, the Board voted to ratify the items on the following agendas: Academic Affairs, Budget & Financial Affairs, Building/Facilities, *Ayers* Implementation, Planning, Audit, and Legal.

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**ACADEMIC AFFAIRS COMMITTEE
Wednesday, November 17, 2004**

1. **DSU** - Approved degrees to be granted on Saturday, December 11, 2004, as follows:

COLLEGE OF ARTS AND SCIENCES	
Bachelor of Arts	6
Bachelor of Fine Arts	17
Bachelor of Music	0
Bachelor of Music Education	3
Bachelor of Science	25
Bachelor of Science in Education	13
Bachelor of Science in Criminal Justice	19
Bachelor of Science in General Studies	0
Bachelor of Social Work	3
COLLEGE OF BUSINESS	
Bachelor of Business Administration	83
Bachelor of Commercial Aviation	14
Bachelor of Science in Education	5
COLLEGE OF EDUCATION	
Bachelor of Arts	5
Bachelor of Science	19
Bachelor of Science in Education	32
Bachelor of Science in General Studies	15
SCHOOL OF NURSING	
Bachelor of Science in Nursing	6
SCHOOL OF GRADUATE STUDIES	
Master of Business Administration	39
Master of Commercial Aviation	10
Master of Education	56
Master of Music Education	0
Master of Professional Accountancy	0
Master of Science in Community Development	9
Master of Science in Criminal Justice	8
Master of Science in Natural Sciences	3
Master of Science in Nursing	0
Educational Specialist	19
Doctor of Education	3
Total Undergraduate Degrees	265
Total Graduate Degrees	<u>147</u>
Total Degrees	<u>412</u>

2. **MSU** - Approved degrees to be granted on Saturday, December 10, 2004, and Sunday, December 11, 2004, as follows:

COLLEGE OF AGRICULTURE AND LIFE SCIENCE	
Bachelor of Landscape Architecture	4
Bachelor of Science	110
Master of Agribusiness Management	1
Master of Science	6
Doctor of Philosophy	8

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COLLEGE OF ARCHITECTURE, ART AND DESIGN	
Master of Science	4
COLLEGE OF ARTS AND SCIENCES	
Bachelor of Arts	118
Bachelor of Fine Arts	18
Bachelor of Science in Arts and Sciences	96
Bachelor of Social Work	13
Master of Arts	8
Master of Fine Arts	2
Master of Public Policy and Administration	5
Master of Science	32
Doctor of Philosophy	10
COLLEGE OF BUSINESS AND INDUSTRY	
Bachelor of Business Administration	190
Master of Arts	1
Master of Business Administration	23
Master of Science	3
Doctor of Philosophy	2
COLLEGE OF EDUCATION	
Bachelor of Science in Education	170
Master of Music Education	5
Master of Arts in Teaching	1
Master of Science	65
Master of Science Instructional Technology	20
Educational Specialist	19
Doctor of Education	7
Doctor of Philosophy	20
COLLEGE OF ENGINEERING	
Bachelor of Science in Engineering	141
Master of Science	76
Doctor of Philosophy	7
COLLEGE OF FOREST RESOURCES	
Bachelor of Science	15
Master of Science	8
Doctor of Philosophy	4
COLLEGE OF VETERINARY MEDICINE	
Master of Science	3
Doctor of Philosophy	1
MERIDIAN	
Bachelor of Science in Manufacturing Technology	1
SCHOOL OF ACCOUNTANCY	
Bachelor of Accountancy	23
Master of Professional Accountancy	3
Master of Taxation	3
Total Undergraduate Degrees	904
Total Graduate Degrees	<u>342</u>
Total Degrees	<u>1,246</u>

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3. **MUW** - Approved degrees to be granted in December, 2004, as follows:

Bachelor of Arts	15
Bachelor of Fine Arts	8
Bachelor of Music	1
Bachelor of Science	52
Bachelor of Science in Nursing	6
Master of Arts in Teaching	2
Master of Education	2
Master of Science	3
Total Undergraduate Degrees	82
Total Graduate Degrees	<u>7</u>
Total Degrees	<u>89</u>

4. **UM** - Approved degrees to be granted in December, 2004, as follows:

COLLEGE OF LIBERAL ARTS	
Bachelor of Arts	126
Bachelor of Science	4
Bachelor of Fine Arts	3
Bachelor of Music	6
Bachelor of Public Administration	0
SCHOOL OF ENGINEERING	
Bachelor of Science in Chemical Engineering	1
Bachelor of Science in Civil Engineering	0
Bachelor of Science in Computer Science	5
Bachelor of Science in Electrical Engineering	2
Bachelor of Science in Mechanical Engineering	1
Bachelor of Science in Geological Engineering	2
Bachelor of Engineering	0
SCHOOL OF EDUCATION	
Bachelor of Arts in Education	7
SCHOOL OF PHARMACY	
Doctor of Pharmacy	0
Pharmaceutical Sciences	0
SCHOOL OF BUSINESS	
Bachelor of Business Administration	100
Bachelor of Science in Journalism	0
SCHOOL OF ACCOUNTANCY	
Bachelor of Accountancy	22
SCHOOL OF APPLIED SCIENCES	
Bachelor of Arts	1
Bachelor of Science	13
Bachelor of Science in Exercise Science	5
Bachelor of Social Work	7
Bachelor of Arts in Leisure Management	0
Bachelor of Court Reporting	2
Bachelor of Science in Family and Consumer Sciences	26
Bachelor of Arts in Parks and Recreation Management	5
Bachelor of Paralegal	0

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GRADUATE SCHOOL	
Master of Arts	14
Master of Science	32
Master of Fine Arts	1
Master of Accountancy	6
Master of Business Administration	4
Master of Taxation	0
Master of Education	41
Master of Music	2
Master of Social Science	0
Specialist in Education	5
Doctor of Arts	0
Doctor of Education	0
Doctor of Philosophy	8
LAW SCHOOL	
Juris Doctor	23
Total Undergraduate Degrees	338
Total Graduate Degrees	<u>136</u>
Total Degrees	<u>474</u>

5. **USM** - Approved degrees to be granted on Friday, December 17, 2004, as follows:

Bachelor of Interdisciplinary Studies	1
COLLEGE OF ARTS AND LETTERS	
Bachelor of Arts	110
Bachelor of Arts - Gulf Coast	15
Bachelor of Fine Arts	14
Bachelor of Music	5
Bachelor of Music Education	6
Bachelor of Science	2
Master of Art Education	1
Master of Arts	17
Master of Arts in the Teaching of Languages	16
Master of Fine Arts	2
Master of Music	2
Master of Music Education	2
Master of Science	11
Master of Science - Gulf Coast	1
Doctor of Musical Arts	4
Doctor of Philosophy	9
COLLEGE OF BUSINESS	
Bachelor of Science	33
Bachelor of Science – Gulf Coast	2
Bachelor of Science in Business Administration	137
Bachelor of Science in Business Administration – Gulf Coast	28
Master of Business Administration	3
Master of Business Administration – Gulf Coast	2
Master of Professional Accountancy	2
Master of Science	5
Doctor of Philosophy	4
COLLEGE OF EDUCATION AND PSYCHOLOGY	
Bachelor of Arts	6

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Bachelor of Arts - Gulf Coast	1
Bachelor of Science	140
Bachelor of Science – Gulf Coast	42
Master of Arts	4
Master of Science	10
Master of Education	13
Master of Education – Gulf Coast	4
Master of Library and Information Science	18
Master of Library and Information Science - Gulf Coast	2
Specialist in Education	5
Specialist in Education – Gulf Coast	2
Doctor of Education	2
Doctor of Education - Gulf Coast	1
Doctor of Philosophy	35
Doctor of Philosophy - Gulf Coast	4
COLLEGE OF HEALTH	
Bachelor of Arts	18
Bachelor of Science	95
Bachelor of Social Work	1
Bachelor of Science in Nursing	54
Master of Public Health	10
Master of Public Health – Gulf Coast	1
Master of Science	21
Master of Science in Nursing	14
Doctor of Philosophy	4
COLLEGE OF SCIENCE AND TECHNOLOGY	
Bachelor of Arts	17
Bachelor of Arts - Gulf Coast	7
Bachelor of Science	132
Bachelor of Science – Gulf Coast	10
Master of Arts	1
Master of Science	40
Master of Science – Gulf Coast	3
Doctor of Philosophy	20
Total Undergraduate Degrees	876
Total Graduate Degrees	<u>295</u>
Total Degrees	<u>1,171</u>

6. **System Administration (Information item.)** Announcement of the winners of the Halbrook Awards for academic achievement among athletes for 2003-2004. The following colleges and universities received Halbrook Awards:

David C. Halbrook Awards for Academic Achievement Among Athletes (Trophy)

<u>Division</u>	<u>Award Recipient</u>
Public University - Women's	Mississippi State University
Public University - Men's	University of Southern Mississippi
Community and Junior College	Hinds Community College
Independent College	Millsaps College

John C. and Ernestine McCall Halbrook Achievement Award

(Cash award to institution with greatest increase in percentage of athletes graduating)

Award Recipient - Mississippi Gulf Coast Community College

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David M. Halbrook Certificate Award for Academic Achievement Among Athletes

Certificates are awarded by the participating institutions to a male and female student athlete who has excelled in academics, leadership, and/or service. A list of the recipients is included in the bound *November 18, 2004 Board Working File*.

**BUDGET & FINANCIAL AFFAIRS COMMITTEE
Wednesday, November 17, 2004**

1. **ASU** - Approved the transfer of funds between line items within the Accreditation Priorities Budget, as follows:

<u>PERSONAL SERVICES</u>	<u>ORIGINAL 2004-2005</u>	<u>CHANGE</u>	<u>REVISED 2004-2005</u>
Salaries, Wages & Fringes	\$0	\$0	\$0
Travel & Subsistence	\$7,500	\$0	\$7,500
Contractual Services	\$6,000	\$55,000	\$61,000
Commodities	\$6,500	\$0	\$6,500
Capital Outlay:			
Equipment	\$55,000	(\$55,000)	\$0
Other than Equipment	\$0	\$0	\$0
Total	<u>\$75,000</u>	<u>\$0</u>	<u>\$75,000</u>

Justification: This budget revision is necessary to support the Accreditation Priorities budget in preparing for the implementation of a data driven accreditation system for NCATE accreditation.

2. **UMMC** - Approved the Twenty-Eighth Amendment of the agreement with Jackson Medical Mall Foundation for the Pediatric Hemophilia Treatment Clinic. The clinic will comprise 2,090 square feet and provide dedicated space for physician consultations with parents and pediatric patients being treated for hemophilia. There will also be one infusion treatment station housed in the space. The lease costs of the clinic space will be \$13.04 per square foot and common area maintenance for the 2,090 square feet at \$2.99. The total annual cost beginning December 1, 2004 will be \$33,502.70. A copy of the agreement is included in the *November 18, 2004 Board Working File*.
3. **UMMC** - Approved the Twenty-Ninth Amendment of the agreement with Jackson Medical Mall Foundation which amends the Ninth Amendment, dated March 18, 1998 to the lease agreement, by reducing the UMMC Patient Account Services square feet by 3,877 to 15,806 square feet to allow space for the Clinical Skills Assessment Lab. Also, approved the Thirtieth Amendment to the Jackson Medical Mall for the Clinical Skills Assessment Lab. The lab will comprise 3,877 square feet (provided by the Twenty-Ninth Amendment) and will provide a facility for third and fourth year medical students to train with standardized patients in order to improve their communication and clinical skills for the USMLE Step 2 Clinical Skills exam. The lease costs of the space will be \$12.79 per square foot for three years, including the cost of renovation. Upon completion, the lease costs revert to \$10.00 per square foot. The common area maintenance for the 3,877 square feet is \$2.99 per square foot. The first year annual lease cost will be \$61,179.12 for the period December 1, 2004 through November 30, 2007. After three years, the lease cost drops to \$50,362.23. A copy of the agreement is included in the *November 18, 2004 Board Working File*.

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4. **UMMC** - Approved the Thirty-First Amendment of the agreement with Jackson Medical Mall Foundation which amends the Twenty-First Amendment by reducing Phase II of the Cancer Institute by 1,024 square feet. The 1,024 square feet are needed for support space for Regional Nuclear Pharmaceuticals of Jackson, LLC, to operate a cyclotron in the space next to the Cancer Institute. The amendment includes an option for the Medical Center to retake the space if the lease is terminated with the Foundation. There is no cost to the University. A copy of the agreement is included in the *November 18, 2004 Board Working File*.
5. **UMMC** - Approved the request to enter into an agreement with the University Medical Faculty Practice Plan, PLLC (“UMFPP”) for use of a portion of the University Medical Pavilion solely for the purpose of operating UMMC’s primary outpatient clinical education facility in furtherance of the teaching mission of UMMC. UMFPP will be a successor to University Clinical Associates which in 1994, with approval by IHL, entered into a sublease for a portion of the Pavilion. This agreement replaces the current arrangement with University Clinical Associates. The term of the agreement is from January 1, 2005 through March 31, 2012. The agreement requires payments of \$5,350,788.00 (plus monthly operating costs) over the term of the agreement by UMFPP to UMMC for use of a portion of the Pavilion. A copy of the agreement is included in the *November 18, 2004 Board Working File*.
6. **UMMC** - Approved the request to modify the practice plan documents for the School of Medicine by changing the method of calculating the assessment for use of facilities. A copy of the proposed changes is included in the *November 18, 2004 Board Working File*.
7. **System Administration** - Approved the Rules and Regulations as well as the Contract and Note for the Mississippi Teacher Loan Repayment Program. A copy of the changes is included in the bound *November 18, 2004 Board Working File*.
8. **System Administration** - Approved the FY 2005 First Quarter Employment Report for the period July 1, 2004 through September 30, 2004. A copy of the report is included in the *November 18, 2004 Board Working File*.

**BUILDING/FACILITIES COMMITTEE
Wednesday, November 17, 2004**

1. **MVSU** - Approved initiation of a project to re-roof Magnolia Hall, College Hall I, and Leflore Hall and the appointment of Mills & Mills Architects, P.C., as the project professionals. The project budget will total \$500,000. Funds are available from S.B. 2988, Laws of 2003.
2. **MVSU** - Approved initiation of a project to demolish the Sunflower Heights Faculty Apartment and Valley Hall Dormitory and appointment of W. L. Burle Engineers, P. A., as project professionals. The project budget will total \$450,000. Funds are available from S.B. 2988, Laws of 2003.

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3. **MVSU** - Approved initiation of a project to upgrade components of the Campus Electrical System and the appointment of Andy Covington Electrical Engineers as the project professionals. The project budget will total \$250,000. Funds are available from S.B. 2988, Laws of 2003.
4. **UM** - Approved initiation of a project to create a four-lane section of Coliseum Drive to improve traffic flow and alleviate congestion and to hire Dean-McRea Engineering as the design engineers. The estimated cost of this project is \$400,000. Funds are available from self-generated funds.
5. **UM** - Approved initiation of a project to construct a 120 car parking lot near the Law School and to hire Precision Engineering as the design engineers. The estimated cost of this project is \$250,000. Funds are available from self-generated funds.
6. **UM** - Approved initiation of a project for the Physical Plant Department outbuildings relocation and appointment of Foil-Wyatt Architect and Planners as the design professionals. This will include a landscape services building, a garage, and fueling stations. Funds in the amount of \$995,000 are available from the Bureau of Buildings from S.B. 2988, Laws of 2003, general obligation bonds.
7. **UM** - Approved initiation of a project to add an addition to Kincannon Hall to house the University Housing Department which is now located in Miller Hall. This will allow the area in Miller to be used for academic purposes. Also, approved appointment of Mills and Mills as the project professionals. The budget of \$600,000 is available from auxiliary self-generated funds.
8. **ASU** - Approved contract documents, authorized advertising for the receipt of bids, and request approval by the Bureau of Buildings for **GS# 101-249, New Water Treatment Plant**. The estimated cost of the project is \$2,200,000.
9. **JSU** - Approved contract documents for **IHL #203-145, New Student Center**, and authorize advertising for receipt of bids. Funds are available from JSU's EBC bonds in the amount of \$15,600,000.
10. **MSU** - Approved the contract documents and authorized advertising for the receipt of bids for **Lee Hall Renovations - Phase II, IHL #105-278**. Funds are available from H. B. 1675, Laws of 1999, in the amount of \$2,092,641 and from S. B. 3197, Laws of 2002, in the amount of \$886,848, for a total project budget of \$2,979,489.
11. **UMMC** - Approved contract documents for **Research Wing Electrical Buss Risers, IHL #209-480**, and authorized advertising for the receipt of bids. Funds are available in the amount of \$500,000 from interest income.
12. **JSU** - Approved bids and the award of a contract in the amount of \$2,152,000 (base bid minus negotiated cost of \$92,000) to the low bidder, Ivey Mechanical Company, for **IHL #203-144, JSU Campus Comprehensive Energy Renovation Phase II (Mechanical)**. Funds are available in the project budget. Bids were as follows:

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Contractor	Base Bid
1. Ivey Mechanical Company	\$2,244,000
2. Blanchard Mechanical Contractors	\$2,440,000
3. Buford Plumbing Company	\$2,496,000

13. **MSU** - Approved the bids and the award of a contract in the amount of \$4,497,000 to the low bidder, West Brothers Construction, Inc., for **GS #105-294, Simulation and Design Center**, and request approval by the Bureau of Buildings. Funds are available from S. B. 3197, Laws of 2002, in the amount of \$6,000,000. Bids were as follows:

Contractor	Base Bid
1. West Brothers Construction	\$4,497,000
2. Worsham Brothers	\$5,140,000
3. Sanderson Construction, Inc.	\$5,150,000
4. JESCO, Inc.	\$5,396,000

14. **MSU** - Approved the bids and the award of a contract in the amount of \$498,500 to the lowest bidder, Edwards Electric Service, LLC, for **GS #105-302, 2003 Electrical Distribution**, and request approval by the Bureau of Buildings. Funds will be furnished from S. B. 3197, Laws of 2002, in the amount of \$400,000, and from Plant Fund Accounts in the amount of \$160,000, for a total project budget of \$560,000. Bids were as follows:

Contractor	Base Bid	Alternate
1. Edwards Electric Service, LLC	\$498,500	(\$30,200)
2. Red Simpson, Inc.	\$545,000	(\$64,000)
3. Southern Electric Corp. of MS	\$554,500	(\$546,000)
4. Chain Electric Company	\$657,800	(\$39,000)
5. B & B Electrical & Utility Contractors	\$699,500	(\$22,000)
6. Woodall Electric, Inc.	\$796,000	(\$48,000)

15. **MUW** - Approved the bids and the award of a contract in the amount of \$338,526.36 to the lowest bidder, BellSouth, for the Network Replacement Plan. Howard Computers was the lowest bid, but the bid submitted did not meet the specifications of the bid. As the next lowest bid, BellSouth was the contract. Funds are available in the project budget. Bids were as follows:

Contractor	Base Bid
1. BellSouth	\$338,526.36
2. Howard Computers	\$283,241.75
3. UCI Communications	\$771,283.48
4. Venture Technologies	\$471,228.05

16. **UM** - Approved the request to hire McElroy Electrical, Inc., to design an Electrical Systems Upgrade - 4KV substation and other projects as part of the electrical system upgrade. The total project was estimated at \$3,065,670. Funds are available from University self-generated funds.

17. **USM** - Approved a Change Order in the amount of \$1,520,404, for **GS #108-184, Union Building Renovation and Addition**, and request approval by the Bureau of Buildings. This change order will allow the completion of a portion of the "shelled" area for this project. Funds are available in the amount of \$5 million from H.B. 1843, Laws of 1997; in the amount of \$5 million from S.B. 3254, Laws of 1998; in the amount of

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\$2 million from the Student Union Reserve Fund; in the amount of \$3 million from the Food Service Reserve Fund; and in the amount of \$15 million from the SMEBC Bond Issue, for a total budget of \$30 million.

18. **USM** - Approved the bids and the award of a contract in the amount of \$339,790 (base bid plus deductible alternate #1) to the low bidder, Maples Construction Company, Inc., for **IHL #208-257, West Memorial Drive Plaza**. Funds are available in the amount of \$379,000 from USM Plant Funds. Bids were as follows:

Contractor	Base Bid
1. Maples Construction Co., Inc.	\$349,121
2. B. W. Sullivan Building Contractor, Inc.	\$386,000
3. Hanco Corporation	\$430,000

19. **USM** – Approved the bids and the award of a contract in the negotiated amount of \$15,797,000 to the low bidder, Finlo Construction Company, for **National Center for Excellence in Economic Development and Entrepreneurship**. Funds are available in the amount of \$15,800,000 from U. S. Government VA-HUD Independent Agencies Appropriations Act of 2000 (PL 107-73), Conference Report (HR 107-272), private donations, and University funds. Bids were as follows:

Contractor	Base Bid
1. Finlo Construction Company, Inc.	\$17,455,000 (Negotiated)
2. Polk Construction Company	\$18,700,000
3. Roy Anderson Corp.	\$17,560,000
4. W.G. Yates & Sons Construction Co.	\$17,775,000

20. **MSU** - Approved request to sell to Ergon Properties approximately 6 acres at the corner of Highway 12 and Russell Street for the average of two appraisals. The intent is to develop the 6-acre parcel into an upscale and pedestrian-friendly retail and commercial venue including at least one upscale restaurant and new upscale condominiums. It is the intent to work with Ergon Properties to develop the remaining university properties as demand warrants. These further developments may be in the form of partnerships, rather than the sale of property.
21. **MSU** - Approved a resolution designating C. Ray Hayes as the agent authorized to execute applications for the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act of 1974 (Public Law 93-288), amended by Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (Public Law 100-707), and to file them with the Governor's Authorized Representative. A copy of the resolution is included in the *November 18, 2004 Board Working File*.
22. **UM** - Approved the request to purchase approximately 41,000 square feet of space in the Oxford Mall adjacent to the old Wal-Mart building already owned by the Ole Miss Foundation and scheduled to house the University's Innovation and Outreach Center. The new owner of the mall, Crosswell-Greenwood Development of Houston, Texas, has agreed to sell the space at \$35 a square foot or approximately \$1,435,000. The exact amount will be determined by the location of a dividing wall to be constructed by the mall owners, providing space between 40,000 and 41,000 square feet. The purchase will also include surrounding land of 2.6 acres. Funds are available from University self-generated income.

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23. **UM** - Approved the request for the Mississippi Alpha Housing Corporation of Sigma Phi Epsilon Fraternity to execute a second deed of trust on Lot No. 309 on the Oxford Campus. The Housing Corporation holds an existing deed of trust of leasehold interest with Union Planters Bank in the amount of \$420,000 which expires on March 31, 2052. It now wishes to enter into an additional loan agreement with Union Planters Bank in an amount not to exceed \$40,000. The term of the loan provides for a five-year interest rate at LIBOR plus a margin of 1.75%.
24. **UM** - Approved the request to formally name the building which houses the electrical generation plant the Johnny M. Williams Electrical Generation Plant in honor of Johnny M. Williams.
25. **System Administration (Information item.)** - Facilities Summary. (See Exhibit 1.)
26. **Other Business**
- a. **DSU** - Approved the bids and the award of a contract in the amount of \$351,000 to the low bidder, Roy Collins Construction Company, Inc., for **IHL #202-126, Thigpen Baseball Annex**. Funds are available through the DSU Foundation. Bids were as follows:
- | Contractor | Base Bid | Alternate #1 |
|---|-----------|--------------|
| 1. Roy Collins Construction Company, Inc. | \$351,000 | \$6,800 |
| 2. David Smith Construction, Inc. | \$416,000 | \$2,000 |
| 3. Wright Steel, Inc. | \$460,000 | (\$2,344) |
- b. **JSU** - Approved the Change Order in the amount of \$1,157,646 to replace exterior masonry for the **Renovations to John W. Dixon Hall, IHL #203-146**. Funds are available in the project budget. Detailed information is included in the bound *November 18, 2004 Board Working File*.

**AYERS IMPLEMENTATION COMMITTEE
Wednesday, November 17, 2004**

1. **Ayers Update** - Approved the four-year restoration plan for presentation to the Mississippi Legislature. A copy of the plan is included in the *November 18, 2004 Board Working File*.

**PLANNING COMMITTEE
Wednesday, November 17, 2004**

1. **System Administration** - The committee discussed the planning goals and policy process.
2. **Other Business** - In January 2005, the committee will meet with the Presidents' Council and other interested Board members to continue the discussions. This meeting will be separate from the regular Board meeting.

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**AUDIT COMMITTEE
Wednesday, November 17, 2004**

1. **System Administration** - Approved the adoption of the *Internal Audit Charter*, as amended. The amendment strikes the language “through the Commissioner” from the paragraph on V. Responsibilities. A copy of the charter is included in the *November 18, 2004 Board Working File*.
2. **Other Business** - The committee intends to conduct a joint meeting with the Budget and Financial Affairs committee prior to December to discuss the need for a business plan to implement the *Internal Audit Charter*.

**LEGAL COMMITTEE
Thursday, November 18, 2004**

The committee was brought to order by Ms. Whitten, Chair. The following items were discussed:

1. **System Administration (Information item.)** - Payment of legal fees to outside counsel, as follows:
 - a. In relation to litigation and other matters:

Payment of legal fees for professional services rendered by Lewis Fisher Henderson Claxton & Mulroy (Statements dated 9/16/04) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the “policy manual” - \$224.00 and the *Sterling* case - \$1,460.46.)

TOTAL DUE \$1,684.46
 - b. Payment of legal fees for professional services rendered by Byron Nelson (Statement dated 9/13/04) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with the *Gospodarski* case.)

TOTAL DUE \$33.52
 - c. Payment of legal fees for professional services rendered by Collins May Potenza Baran & Gillespie (Statement dated 8/11/04 and 9/13/04) from the funds of The University of Mississippi. (These statements, in the amounts of \$307.27 and \$496.47, respectively, represent services and expenses in connection with the *Waters* case.)
- TOTAL DUE \$803.74**

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Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statement dated 9/9/04) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with general advice.)

TOTAL DUE \$158.10

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (Statement dated 9/21/04) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with the *Durham v. MSCI* case.)

TOTAL DUE \$190.69

Payment of legal fees for professional services rendered by Lewis Fisher Henderson Claxton & Mulroy (Statement dated 9/21/04) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with general advice.)

TOTAL DUE \$1,008.00

Payment of legal fees for professional services rendered by Adams & Reese (Statement dated 9/17/04) from the funds of The University of Southern Mississippi. (This statement represents services and expenses in connection with the *Olson* case.)

TOTAL DUE \$105.94

Payment of legal fees for professional services rendered by Hickman, Goza and Spragins (Statement dated 8/24/04) from the funds of The University of Mississippi. (This statement represents services and expenses in connection with the *DFA v. Clark* case.)

TOTAL DUE \$1,479.50

Payment of legal fees for professional services rendered by Walter Allen, III (Statement dated 9/24/04) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with the expert testimony in the *Business Computer* case.)

TOTAL DUE \$250.00

Payment of legal fees for professional services rendered by Maxey, Wann, PLLC (Statement dated 10/1/04) from the funds of the Board of Trustees of State Institutions of Higher Learning. (This statement represents services and expenses in connection with the *IHL v. State* case.)

TOTAL DUE \$3,442.77

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b. In relation to patent matters:

Payment of legal fees for professional services rendered by Piper Rudnick (Statements dated 8/11/04, 8/17/04, 8/19/04, 8/23/04, 8/11/04, 8/16/04, 8/23/04, and 8/31/04) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patent applications: "Multi-Component Process Analyzer and Controller (MPAC)" - \$276.46; "Moisture and Density Detector (CIP)" - \$7,709.10; "Through-Log Density Detector" - \$1,125.72; "On-Site Biological Treatment of Contaminated Fluids" - \$2,305.72; "Real-Time Combustion Controller" - \$1,345.00; "Positive Directed Movement of Termites by Radio Waves" - \$2,925.00; "Use of Novel Virulence-Specific Genes as Targets..." - \$1,015.76; and "Micro-Fluidic Device for Mon Biomolecular Interations" - \$303.53.)

TOTAL DUE \$17,006.29

Payment of legal fees for professional services rendered by Greenberg Traurig (Statements dated 9/21/04) from the funds of The University of Mississippi. (These statements represent services and expenses in connection with the following patent applications: "New Manzine Alkaloids with Potent Activity Against Infectious Diseases" - \$1.90; "Method of Producing Delta-9-Tetrahydrocannabinol Esters" - \$437.10; "Utility Application Based on U. S. Provisional No. 60/483,380" - \$431.80; "PCT Application Based on U. S. Provisional No. 6-/483,380" - \$2,726.00; "National Phase Filing in New Zeland Corresponding to PCT/US02/37488" - \$40.23; "Antiprozoal Dihydroartemisinin and Dehydroartemisitene Dimers with Desirable Chemical Functionalities" - \$2.85; and "Potent Immunostimulatory Extracts from Microalgae" - \$3.18.)

TOTAL DUE \$3,643.06

Payment of legal fees for professional services rendered by Needle & Rosenberg (Statement dated 8/31/04) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the patent application for "Hexavalent Chrominum Detector/Monitor".)

TOTAL DUE \$1,547.00

2. **Executive Session**

On motion by Ms. Whitten, with Ms. Robinson absent and not voting, the committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Whitten, seconded by Ms. Newton, with Ms. Robinson absent and not voting, the committee **voted to go into Executive Session** for the reason later reported by the Chair in Open Session and stated in these minutes, as follows:

Discussion of potential litigation at Alcorn State University.

On motion by Ms. Whitten, seconded by Ms. Newton, with Ms. Robinson absent and not voting, the committee voted to return to Open Session.

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On motion by Mr. Owens, seconded by Ms. Whitten, with Ms. Robinson absent and not voting, the committee recommended that the Board rescind the authority granted on August 15, 1968 to Alcorn State University to allow privately owned faculty houses to tie in to gas and water lines as referenced by committee agenda item #1 in the Board Book.

The following committee members attended the meeting: Ms. Amy Whitten (Chair), Mr. Bob Owens, and Mr. Scott Ross. Ms. Robin Robinson was absent. Other Board members attending the meeting were: Mr. Ed Blakeslee, Mr. Thomas Colbert, Dr. Stacy Davidson, Mr. Roy Klumb, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, and Mr. Aubrey Patterson.

ADMINISTRATION/POLICY

Presented by Mr. Roy Klumb, President

On motion by Mr. Patterson, seconded by Ms. Whitten, with Ms. Robinson absent and not voting, it was

RESOLVED, That the Board hereby approved agenda item #1 as submitted on the following Administration/Policy Agenda. Agenda item #2 was approved on a separate motion by Mr. Patterson, seconded by Ms. Whitten, with Ms. Robinson absent and not voting.

1. **System Administration**- Approved the agenda items considered subsequent to the October 21, 2004 Board meeting, as follows:
 - a. **UMMC** - Approved employment of the following personnel: Linda Atwood, Lisa Hankins, and Leanthony Reneil Mathews.

2. **System Administration** - Approved the 2004 Fall Commencement Schedule, as follows:
Delta State University

Time: 10:00 a.m., Saturday, December 11, 2004

Location: Walter Sillers Coliseum

Speaker: Dr. Elizabeth F. Sarcone, Professor of English, Delta State University

Mississippi State University

Meridian Campus:

Time: 2:00 p.m., Friday, December 10, 2004

Location: Kahlmas Auditorium

Speaker: Cynthia Cooper, President of Cynthia Cooper Consulting

Main Campus:

Time: 7:00 p.m., Friday, December 10, 2004

Location: Humphrey Coliseum

Speaker: Rod Paige, U. S. Secretary of Education

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Time: 10:00 a.m., Saturday, December 11, 2004
Location: Humphrey Coliseum
Speaker: Don Powell, Chairman, Federal Deposit Insurance Corporation

Mississippi University for Women

Time: 6:00 p.m., Tuesday, December 7, 2004
Location: Rent Auditorium of Whitfield Hall
Speaker: Dr. Marty Hatton, Associate Professor and Coordinator of the Communication Program

The University of Southern Mississippi

Time: 2:30 p.m., Friday, December 17, 2004
College of Arts and Letters and College of Education and Psychology
6:30 p.m., Friday, December 17, 2004
College of Business, College of Health, and College of Science and Technology
Location: Reed Green Coliseum
Speaker: Ms. Margaret Loesch, Managing Partner of The Hatchery, LLC, Los Angeles, California

PERSONNEL/FOREIGN TRAVEL

Presented by Mr. Roy Klumb, President

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

RESOLVED, That the Board hereby approved the employment of personnel items as submitted on the following Personnel/Foreign Travel Agenda. The change of status items were approved on a separate motion by Dr. Davidson, seconded by Dr. Neely, with Ms. Robinson absent and not voting. The termination items were approved on a separate motion by Mr. Blakeslee, seconded by Dr. Magee, with Ms. Robinson absent and not voting. The necrology item was approved on a separate motion by Mr. Patterson, seconded by Dr. Magee, with Ms. Robinson absent and not voting. Agenda item #2 was approved on a separate motion by Dr. Neely, seconded by Dr. Davidson, with Ms. Robinson absent and not voting.

1. **Personnel Report.**

EMPLOYMENT

Alcorn State University

Sanders, Sheila
Shinde, Prashant

Jackson State University

Burks-Berry, Amy

Gambrell, Virgia
Irvin, Lurlene
Pourciau, Lester
Stevenson, Peter
Thompson, Kia A.
Wang, Peng
Zhang, Zueji

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Mississippi State University

Musser, Fred
Shi, Sheldon Q.

University of Mississippi

Banner, Ian

University of Southern Mississippi - Athletics

Coghlan, Shane Christopher
Wilson, Eric Antonio

University of Southern Mississippi

Lambert, Paul Richard

CHANGE OF STATUS

Jackson State University

Druckrey, Melissa
Foster, Velvelyn
Gentry, Ruben

Mississippi State University

West, James L.

University of Southern Mississippi - Athletics

McNutt, Rebecca Gay

University of Southern Mississippi

Posey, Kenneth T.
Styron, Ronald

2. Foreign Travel Report.

Alcorn State University

Kumar, Ravinder
Manaktala, Kanchan

Singapore
Singapore

Jackson State University

Gaye, Zachariah Z.
Shahbazi, Mohamed

Ghana and Liberia
Calcutta, India

TERMINATION

Alcorn State University

Rahman, Shafiqur

Delta State University

Phillips, Donavon

Mississippi State University

Bullard, Steven H.
Fritts, Christine A.
Sullivan, Michael J.

Mississippi University for Women

Louviere, Starlo Book

Mississippi Valley State University

Tillman, Traveda
Ward, Shawn

University of Mississippi

Howorth, Beckett M., III

NECROLOGY

University of Mississippi Medical Center

Melohn, Brenda D.

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Mississippi State University

Abraham, Patti	Vancouver, British Columbia, Canada
Batchelor, William D.	Stuttgart, Germany
Bowen, Marilyn	Vancouver, British Columbia, Canada
Brown, Kimberly	Honolulu, Hawaii
Burnell, Keith (Student)	Honolulu, Hawaii
Byrd, John D., Jr.	Honolulu, Hawaii
Coats, Linda T.	Honolulu, Hawaii
Cruz-Burgos, Jose A. (Student)	San Juan, Puerto Rico
Dodds, Darrin Matthew	Honolulu, Hawaii
Ebanks, Bruce	Batz-su-Mer, France
Faulk, Leah	Honolulu, Hawaii
Forman, Jozsef	Budapest, Hungary
Gray, Cody J.	Honolulu, Hawaii
Greenwood, Jane Britt	Honolulu, Hawaii
Hamil, Burnette	Honolulu, Hawaii
Jones, Elizabeth J.	Honolulu, Hawaii
Kirkpatrick, Matthew (Student)	Honolulu, Hawaii
Lascu, Ioan (Student)	Pau, France
Long, Leanne	Vancouver, British Columbia, Canada
Lopez-Flores, Marisel (Student)	San Juan, Puerto Rico
Nicholas, Darrel D.	Hilo, Hawaii
O'Hear, John W.	Cienfuegos, Cuba
Pope, Margaret	Honolulu, Hawaii
Prince, Joby	Honolulu, Hawaii
Rodgers, John C., III	San Salvador, Bahamas
Shankle, Mark W.	Honolulu, Hawaii
Shaw, David	Honolulu, Hawaii
Wills, Gene D.	Honolulu, Hawaii
Wright, Ronald Scott	Honolulu, Hawaii

Mississippi Valley State University

Group of 22 Students	Honolulu, Hawaii
Hardy, Lonza	Honolulu, Hawaii
Hudson, Roy C.	Honolulu, Hawaii
Jackson, Jamal	Honolulu, Hawaii
Newman, Lester	Honolulu, Hawaii
Stribling, Lafayette	Honolulu, Hawaii
Wardell, Harvey	Honolulu, Hawaii

University of Mississippi

Anderson, Julie	Cape Town, South Africa
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Approximately 15 Students	San Jose and Manuel Antonio, Costa Rica
Approximately 20 Students	London, England
Approximately 15 Students	Belize
Approximately 10 Students	San Jose, Costa Rica
Approximately 10 Students	San Jose, Costa Rica
Cassidy, Judith	London, England
Cheng, Alexander	Rabat, Morocco
Cozad, Laurie	Lund, Sweden
de Oca Lopez, Nelson Montes	San Jose and Manuel Antonio, Costa Rica
Fenno, Jonathan Brian	Honolulu, Hawaii
Frink, Dwight	San Jose, Costa Rica
Gaston, Gary	Belize
Gussow, Adam	Dakar, Senegal
Gutierrez, John	San Jose and Manuel Antonio, Costa Rica
Hopkins, Brian (Student)	Cape Town, South Africa
Johansson, Michael	Dominica
Khan, Ikhlas	Phuket, Thailand
Lopez, Alfred	San Jose, Costa Rica
Maron, Ruth	San Jose, Costa Rica
Matalgah, Mustafa	Cairo, Egypt
Walker, Larry	Bangkok, Thailand and Delhi, India
Wrobel, Gabriel	San Ignacio, Belize
Yang, Xiaobin	Beijing, China

University of Mississippi Medical Center

Carron, Jeffrey D.	Toronto, Canada
Craft, Jason Arnold (Resident)	Freiburg, Germany
Grady, Andrew W.	Kapolei, Hawaii
Ho, I. K.	Taichung and Tainan, Taiwan and Panama City, Panama
Jones, Daniel W.	Taichung and Tainan, Taiwan
Meydrech, Edward F.	Honolulu, Hawaii
Shaffery, James P.	Panama City, Panama
Smith, Oluwatosin	Nigeria

University of Southern Mississippi

Abelev, Andrei	Hawaii
Chambers, Douglas B.	Nigeria
deCasal, Carole	Spain
Fraschillo, Thomas V.	Italy
Gwozdz, Lawrence	Hawaii
Leventhal, Lois	Hawaii

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Lo, Melody	Hong Kong
Lotz, Jeffrey	Malaysia
Ott, David (Student)	Prague
Pandey, Ras	Prague
Press, Robert	Hawaii
Ross, Susan	Hawaii
Rouse, Sharon E.	Hawaii
Thompson, Janice P.	Hawaii
Urban, Marek	Prague
Williams, Lisa G.	Hawaii
Yang, Jie	Hong Kong

System Administration - Emergency approval of foreign travel was granted by Commissioner David Potter per *Board Policy* 705.0103, as follows:

Jackson State University

Banks, Pamela G.	San Juan, Puerto Rico
Bishop, Carrine	Havana, Cuba
Group of 8 Students	San Juan, Puerto Rico
Jernigan, Patricia	Havana, Cuba
Sly, Kaye	San Juan, Puerto Rico

Mississippi State University

Bricka, R. Mark	Canada
Bruce, Lori Mann	Antwerp, Belgium
Kidd, Michael T.	Lima, Peru

University of Mississippi

Albritton, Robert	Bangkok, Thailand
Church, Charlie	Montreal, Canada
Cheers, Michael	Cape Town and Johannesburg, South Africa
Khan, Ikhlas	Munich, Germany and Innsbruck, Austria
Kleinert, Daniel, Sr.	Republic of Palau

University of Mississippi Medical Center

Inamdar, Syeda Rubina	Versailles, France
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University of Southern Mississippi

Butler, David	Belize
Ding, Jiu	Canada
Farhang, Niroomand	Mexico
Grimes, D. Jay	Hawaii

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Harris, E. Kay
Ross, Susan
Webster, Michael

Canada
Hawaii
India

OTHER BUSINESS

Presented by Dr. David Potter, Commissioner

AGENDA ITEM #1 WAS APPROVED ON A SPLIT VOTE AS SHOWN BELOW.

1. Correction to Legal Fees Previously Approved

At the October Board meeting, the Board approved the following items:

- a. **USM** - Retention of the law firm of Adams & Reese to provide legal assistance in the preparation and trial of *Servedio v. USM, et al.*; Circuit Court of Forrest County, Mississippi. Per the direction of the Attorney General's Office, the rate was reduced from \$175 per hour to \$150 per hour plus incidental costs and expenses. Payment for these services will be from University general funds.
- b. **USM** - Retention of the law firm of Adams & Reese to provide legal assistance in the preparation and trial of *Brewer v. USM, et al.*; Circuit Court of Forrest County, Mississippi. Per the direction of the Attorney General's Office, the rate was reduced from \$175 per hour to \$150 per hour plus incidental costs and expenses. Payment for these services will be from University general funds.

It was discovered that prior to the October Board meeting Attorney General Jim Hood had approved the rate of \$175 per hour for Adams & Reese in the above cases.

A motion was made by Ms. Whitten, seconded by Mr. Ross, to amend the legal fees from \$150 per hour back to the original request of \$175 per hour for Adams & Reese in the cases styled *Servedio v. USM, et al.* and *Brewer v. USM, et al.* The motion passed on an 11 to 1 vote, with Ms. Robin Robinson absent and not voting. Board members voting for the motion were: Mr. Ed Blakeslee, Mr. Thomas Colbert, Dr. Stacy Davidson, Mr. Roy Klumb, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Scott Ross, and Ms. Amy Whitten. **Dr. D. E. Magee voted against the motion.**

ANNOUNCEMENTS

1. Mr. Owens noted that the Board does not have a policy concerning diversity. The IHL staff drafted a Diversity Statement that will be brought for first reading at the December Board meeting. A copy of the draft is included in the *November 18, 2004 Board Working File*.
2. Dr. Shelby Thames, President of The University of Southern Mississippi, introduced Dr. Deborah Bilbrew, the first African American to receive a Ph.D. in nursing from a Mississippi university which was The University of Southern Mississippi.

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3. Ms. Newton noted that she and Dr. Potter attended a conference held in Chicago by the Association of Governing Boards of Universities and Colleges. One of the topics discussed concerned the policy paper entitled *Are the State and Public Higher Education Striking a New Bargain?* A copy of the paper is included in the *November 18, 2004 Board Working File*.
4. Ms. Newton discussed the *Board Policy* in regard to foundations.
5. Ms. Newton announced that there may be a December Board meeting scheduled.

UNANIMOUS CONSENT

AGENDA ITEMS #1 AND #2 WERE TAKEN UP ON THE BUILDING/FACILITIES COMMITTEE AGENDA.

1. **DSU** - Bids and award of contract in the amount of \$351,000 to the low bidder, Roy Collins Construction Company, Inc., for **IHL #202-126, Thigpen Baseball Annex**. Funds are available through the DSU Foundation. **(THIS ITEM WAS TAKEN UP EARLIER IN THE AGENDA.)**
2. **JSU** - Change Order in the amount of \$1,157,646 to replace exterior masonry for the **Renovations to John W. Dixon Hall, IHL #203-146**. Funds are available in the project budget. **(THIS ITEM WAS TAKEN UP EARLIER IN THE AGENDA.)**

EXECUTIVE SESSION

On motion by Mr. Blakeslee, with Ms. Robinson absent and not voting, the Board voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Ms. Whitten, seconded by Mr. Blakeslee, with Ms. Robinson absent and not voting, the Board **voted to go into Executive Session** for the reason later reported by the President in Open Session and stated in these minutes, as follows:

Discussion of a personnel matter at the Board Office.

On motion by Mr. Patterson, seconded by Dr. Magee, with Ms. Robinson absent and not voting, the Board voted to return to Open Session.

The Board interviewed candidates for the position of Interim Commissioner of Higher Education.

On motion by Mr. Klumb, seconded by Ms. Newton, with Ms. Robinson absent and not voting, the Board voted to appoint Dr. Richard Crofts as Interim Commissioner of Higher Education beginning December 1, 2004.

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COMMITTEE REPORTS

**Academic Affairs Committee
Wednesday, November 17, 2004**

The committee was brought to order by Ms. Robinson, Chair. The following items were discussed:

1. **Award of Degrees**
On motion by Ms. Robinson, seconded by Mr. Patterson, and unanimously passed by those present, the committee recommended that the Board approve the request to award degrees at DSU, MSU, MUW, UM, & USM as referenced by committee agenda items #1 - #5 in the Board Book.
2. **Halbrook Awards**
On motion by Ms. Robinson, seconded by Mr. Ross, and unanimously passed by those present, the committee accepted the list of the winners of the Halbrook Awards for Academic Achievement among Athletes for 2003-2004 for informational purposes as referenced by committee agenda item #6 in the Board Book.
3. **Other Business** - The committee will take up the post-tenure review annual report at the February Board meeting. A Post Tenure Information sheet was handed out. A copy of this document is included in the *November 18, 2004 Board Working File*.

The following committee members attended the meeting: Ms. Robin Robinson(Chair), Dr. Stacy Davidson, Mr. Aubrey Patterson, and Mr. Scott Ross. Dr. Bettye Neely was absent. Other Board members attending the meeting were: Mr. Ed Blakeslee, Mr. Thomas Colbert, Mr. Roy Klumb, Dr. D. E. Magee, Ms. Virginia Shanteau Newton, and Mr. Bob Owens.

PRESIDENTS' COUNCIL

**Dr. Charles Lee, President
Wednesday, November 3, 2004**

Call to Order

- Dr. Charles Lee called the meeting to order at 8:30 a.m.
- Minutes were approved as submitted.

Proposal from CFOs on Multi-Year Tuition, Multi-Year Salary, and Deferred Maintenance Issues, Led by Dr. Linda McFall.

Multi-year tuition: The proposal would permit a multi-year approach as solicited by the Board. It would also allow a market approach by individual institutions. The CFO plan calls for annual tuition increase requests to have a HECA Index cap. They would go forward to the Commissioner as a justification item and then on to the Board as an information item. If an institution's proposed increase went above the HECA cap, then that request would need to go to the Board for approval rather than to the Commissioner. The Council discussed whether specific high-cost programs, such as nursing or engineering, could have higher tuition. It was felt that such requests from individual institutions could be covered by recommending them to the Board. Those present favored the above approach but believed that some prior consultation with the legislative leadership might be appropriate before adoption.

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Pricing of Tuition. This had to do with whether a student should pay for each credit hour that he/she takes or whether a credit hour limit (e. g. 15) could be established with additional hours at no charge. If a president believes a change is best for the institution, then that IEO would need to make an institution-specific presentation to the IHL Board to justify the request.

Clarification of Terms in the IHL Manual. The terminology “tuition and required fees” should be changed to “tuition” to reduce confusion on the part of parents and students; however, an institution could still allocate tuition to meet internal needs. Regarding employees and dependent tuition waivers, the proposed change would move the waivers to the benefits section and remove the stated GPA requirement. A student receiving such a benefit would need to meet institutional requirements for continued enrollment in order to maintain the benefit. The presidents endorsed this proposal.

Deferred Maintenance. The financial officers met with Frank Alley and David Anderson, Director of the Bureau of Buildings, to develop a proposal to deal with this problem. IHL wants \$2M to create a facilities master plan as part of a bond bill and then work with legislators and our legislative liaisons to come up with a funding mechanism for capital renewal and replacement. The bond funding would support an assessment of the condition of facilities throughout IHL. The inventory would then form the basis for a funding strategy to reduce or eliminate the backlog of deferred maintenance. The presidents were in agreement about this approach.

Audit Proposal Presented to the Board by Trustee Aubrey Patterson Last Month.

There was general acceptance of the proposal although there were some questions on how the IHL auditor would operate with respect to internal auditors at the various institutions and whether they could help those institutions without internal auditors. The institutions would appreciate having some representation on any search committee that is formed to employ a senior auditor.

Presidents’ Council Role in Academic Program Review.

In response to the Board’s endorsement of the Council’s offer to develop some academic program guidelines that the Board might use to deal with concerns about unnecessary duplication of programs among the IHL institutions, as well as the auditing and subsequent actions on low productivity programs, Presidents Hilpert and Chancellor Khayat were asked to work with the CAOs (and other presidents if they so desired) to prepare recommendations for review by the presidents prior to Board consideration, and to include a schedule for completing the recommendations.

Subsequent to the video conference, Commissioner Potter handed out a list that includes all those tasks the Council had previously committed to undertake. Since Chancellor Khayat and Dr. Hilpert are meeting with the CAOs at 10 a.m. next Wednesday, Dr. Potter would like them to adopt this expanded agenda, recognizing that some prioritizing will be necessary.

Outcome-oriented Performance Indicators and Measures.

The concept of using outcome-oriented measures rather than input-indicators was introduced at the last Board meeting as an alternative approach to requiring reporting of highly detailed input measures. It was noted that President Bristow had made a presentation on SACS requirements for outcome assessments to the Board with the thought that the SACS process might meet the Board’s expectations for accountability. After some discussion it was decided that Presidents

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Bristow, Limbert and Thames would follow-up on this issue, with President Thames as Chair. Trustee Ed Blakeslee later requested that Chairman Thames take up this subject with Trustee Virginia Newton, Chair of the Planning Committee. Dr. Thames has agreed to do so.

Graduate Student Health Insurance Request.

The Presidents' Council assigned the request for help in dealing with graduate student health insurance to the Human Resources Group within IHL, asking them to determine the feasibility of a system-wide group plan, to which any graduate student could subscribe. This request has been forwarded to Ann Bell at MSU, who currently chairs this group, for their meeting on Wednesday, November 17, prior to the Board meeting.

Alternative Compensation for University Employees.

In response to a July 8, 2003 letter to Dr. Potter from Ann Bell, regarding recommendations for alternative ways to compensate our employees by using tuition benefits to encourage employees, it was decided to refer this to the CFOs for a recommendation to the Presidents' Council.

Organization of Board's Directive to Implement or Revise Policies Related to University Foundations.

After discussion about the need to protect donor information and concern over possible encroachment on the foundations associated with the member institutions, it was decided to ask each president to ask their Foundation staff to review existing IHL foundation policies and provide a response regarding any changes that they believe appropriate. The present policy has apparently been in place for about ten years. Presidents should be prepared to discuss concerns at the meeting next month.

Critical Agenda Items for the November Board Meeting:

- Dr. McFall distributed a list of November agenda items, but no upcoming issues were identified as critical for discussion.

Request from Andy Taggart for Meeting with Council to Discuss MTA (Mississippi Technology Alliance).

It was decided that Mr. Taggart will be asked to make a presentation at an 11 a.m. lunch meeting for the presidents before the Board meeting. President Ron Mason agreed to host the group at the JSU E-Campus and CEO Taggart has agreed to join us.

Other Items.

- Dr. McFall reminded us that the new Board schedule calls for agenda items on Wednesday and any policy issues on Thursday.
- Dr. Lee called for another Presidents' Council videoconference at the same time next month.

The meeting adjourned at 10:15 a.m.

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Budget & Financial Affairs Committee

Wednesday, November 17, 2004

The committee was brought to order by Mr. Colbert, Chair. The following items were discussed:

1. **ASU Budget Revision**

On motion by Mr. Blakeslee, seconded by Mr. Ross, and unanimously passed by those present, the committee recommended that the Board approve the revision to the ASU Accreditation Priorities Budget as referenced by committee agenda item #1 in the Board Book.

2. **UMMC Lease Agreements**

On motion by Ms. Robinson, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve the 28th Amendment for the Pediatric Hemophilia Treatment Clinic, the 29th & 30th Amendments for the Clinical Skills Assessment Lab, the 34th Amendment for the Regional Nuclear Pharmaceuticals, the lease for space in the University Medical Pavilion, and the modification to the School of Medicine's practice plan documents as referenced by committee agenda items #2 - #6 in the Board Book.

3. **Mississippi Teacher Loan Repayment Program**

On motion by Ms. Robinson, seconded by Mr. Blakeslee, and unanimously passed by those present, the committee recommended that the Board approve the rules and regulations as well as the contract and note for the Mississippi Teacher Loan Repayment Program as referenced by committee agenda item #7 in the Board Book.

4. **Quarterly Employment Report**

On motion by Mr. Blakeslee, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the FY 2005 First Quarter Employment Report as referenced by committee agenda item #8 in the Board Book.

5. **Other Business** - Dr. Linda McFall gave a report on the Board's finances in relation to funding the search for a new commissioner.

The following committee members attended the meeting: Mr. Thomas Colbert (Chair), Mr. Ed Blakeslee, Ms. Robin Robinson, and Mr. Scott Ross. Committee member Ms. Amy Whitten was absent. Other Board members attending the meeting were: Dr. Stacy Davidson, Mr. Roy Klumb, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, Mr. Bob Owens, and Mr. Aubrey Patterson.

Building/Facilities Committee

Wednesday, November 17, 2004

The committee was brought to order by, Mr. Ross, Chair. The following items were discussed:

1. **Building/Facilities Requests**

a. On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the Initiations of Projects / Appointments of Professionals for MVSU and UM as referenced by committee agenda items #1 - #7 in the Board Book.

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- b. On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the construction documents for ASU, JSU, MSU, and UMMC as referenced by committee agenda items #8 - #11 in the Board Book. The committee approved agenda item #9 subject to approval by the IHL facilities staff.
- c. On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the award of contracts for JSU, MSU, MUW, UM, and USM as referenced by committee agenda items #12 - #18 in the Board Book.
- d. On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the award of a contract for the National Center for Excellence in Economic Development and Entrepreneurship project at USM as referenced by committee agenda item #19 in the Board Book.
- e. **Miscellaneous Items**
 - i. **MSU** - On motion by Mr. Ross, seconded by Ms. Robinson, and unanimously passed by those present, the committee recommended that the Board approve the sale of Cooley Building/Russell Street property at MSU, the designation of C. Ray Hayes as agent for MSU for the purpose of obtaining and administering federal financial assistance for relief of storm-related damage, and the purchase of additional property at the Oxford Mall for UM as referenced by committee agenda items #20 - #23 in the Board Book.
 - ii. **UM** - On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the request to name the building housing the electrical generation plant in honor of Johnny M. Williams as referenced by committee agenda item #24 in the Board Book.

2. **Other Business**

- a. On motion by Mr. Ross, seconded by Dr. Davidson, and unanimously passed by those present, the committee recommended that the Board approve the award of contract items for DSU and JSU as referenced by the Unanimous Consent agenda items #1 and #2 in the Board Book.
- b. Mr. Ross announced that the renovation for the new Board room is set to begin on December 1, 2004.

3. **Facilities Summary**

The committee received the facilities summary for informational purposes only.

The following committee members attended the meeting: Mr. Scott Ross (Chair), Dr. Stacy Davidson, Dr. D. E. Magee, Mr. Bob Owens, and Ms. Robin Robinson. Other Board members attending the meeting were: Mr. Ed Blakeslee, Mr. Thomas Colbert, Mr. Roy Klumb, Dr. Bettye Neely, Ms. Virginia Shanteau Newton, and Mr. Aubrey Patterson.

**Ayers Implementation Committee
Wednesday, November 17, 2004**

The committee was brought to order by Dr. Magee, Chair. The following was discussed:

1. **Ayers Update**

On motion by Dr. Magee, seconded by Mr. Owens, with Mr. Colbert absent and not voting, the committee recommended that the Board approve the four-year restoration plan for presentation to the Mississippi Legislature.

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The following committee members attended the meeting: Dr. D. E. Magee (Chair), Mr. Thomas Colbert, Ms. Virginia Shanteau Newton, and Mr. Bob Owens. Other Board members attending the meeting were: Mr. Ed Blakeslee, Dr. Stacy Davidson, Mr. Roy Klumb, Dr. Bettye Neely, and Mr. Aubrey Patterson.

**Planning Committee
Wednesday, November 17, 2004**

The committee was brought to order by Ms. Newton, Chair. The following was discussed:

1. **Planning Goals and Policy**

Ms. Newton reminded the Board that last month the Planning Committee was tasked with several different global issues. The Presidents' Council has been working on these issues. Dr. Phil Pepper, IHL Assistant Commissioner of Policy Research and Planning, and Mr. Ed Blakeslee met with Ms. Newton to determine a plan for getting started. It was determined to work within the framework of the plan that has been used in the past few years. The goals will be established from the framework and the Presidents' Council and will be tied in with the performance objectives and the mission.

2. **Other Business**

In January 2005, the committee will meet with the Presidents' Council and other interested Board members to continue the discussions. This meeting will be separate from the regular Board meeting.

The following committee members attended the meeting: Ms. Virginia Shanteau Newton (Chair), Mr. Ed Blakeslee, Dr. Bettye Neely, and Mr. Aubrey Patterson. Other Board members attending the meeting were: Dr. Stacy Davidson, Mr. Roy Klumb, Dr. D. E. Magee, Mr. Bob Owens, Ms. Robin Robinson, and Mr. Scott Ross.

**Audit Committee
Wednesday, November 17, 2004**

The committee was brought to order by Mr. Patterson, Chair. The following items were discussed:

1. **Audit Plan and Internal Audit Position**

On motion by Mr. Patterson, seconded by Mr. Owens, and unanimously passed by those present, the committee recommended that the Board approve the adoption of the *Internal Audit Charter*, as amended. The amendment strikes the language "through the Commissioner" from the paragraph on V. Responsibilities.

2. **Other Business**

The committee intends to conduct a joint meeting with the Budget and Financial Affairs committee prior to December to discuss the need for a business plan to implement the *Internal Audit Charter*.

The following committee members attended the meeting: Mr. Aubrey Patterson (Chair), Ms. Virginia Shanteau Newton, and Mr. Bob Owens. Other Board members attending the meeting were: Mr. Ed Blakeslee, Dr. Stacy Davidson, Mr. Roy Klumb, Dr. D. E. Magee, Dr. Bettye Neely, Ms. Robin Robinson, and Mr. Scott Ross.

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ANNOUNCEMENT

Wednesday, November 17, 2004

At the request of Ms. Virginia Shanteau Newton, Chair of the Commissioner Search Committee, Mr. Roy Klumb called to order a special Board meeting for the purpose of discussing the process for selecting an interim commissioner and permanent replacement for Dr. David Potter.

ADJOURNMENT

There being no further business to come before the Board, on motion by Dr. Neely, seconded by Mr. Patterson, with Ms. Robinson absent and not voting, the Board members voted to adjourn.

Roy Klumb

President, Board of Trustees of State Institutions of Higher Learning

David Potter

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

Exhibit 1 Facilities Summary for November 2004.

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EXHIBIT 1

**FACILITIES SUMMARY
NOVEMBER 2004**

ALCORN STATE UNIVERSITY

Approve the university's request for a transfer of funds in the amount of \$50,000 from Demby Hall Repairs, GS #101-237 to Eunice Powell Hall Renovations, GS#101-211 and requests approval by the Bureau of Buildings. Funds are available in the project budget.

JACKSON STATE UNIVERSITY

Approve the university's request for a transfer of funds in the amount of \$50,000 from GS#103-210, F & E Transitional Dormitory to GS#103-202, Transitional Dormitory-Phase II, and request approval by the Bureau of Buildings.

Approve the university's request for revisions to the design drawings for President's Home, GS #103-203 prepared by Eley Associates and request approval of the additional fees by the Bureau of Buildings. Funds are available in the project budget.

Approve Change Order #3 for GS #103-202, Transitional Dormitory Phase II, in the amount of \$8,364 and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available from Senate Bill #3315, Laws of 2000.

Approve Change Order #4 for GS #103-202, Transitional Dormitory Phase II, in the amount of \$10,816.35 and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available from Senate Bill #3315, Laws of 2000.

Approve the bids and award of contract to the low bidder, Gipson Mechanical Contractors, Inc & Multi-Con Electrical, Inc. in the amount of \$840,695 for electrical work for IHL#203-146, Dixon Hall Renovations. Funds are available in the project budget from Jackson State University Educational Building Corporation Bonds. The estimated project budget is \$8,400,000.

Approve the bids and award of contract to the low bidder, Southeastern Automatic Sprinkler Company in the amount of \$228,880 for the Fire Protection Work Package for IHL#203-146, Dixon Hall Renovations. Funds are available in the project budget from Jackson State University Educational Building Corporation Bonds. The estimated project budget is \$8,400,000.

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Approve Change Order #1 in the amount of \$3,310.00 for GS#103-226, Window Replacement, and request approval by the Bureau of Buildings, Grounds and Real Property Management.

MISSISSIPPI UNIVERSITY FOR WOMEN

Approve Change Order #1 in the amount of \$37,678 for Magnolia Hall Demolition, GS #104-138, and request approval by the Bureau of Buildings, Grounds and Real Property Management. Funds are available from SB #3158, Laws of 2001 in the amount of \$660,000.

MISSISSIPPI STATE UNIVERSITY

Approve the bids and award of contract to the lowest of three bidders, Upchurch Plumbing, Inc., in the amount of \$397,800 for IHL #205-202, Newell-Grissom Air Conditioning. Funds are available from Athletic Department Self-Generated Accounts in the amount of \$435,000.

Approve Change Order #1 for GS # 105-295, Allen Hall Roof/Waterproofing, in the amount of \$209,671.20 with 45 additional days to the contract of Accurate Roofing, Inc., and request approval by the Bureau of Buildings, Grounds, and Real Property Management. Funds are available from Senate Bill 3158, Laws of 2001, in the amount of \$900,000.

Approve Change Order #12 in the amount of \$3,221 for Hand Chemical Laboratory Renovation - Phase III, GS # 105-293 and requests approval by the Bureau of Buildings. Funds are available from SB #3158, Laws of 2001 in the amount of \$6,000,000 and from SB#3315, Laws of 2000 in the amount of \$1,230,408 for a total project budget of \$7,230,408.

Approve Change Order #13 in the amount of \$43,807 for Hand Chemical Laboratory Renovation - Phase III, GS # 105-293 and requests approval by the Bureau of Buildings. Funds are available from SB #3158, Laws of 2001 in the amount of \$6,000,000 and from SB#3315, Laws of 2000 in the amount of \$1,230,408 for a total project budget of \$7,230,408.

Approve Change Order #14 in the amount of \$2,017 for Hand Chemical Laboratory Renovation - Phase III, GS # 105-293 and requests approval by the Bureau of Buildings. Funds are available from SB #3158, Laws of 2001 in the amount of \$6,000,000 and from SB#3315, Laws of 2000 in the amount of \$1,230,408 for a total project budget of \$7,230,408.

MISSISSIPPI VALLEY STATE UNIVERSITY

Approve the university's request for a transfer of funds in the amount of \$11,416.02 from GS#106-178, Unobligated Funds, Senate Bill #3158, Laws of 2001 to GS#106-182 Academic Skills Communication Building, GS #106-182, and requests approval by the Bureau of Buildings.

UNIVERSITY OF SOUTHERN MISSISSIPPI

Approve the Design Development Documents for GS#108-228, Fire Safety and Sprinkler, and request approval by the Bureau of Buildings, Grounds, and Real Property Management. Funds are available in the Project Budget in the amount of \$500,000 from SB#3197, Laws of 2002.

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

Approve the contract documents and authorizes advertising for receipt of bids for Poison Control Electrical Upgrade '04, IHL #209-487. Funds are available in the project budget from grants and contracts.

Approve the bids and award of contract to the low bidder, Edwards Electric, in the amount of \$249,750 for Primary Electrical Distribution System, IHL# 209-491. Funds are available from university sources Interest Income.

Approve Change Order #5 in the amount of \$23,573 with no increase in contract time for Firewall Revisions '02 - Contract I, #209-454 B. Funds are available from Hospital Patient Revenues.

Approve Change Order #6 in the amount of \$42,338 with no increase in contract time for Firewall Revisions '02 - Contract I, #209-454 B. Funds are available from Hospital Patient Revenues.

Approve Change Order #4 in the amount of \$5,324 with an increase in contract time of 45 calendar days for N524 Lab Renovations, IHL #209 - 471. Funds are available in the project budget. The funding source is Grants and Contracts and Student Tuition.