

MINUTES OF THE **ST. BERNARD PARISH HOSPITAL SERVICE DISTRICT MEETING HELD ON THURSDAY, FEBRUARY 11, 2010 AT SEVEN (7:00) P.M.** IN ST BERNARD PARISH COUNCIL CHAMBERS, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA

The Hospital Service District met on Wednesday, February 11, 2010 in the St. Bernard Parish Council Chambers pursuant to notice given to each member and posted in the manner required by law.

The Chairman, Mr. Landry, convened the meeting at 7:15 p.m. and continued with calling the roll.

There were present: Mr. Wayne J. Landry (Chairman), Mr. Ron Chapman, Mr. James DiFatta, and Mr. Dysart.

There were absent: Mr. George Cavnac

Also present were: Dr. Paul Verette Advisor to the HSD; Phil Wendling of Hammes Co. and Peter Dougherty of FMOL.

Mr. Paul Legarde delivered the invocation.

Mr. DiFatta led the Pledge of Allegiance.

#1

Agenda Item #1

On motion of Mr. DiFatta, seconded by Mr. Chapman, it was moved to approve the minutes of the 1/27/2010 HSD meeting and read into the record a communication to Meraux Foundation from the Chair and place said correspondence into the record.

Mr. Landry read a letter into the record that he addressed to Mr. Gue on 2/2/2010 requesting a meeting to discuss any and all language barriers pertaining to the donation documents.

Mr. Landry also read a letter into the record that he addressed to Mr. Sidney Torres on 2/2/2010, which was a direct response to Mr. Torres' letter dated 1/29/2010, requesting a meeting to discuss any and all language barriers pertaining to the donation documents.

Mr. Dysart wanted the letter from Sidney Torres dated 1/29/2010 placed into the record that Mr. Landry responded to.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnac

The Chairman, Mr. Landry, cast his vote as **YEA**

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And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#2

Agenda Item #2

On motion of Mr. Chapman, seconded by Mr. Dysart it was moved to discuss a recent meeting with Pat Forbes and other updates from the Chair.

Mr. Landry stated that in the recent meeting with Pat Forbes the CDBG Application Amendment was the topic of discussion. Mr. Forbes agreed and approved of the HSD amending the CDBG application to include the soft costs for the delivery of the hospital.

Discussion Ensued.

No Action Necessary.

#3

Agenda Item #3

On Motion of Mr. DiFatta, seconded by Mr. Chapman it was moved to approve CDBG amendment #1 to the St. Bernard Parish Government's Hospital Service District.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#4

Agenda Item #4

On motion of Mr. Chapman, seconded by Mr. DiFatta it was moved to authorize the Chair to organize a meeting with Hammes Co., the Meraux Foundation and La DOTD to resolve problems associated with the ingress/egress of the hospital.

Mr. DiFatta wanted clarity on whether this meeting would cover the temporary construction easement (ingress/egress) or the permanent easement.

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Mr. Landry stated that the meeting was to discuss the permanent ingress/egress. He went further to state that the temporary construction easement was necessary until the wetland mitigation process was complete.

Discussion Ensued.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

Mr. Chapman requested that Item #19 be moved to the next item on the agenda.

Without objection, Mr. Landry suspended the rules and moved item #19 to the 5<sup>th</sup> item on the agenda.

# 5

Agenda Item #19

On motion of Mr. Chapman, seconded by Mr. Dysart it was moved to accept the donation of the Meraux Airport Tract Property.

Mr. Landry wanted the language amended to include: "upon satisfaction of the Uniform Act by the Dallas HUD office, along with Pat Forbes and Kendall Magee's approval"

On motion of Mr. DiFatta, seconded by Mr. Chapman it was moved to include the above language.

Item #19 read as follows:

**Motion to accept the donation of the Meraux Airport Tract Property upon satisfaction of the Uniform Act by the Dallas HUD office, along with Pat Forbes and Kendall Magee's approval.**

Mr. DiFatta stated for the record that because the construction documents are available now, if the HSD would not have possession of the land, the construction bid package would be delayed. Mr. DiFatta also stated that people he has spoken to in the community have concerns regarding the investigation currently taking place concerning Meraux Foundation. Mr. DiFatta stated that the issue surrounding that investigation was not HSD's problem, staying on track and on time was more important. Mr. DiFatta stated that he was ready to sign the donation document, but still felt that there were items of contention in the

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servitude document that needed to be negotiated and would like that these issues be settled as soon as possible.

Mr. Chapman wanted to thank the Meraux Foundation for their generosity.

Mr. Landry read into the record a communication from Kendall Magee reiterating the fact that the Dallas HUD office needed to review the donation paperwork for compliance prior to executing the document.

Without objection the written communication from Kendall Magee was entered into the record.

Mr. Landry stated that he did not believe that the Meraux Airport Tract was the best location for the hospital, but said he made a commitment to the people of St. Bernard and himself to not delay the project. Mr. Landry stated he explored other options that he felt would be better long term locations for the hospital. Mr. Landry's other concerns were the possibility of being land locked, and mixed income housing being right next door to the hospital.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#6

Agenda Item #5

On motion of Mr. Dysart, seconded by Mr. Chapman, it was moved to discuss an update on the feasibility study for the Medical Office Building.

Mr. Wendling stated that 900 letters were issued to physicians to get responses of interest in the MOB.

Mr. Wendling also stated that there would be a Physician's Open House at the Civic Center Ballroom on February 25, 2010.

No Action Necessary

#7

Agenda Item #6

On motion of Mr. Chapman, seconded by Mr. DiFatta it was moved to approve interior and exterior finishes for the hospital.

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Mr. Landry stated for the record that the revision to the exterior was "#5" in the visual presentation that was just viewed.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#8

Agenda Item #7

On motion of Mr. DiFatta, seconded by Mr. Chapman it was moved to approve Jack Stolier to handle all delivery documentation not limited to but including the CDBG application amendment.

Mr. Dysart had some concerns regarding Mr. Stolier's rate and the HSD was now assigning more work.

Mr. Landry stated that Mr. Stolier's rates were clearly stated in the RFP response the HSD received.

Mr. Dysart requested Mr. Stolier to construct a budget including time/hours spent for each and every project he was working on.

Mr. DiFatta stated that he did not feel it was fair to cap Mr. Stolier's fees when the HSD had never capped fees of any other attorney the HSD hired.

Mr. Landry stated that Mr. Stolier's budget will be included in the Financial Pro-forma.

On a substitute motion of Mr. Dysart, seconded by Chapman it was moved that HSD would approve Mr. Stolier to complete said work with the stipulation that he provide a budget and be in compliance with the state rate.

Mr. Landry stated that he did not want to speak on behalf of Mr. Stolier and the state rate does not apply to Hospital Service Districts. Mr. Landry also stated that Mr. Stolier's rates were again delineated in his RFP response.

Mr. DiFatta stated that the board is aware of Mr. Stolier's experience and it is a moot point to vote on this amended item.

Mr. Dysart stated that he did not feel it was unreasonable to ask Mr. Stolier for a budget, and if Mr. Stolier cannot provide a budget the HSD can deal with it at that time.

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Mr. Chapman responded that he wanted Mr. Stolier to come and discuss his rates/budget in executive session at the next HSD meeting.

Mr. DiFatta responded that he is in favor of keeping track of dollars spent, but at the time Mr. Dysart was Chairman, there was no cap or keeping track of spending for the attorneys retained.

Mr. Landry agreed that all points brought up are reasonable, but the HSD approved Mr. Stolier's rates when his firm was chosen. Mr. Landry stated that Mr. Stolier should come address the board at the next public meeting out in the open. In the meantime, Mr. Landry will request a budget from Mr. Stolier.

Mr. Dysart responded that as long as Kendall Magee and the state approved Mr. Stolier's rate, he would be fine with rates as is.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#9

Agenda Item #8

Mr. Landry stated that the same amended language for Agenda Item #7 would be used for Agenda Item #8

On motion of Mr. Dysart, seconded by Mr. Chapman, it was moved to approve Jack Stolier to assist Kelly Longwell with New Market Tax Credits with the stipulation that he provide a budget and be in compliance with the state rate.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

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#10

Agenda Item #9

On motion of Mr. DiFatta, seconded by Mr. Dysart it was moved to approve a RFP publication for Materials Testing.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010

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#11

Agenda Item #10

On motion of Mr. DiFatta, seconded by Mr. Dysart it was moved to approve a RFP publication for the financial pro-forma.

Discussion Ensued.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010

#12

Agenda Item #11

On motion of Mr. DiFatta, seconded by Mr. Dysart it was moved to approve writing a RFP for Architects/Engineering and Project management for the Medical Office Building.

Mr. Landry stated that this is 2 different items for two separate RFP's.

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The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010

#13

Agenda Item #12

On motion of Mr. DiFatta, seconded by Mr. Chapman it was moved to discuss a Project Manager.

Mr. Landry stated that this would be an individual to oversee construction.

Mr. Wendling stated this is not an included budget item.

Mr. Dysart responded that he believed this was a function of Hammes Co.

Mr. Wendling stated this is an individual preference to have a "Clerk of the Works" on the construction site, and that the Hammes Co. is not asking for this function.

Mr. Chapman wanted clarification on who was responsible for which tasks.

Mr. Wendling responded that he would work on something to delineate responsibilities to attempt to eliminate confusion.

Mr. Landry stated that he was fine with the Hammes Co. assuming responsibilities as the "project manager aka clerk of the works."

No Action Necessary.

#14

Agenda Item #13

On motion of Mr. DiFatta, seconded by Mr. Dysart it was moved to approve the writing of a RFP for the early release site package and issuance upon state approval.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

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**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#15

Agenda Item #13

On motion of Mr. DiFatta, seconded by Mr. Dysart it was moved to approve Hammes Invoice #10907A-07 in the amount of \$19,257.52 as approved by the Finance Workgroup

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#16

Agenda Item #14

On Motion of Mr. DiFatta, seconded by Mr. Dysart it was moved to approve Hammes Invoice #10907A-08 in the amount of \$20,218.36 as approved by the Finance Workgroup.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#17

Agenda Item #15

On Motion of Mr. DiFatta, seconded by Mr. Chapman it was moved to approve additional service request to have the soils engineer do a surcharge analysis.

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The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#18

Agenda Item #17

On motion of Mr. DiFatta seconded by Mr. Chapman it was moved to get an update o St. Bernard Redevelopment LLC-letter of credit reservation.

Mr. DiFatta stated the Resolution was passed, and adopted.

Mr. Wendling stated that Kendall Magee wanted a copy of the resolution and would contact Donna Nye for the Resolution that was passed.

On motion of Mr. DiFatta, seconded by Mr. Dysart it was moved to write a letter accepting the 44.7 Million in tax credit allocations from the St. Bernard Redevelopment LLC. that was to be transferred to the St. Bernard HSD.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#19

Agenda Item #18

On motion of Mr. DiFatta, seconded by Mr. Chapman, it was moved to approve Jack Stolier to assistance with program amendment required by LRA in order for HSD to access additional CDBG funds with the stipulation that he provide a budget and be in compliance with the state rate.

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Mr. Landry stated that HUD requires a program amendment in order to acquire the promised LRA monies in the amount of 14M. Mr. Stolier was able to accomplish this with Cameron Hospital and Mr. Landry felt it was beneficial to the HSD to use Mr. Stolier's expertise in this area.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#20

Agenda Item #20

On motion of Mr. Chapman, seconded by Mr. Dysart it was moved to execute the language of the Temporary Construction Access Servitude Agreement.

Mr. Landry stated that he spoke to Mr. Torres and HSD's condition to accepting the land donation was a way to get to the property to build on it. Mr. Landry stated once the permanent ingress/egress was established, the temporary access route would be removed.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:** Chapman, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** Cavnignac

The Chairman, Mr. Landry, cast his vote as **YEA**

And the motion was declared **ADOPTED** on the 11<sup>th</sup> day of February, 2010.

#21

Agenda Item #21

No Action Necessary

#22

Agenda Item #22

On motion of Mr. Chapman, seconded by Mr. Dysart it was moved to discuss New Business.

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Mr. Chapman wanted the clarification if a second wetlands mitigation had to take place for the MOB on the same parcel of the land that had already had environmental done.

Mr. Landry responded that the environmental agent at Monday's meeting stated that administratively approve that the land already had the environmental done.

Mr. DiFatta wanted an update on the HSD website.

Mr. Dougherty of FMOL gave an update on website development.

There being no further business for discussion, the Chairman, Mr. Landry declared the meeting adjourned at 9:30p.m.p.m. on this 11<sup>th</sup> day of February, 2010.

*Gretchen H. Henry*

Gretchen H. Henry  
Recording Secretary

*Wayne J. Landry*

Wayne J. Landry  
Chairman