

MINUTES OF THE **ST. BERNARD PARISH HOSPITAL SERVICE DISTRICT MEETING HELD ON WEDNESDAY, SEPTEMBER 22nd, 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, September 22nd, 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 7:06 p.m. and continued with calling the roll.

There were present: Mr. Wayne J. Landry (Chairman), Mr. George Cavignac, and Mr. James DiFatta, Mr. Danny Dysart, and Mr. John Gray.

There were absent: NONE

Also present were: Phil Wendling of Hammes Co.; and Frank Folino of FMOL.

Mr. Dysart delivered the invocation.

Mr. Gray led the Pledge of Allegiance.

#1

Agenda Item #1

On motion of Mr. Cavignac, seconded by Mr. Gray, it was moved to approve the minutes of the 9/08/10, HSD meeting.

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

**YEAS:** Cavignac, DiFatta, Dysart, Gray

**NAYS:** NONE

**ABSENT:** NONE

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

And the motion was declared **ADOPTED** on the 22nd day of September, 2010.

#2

Agenda Item #2

On motion the Chair and without objection it was moved to receive an update.

Mr. Landry stated the HSD received permission to advertise the RFP for General Contractor, and the HSD held a special meeting on September 20, 2010 to vote the RFP to be advertised. Mr. Landry stated the mandatory pre bid conference was to be held on 10-21-2010 at 10:00am and bid opening on 11-9-2010 at 2:00pm.

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Mr. Wendling stated the wicking was almost done and site prep was on schedule. Site should be ready in approximately 2 months to be fully settled.

Mr. Landry wanted the board and public to know that Frye-Magee's [Kendall Magee] contract as grant administrator would expire on October 31<sup>st</sup>, 2010 and that the Council of St. Bernard Parish passed a Resolution at the last Council Meeting to request that Mr. Magee continue to be allowed to administer the \$91Million in CDBG funds and not change grant administrators mid stream.

Mr. Landry stated that he and Mr. Cavnignac have been attending Neighborhood Civic Association Meetings to get the information to the public in regards to the millage and hospital progress.

No Action Necessary.

#3

Agenda Item #3

On the motion of Mr. Cavnignac, seconded by Mr. Gray, it was moved to discuss and possibly form a committee with authorization to conclude the FMOL negotiations.

Mr. Landry stated that there are 4 items left to negotiate. Mr. Landry wanted input from the board on how to proceed with the last of the negotiations to seal the deal.

Mr. Cavnignac suggested that the HSD needs to limit how many members are on the committee simply to avoid establishing a quorum.

Mr. DiFatta asked what the four sticking points were and wanted to know how our counsel weighed in on the process.

Mr. Landry went down the list of the last 4 negotiating points.

Mr. Dysart suggested consulting legal counsel on their stance between litigation and arbitration.

Discussion Ensued.

Mr. Landry stated the board would await an opinion from Jack Stolier's law firm, and then the board would vote on what would be an acceptable way to handle these items based upon that opinion.

No Action Necessary.

#4

Agenda Item #4

On Motion of Mr. DiFatta, seconded by Mr. Gray it was moved to approve EEI Invoice #28232 in the amount of \$8,997.00 pending approval from Kendall Magee as recommended by the Finance Workgroup.

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

**YEAS:** Cavnignac, DiFatta, Dysart, Gray

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**NAYS:** NONE

**ABSENT:** NONE

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

And the motion was declared **ADOPTED** on the 25th 22nd day of September, 2010.

#5

Agenda Item #5

On Motion of Mr. DiFatta, seconded by Mr. Gray it was moved to approve St. Bernard Voice Invoices 3942 & 4038 in the amount of \$1214.95 as recommended by the Finance Workgroup

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

**YEAS:** Cavignac, DiFatta, Dysart

**NAYS:** NONE

**ABSENT:** NONE

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

And the motion was declared **ADOPTED** on the 22nd day of September, 2010.

#6

Agenda Item #6

On Motion of Mr. DiFatta, seconded by Mr. Gray it was moved to approve Sizeler Thompson Brown Invoice #s2532 & 2559 in the amount of \$54,172.21 to be paid by HRSA as recommended by the Finance Workgroup.

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

**YEAS:** Cavignac, DiFatta, Dysart, Gray

**NAYS:** NONE

**ABSENT:** NONE

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

And the motion was declared **ADOPTED** on the 22nd day of September, 2010.

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#7

## Agenda Item #7

On Motion of Mr. DiFatta, seconded by Mr. Gray, it was moved to approve Sullivan, Stolier & Resor Invoice #53872 in the amount of \$31,877.97 as recommended by the Finance Workgroup.

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

**YEAS:** Cavignac, DiFatta, Dysart, Gray

**NAYS:** NONE

**ABSENT:** NONE

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

And the motion was declared **ADOPTED** on the 22nd day of September, 2010.

#8

## Agenda Item #8

On Motion of Mr. DiFatta, seconded by Mr. Gray it was moved to approve Gresham Smith & Partners Invoice #'s 641800, 641994 & 641997, in the amount of \$61,396.36 as recommended by the Finance Workgroup

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

**YEAS:** Cavignac, DiFatta, Dysart, Gray

**NAYS:** NONE

**ABSENT:** NONE

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

And the motion was declared **ADOPTED** on the 22nd day of September, 2010.

#9

## Agenda Item #9

On Motion of Mr. DiFatta, seconded by Mr. Gray it was moved to approve Hammes Invoice #10907A-16 in the amount of \$42,003.73 as recommended by the Finance Workgroup.

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

**YEAS:** Cavignac, DiFatta, Dysart, Gray

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**NAYS:** NONE

**ABSENT:** NONE

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

And the motion was declared **ADOPTED** on the 22nd day of September, 2010.

#10

Agenda Item #10

Old Business

Mr. Gray requested an update on the Gulf South Pipeline issue.

Mr. Wendling stated that he would be writing a letter informing them that the HSD received their response and understands their position, and it would have to be handled legally.

Mr. Gray also wanted to know the timeline of the Early Release Package/Site Prep.

Mr. Wendling went over the time schedule and all work being done to date.

Mr. Gray wanted to know if the depth of the pipeline would delay Phase II (construction) of the project.

Mr. Wendling stated that it would not and provisions have been made to accommodate the extra cover over the pipe.

Mr. Landry stated that Mr. Stolier's opinion was the pipe line was grandfathered in according to the document that was recorded in 1947.

No Action Necessary

#11

Agenda Item #11

New Business

Mr. DiFatta requested that the site be seen from the street to deter anyone from going back there and not being seen (should someone attempt to sabotage the site). Mr. DiFatta requested the brush be cut back to see the site and equipment out there.

Mr. Wendling stated that the contractor would take care of the front tree lines and brush.

Mr. Landry suggested that maybe a temporary barricade be placed.

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Mr. Wendling stated that he would get 3 prices for temporary barricades and ask Lemoine if they would be willing to help with the fencing.

Mr. Landry also requested Mr. Wendling to add to the contract a trailer for a work space for equipment planners etc. separate and apart from the construction trailer.

Mr. Landry addressed a question to Mr. Billy Sizeler regarding the drawings of the MOB plans and wanted Mr. Sizeler to comment on how the plans would accommodate the 3<sup>rd</sup> floor if the HSD received the additional monies from the state (after the meeting with Paul Rainwater to determine the possibility of acquiring additional monies for the 3<sup>rd</sup> floor).

Mr. Sizeler stated that the schematics and design development are complete. The drawings are set up to have a 3<sup>rd</sup> floor as an alternate.

Mr. Landry asked if HSD would have to do a change order.

Mr. Sizeler stated it would not be problematic and a change order wouldn't be necessary.

Mr. Cavnac stated that facts are misstated from other public governmental members and he would appreciate if all questions regarding the hospital were directed to the board.

Mr. DiFatta requested that civic associations be notified about Millage.

The recording secretary informed Mr. DiFatta that all civic associations have or will be contacted concerned with disseminating the millage information and answering general questions about the millage and hospital.

There being no further business for discussion, the Chairman, Mr. Landry declared the meeting adjourned at 8:30 p.m. on this 25th day of August, 2010.

*Gretchen H. Henry*

Gretchen H. Henry  
Recording Secretary

*Wayne J. Landry*

Wayne J. Landry  
Chairman