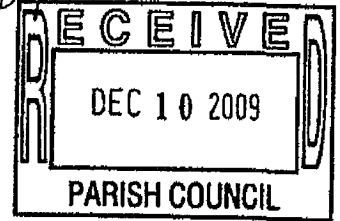


2009-0480

PETITION TO ADDRESS THE COUNCIL

St. Charles Parish Council Chairman
P. O. Box 302
Hahnville, LA 70057
(985) 783-5000

Today's Date: 12/10/09



Dear Chairman:

Please place my name to address the Council on:

DATE:

12/21/09

SPECIFIC TOPIC:

Councilman's Hogan's August 31, 2009 letter
to the President of the Library Board of
Control asking for an investigation

(*see specific
guidelines on
reverse and
refer to
Parish Charter--
Article VII., Sec. I.)

DOCUMENTS, IF ANY: YES / NO

YES

NAME:

Gwen Dufrene

MAILING
ADDRESS:

3551 Hwy. 306
Bayou La Batre AL 36520

PHONE:

(985) 758-7510 or (504) 417-1101 cell

SIGNATURE:

Gwen Dufrene

Dear Constituent:

Thank you for your active participation. Your views and comments will be considered by the Council in making our decisions. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

- > The Home Rule Charter provides for citizens to address the Council. It makes no provision for initiating debate; discussion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation. Should you have any questions for Councilmembers and/or Department Heads as you prepare, please forward such inquiries to the Council Office to insure a timely response. Should you wish to speak to any Official or Department personally, a complete list of contact information will be furnished at your request.
- > Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council.
- > Please forward supporting documents to the Council Secretary for distribution to the Parish Council before your scheduled appearance in order for the Council to prepare themselves, if necessary.
- > Upon completion of your allotted time to address the Council, please respect the time given to Councilmembers to respond to your comments by not interrupting or interjecting remarks.
- > **Slanderous remarks and comments will not be tolerated.** If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.
- > Repetitious comments and subject matter will be strictly limited.

A confirmation letter will follow when your name is placed on the agenda.

Sincerely,

Terry Authement
TERRY AUTHEMENT
COUNCIL CHAIRMAN

(OVER)





ST. CHARLES PARISH

PAUL J. HOGAN, PE

COUNCILMAN, DISTRICT IV

August 31, 2009

Ms. Carolyn W. Tregre, President
Library Board of Control
115 Mimosa Avenue
Luling, LA 70070

Re: Library Director

Dear Ms. Tregre:

Upon being elected as a St. Charles Parish Councilman, a number of Councilmembers were receiving calls from constituents concerning the new East Regional Library building in Destrehan, as evidenced in a letter from the Library Director, dated February 12, 2008, [1][represents page one of the attachments]. The calls I was receiving, and face to face discussions I was having then and am still having now with numerous constituents throughout the Parish questioned me as to why the Library Board (LB) was wasting tax payer's money in building a new library in Destrehan when there was a library already in the area that was to be expanded. In order to properly answer the citizens' questions, I have been doing research to learn why and how the new East Regional Library (ERL) came to be in lieu of the East Regional Library expansion project, which was in the design phase at the time when it was ended. In addition, I was questioned by the public as to how the building of the new building in lieu of the expansion project resulted in a net cost increase of approximately \$5 million by the LB to the taxpayers of the Parish. Records indicate that the new building was to be a 26,000 square foot building, equal in size to the abandoned expansion project [1A].

In seeking further information, I received, and I have reviewed the attached letter from you dated February 9, 2009 [2]. Your letter informed me that the changes in the size of the new ERL was presented to the LB at numerous Meetings and were accepted by consensus by the LB. I am glad to learn from you first hand that all of the increases, which equates to expenditure of public funds were all approved by the LB. I was extremely concerned since a review of the minutes prepared by Ms. Mary desBordes (Librarian/Library Director/Library Secretary: person responsible for keeping a true and accurate account of all proceedings of the Meetings) provided no evidence of any increase ever being approved by the LB. A review of all Library Board Meeting minutes from mid 2003 through 2007 shows that the Secretary provided a section dedicated to the ERL Project [6 through 101]. The minutes from each of these Meetings found in the Public Records however failed to mention any increase in the building size being authorized by the LB. The minutes do however show recordation of insignificant information

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when compared to the significance of increasing the size of the building which increased the cost of the project. The only records found in the minutes, which related to the increase in size of the building, was the recording of the LB approving the schematic design in July of 2006, (32,687 square foot) [3], approving the Final Schematic Design in September 2006, (33,587 square foot) [4], and the mentioning of insufficient shelving space for books (for which the plans were being revised with no LB authorization at a cost increase of \$550,000) in May of 2007 [5]. The record shows that the LB approved the July schematic design, which had included within it a +6,000 square foot increase from its original size of 26,000 square foot. That is the first record in the Meeting minutes where it was recorded that the LB approved anything that had to do with a size change. The minutes from all prior Meetings prepared by the Secretary failed to include recordation of the LB authorization approving the increases totaling to the size shown in the schematic design.

The February 9, 2009 letter stated that the Final Schematic Design, which incorporated all of the changes, was approved by the LB at its September 19, 2006 Meeting as mentioned above. The approval of the Final Schematic Design is recorded in the Library Board Meeting minutes [79]. That was the second and the final record in the Meeting minutes where the LB approved a design which had a size increase. This Final Schematic Design included an additional increase in size above the size approved by the LB at its previous Meeting in July. The Secretary however, failed to record in the minutes the LB authorization of the additional increase at the July Meeting. The Final Schematic Design approved by the LB provided for a building having 33,587 square feet of space [103 through 106].

Your February 9, 2009 letter informed me that the Final Schematic Design incorporated "all" of the changes to the size of the building. I have come to learn and I regret to inform you that this is not the case! When the project was put out for bid, the building size had somehow increased, with no authorization by the LB, to 39,655 square feet (an increase of over 6,000 square feet at a cost of over \$1.3 million). This increase occurred following the LB's approval of the final building size approved with the Final Schematic Design in September 2006, as you stated in your letter and as documented in the minutes. Documents in the Public Records show that the construction plans were completed with the building size increased to an unauthorized size of 39,655 square feet. The Secretary informed the LB at its July 2007 Meeting that "the project is currently in the construction document development stage, at the completion of which the documents will be sent to the Library for review" [94]. The final construction plans (which had the building size increased over 6,000 square feet above the LB approved size) was prepared and put out for bid without being presented to the LB to approve [107]. The LB had no knowledge of this additional size increase and costs increase before the project went out for bids as evidenced by a review of the LB Meeting minutes. A review of the LB records indicate that the final plan (which included the 6,000 square foot increase) was only reviewed by the Staff Committee (the Librarian and other Library employees) after the LB's approval of the Final Schematic Design and prior to going out for bid. The records show that the Librarian failed to inform the LB of this increase and failed to present to the LB the final plans which had the additional increase. This unauthorized increase, which the Librarian failed to present to the LB resulted in an additional cost of \$1.3 million to the taxpayers of St. Charles Parish.

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Recapping the above, the records indicate that the Librarian 1) failed to record in the Library Board Meeting minutes the approved increases in the size of the new ERL, and 2) allowed the new ERL project to increase 6,000 square feet after the LB approved the Final Schematic Design which set the size of the new building. The Librarian presented schematic designs to the LB for their approval which had increases totaling roughly 6,000 square feet included in the schematics. The minutes of the Library Board Meetings prepared by the Librarian however failed to record at which Meetings the LB approved the increase or increases totaling approximately 6,000 square feet. Following the LB approval of the Final Schematic Design (which set the final size of the building), the Librarian allowed the project to increase an additional 6,000 square feet at a second additional cost of over \$1.3 million without the approval or knowledge of the LB.

In addition to the above concern relating to the Librarian, additional concern is warranted based upon the following list derived from the Public Records of the LB secured during research:

1. The Librarian sent a questionable letter to the QBS Board Members with regards to selecting a firm for the St. Rose Branch [108].
2. The Librarian chose to repeatedly ignore that the contract awarded to CSRS by QBS was given to Chenevert Architects (CA) under the guise of a name change of the company as specified on the contract [110], despite the Librarian receiving a letter from CA informing the Librarian that CA was a new company [113]. This was apparently done in order to have Norman Chenevert of CA (formerly employed by CSRS) get the contract. When asked how CA got the contract, the Librarian stated that Norman Chenevert bought out his partners and named the firm CA [114, 115]. This contradicts the following taken from the minutes prepared by the Librarian for the 9/15/03 Library Board Meeting: "Mr. Chenevert introduced himself and Mr. Nelson, and explained the change of name of his architectural firm" [19]. The Librarian's statement was also made despite the Librarian being informed that he resigned from CSRS in one letter [112] and that he sold his interest in CSRS and began CA in another letter [113]. The Librarian later stated "I cannot explain the relationship between CSRS and CA, except to repeat that, as I understood it, when Mr. Chenevert left CSRS, the partners at CSRS divided the projects then in progress at the firm (CSRS) and Mr. Chenevert was given the Library project to complete" [116].
3. The Librarian sent a letter, which was not authorized by the LB to CSRS stating that all of their contracts with the LB are to be transferred to CA [118].
4. The Librarian failed to present the LB with a letter from CSRS in which CSRS requested that the LB grant the Librarian the authority to request the transfer of the jobs [119]. The LB never provided authorization to the Librarian, but the jobs were transferred. When the Librarian was questioned on when authority was given, the Librarian stated in a letter dated March 31, 2008, "I regret that I have no formal documents granting authority to make the above transfer" [120].

5. The Librarian presented the LB with four options titled "Options for Library Service to the Destrehan Community during the construction of the East Regional Expansion" that were to be discussed at a Public Meeting (which could have a significant impact on the public) but asked for the information to be kept secret until the Meeting [121]. These options, prepared by the Librarian, concealed and labeled an alternative as Option IV in an apparent attempt to not draw the public's attention to the alternative. This alternative was to abandon the expansion of the ERL and build a new Library in an isolated location if land for it would be donated for it. This alternative was contrary to what the Librarian had presented to the public when the Librarian was seeking public support for approval of the millage election in 2000 [126 through 128].
6. The Librarian prepared and presented documents and made comments to the LB discussing the possible move of Administrative offices from the WRL to the new ERL [129, 130]. The East Regional Library timeline prepared by the Librarian stated "2003 (December) Proposal to BP for Library building to include Administrative Offices; building size increased to 30,000" [132]. The proposal to BP however, did not indicate that the new building would include the Administrative offices as claimed by the Librarian [134 through 156]. The Librarian failed to record the LB's decision to move the Administrative Offices and to increase the size of the building accordingly since no records exists in the minutes of the Library Board Meetings. The Librarian falsely later claimed that the moving of the Administrative Offices was required by the Act of Donation by BP as the Librarian stated in the Approximate Operating Cost document for the New ERL Building [160]. This claim was apparently presented to the LB by the Librarian, which the LB as a result, unknowingly presented to others as fact.
7. The Librarian was informed that BP was planning on selecting a planner to develop a Master Plan for the BP property. The Librarian was informed that CA was hired by BP to do the Master Plan, was using a new Library building as a pawn [161], and failed to inform the LB of the significance of, and ethical questions raised by CA representing both parties.
8. The Librarian was asked by CA to have the LB's President sign a contract amendment changing the ERL contract from a renovation/addition contract to a new building design contract [162]. The Librarian failed to advise the LB that Request for Proposals to seek a new architect was in order due to the scope of the ERL project changing from "renovation" to "new construction". The Librarian failed to present the amendment to the LB for approval since no record exists of the LB authorizing the Library Board's President to sign the amendment, which more than likely would have raised a red flag had the LB been asked to consider the amendment. Not having the LB consider the amendment ensured that CA would be the architect for the new ERL.

9. The regular Library Board Meeting scheduled for March 21, 2006, to approve the ERL building program was cancelled for lack of a quorum. The Librarian had scheduled a Meeting with the architect at 2:30 p.m. on March 23, 2006, to discuss the new ERL building program that the LB was to approve two days earlier. The Librarian subsequently took it upon herself to approve the program and to authorize CA to proceed with a Schematic Design [163]. This design was to proceed based upon the new ERL building program for a 29,000 square foot building, which included a 3,600 square feet increase at a cost of \$850,000 for moving the Administrative Offices to the new building, which the minutes failed to record. In addition to the 3,600 square feet, CA was told on May 16, 2006, to advance the floor plan design, which increased the Administrative Offices up to 7,970 square feet, equating to an additional cost increase of \$750,000 [164]. The Librarian failed to record in the minutes of the Library Board Meeting where the LB approved the increase.
10. As the person in charge of Library Funds, the Librarian claimed that the LB had no funds to proceed with construction of a Branch 6 due to unforeseen factors [165]. That statement was made on October 8, 2008, when the LB had over \$4 million in undedicated funds available [166].
11. The Librarian proposed the purchase of a former restaurant building for conversion into a Branch 6. A purchase option and new construction options were developed by the Librarian for consideration at a Town Hall Meeting [167 through 172]. In the options, the Librarian presented information and made statements at the Meeting apparently weighted to cause the public to support the purchase of the restaurant building. The existing building option was presented as \$1,000,000 in cost and 12-18 months to implement. The other two options were for new construction and were presented by the Librarian as \$3 to \$4 million in cost and 4-6 years to implement after a new millage is passed. This cost equated to an unheard of \$480 to \$640 per square feet (the new ERL only cost an unusually high \$217 per sq. ft.) and the 4-6 years to construct claim was based upon the Librarian erroneously claiming that the LB had no funds to construct a new building at that time. This was all erroneous information prepared by the Librarian and provided to the public, which the public used in providing input, which input the LB in turn relied upon to make its decision to buy the existing building.
12. At a Special Meeting in April 2009, to consider building a new building at the old Paradis Elementary School site, instead of buying the existing building, the Librarian changed the new construction options to \$1-\$1.5 million/28-42 months for one \$1-\$1.5 million/18-24 months for the other [173 through 176]. These costs per square foot were ironically changed by the Librarian to a more reasonable \$160 to \$240 per square foot.
13. The Librarian proposed a Public Records Request Form, which dictated what an individual could do with the information and that certain use of the information had to be provided to the LB [177]. This did not comply with State Public Records Law and was subsequently changed by the Librarian when called out on this [178].

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It appears from the Public Record that the actions and inactions of the Librarian, manipulated the Library Board of Control, which resulted in a significant erosion of the public's trust in the Board's ability to: 1) make sound decisions, and 2) to spend monies in a sound and prudent business-like manner as required in the Library's Service Policy. As a result of the loss in the public's trust as evidenced by the numerous questions received from the Public, this will hamper the ability of the Library Board of Control to garnish enough support to renew the forthcoming millage election next year, in my opinion. In order for the public to regain its trust in the Library Board and the system as a whole, I am hereby requesting that the St. Charles Parish Library Board of Control initiate a complete and timely investigation by an outside entity culminating with a written report into the actions and inactions of the Librarian with respect to, but not limited to, all of the above information found within the Public Record and the impacts resulting from the actions and inactions. Should the findings of the report show that the actions and inactions of the Librarian has tainted the title of Librarian and/or has tainted the Library Board, the Board must take the necessary steps required to terminate the employment of the Librarian in order to restore the public's trust in the title of Librarian, the Library Board, the St. Charles Parish Library System, and Parish Government as a whole.

Should the Library Board of Control elect not to initiate action on this matter within 14 days of the date of this letter, a formal complaint will be filed against the Librarian with the Louisiana Board of Ethics. This investigation will undoubtedly expand beyond the limits of the complaint due to other serious questions that naturally arise as a result of reviewing the attached information.

Please advise me of the Library Board of Control's decision with regards to this matter.

Sincerely,



PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

PJH/BJT142:ag

attachments

cc: Parish Council
Mr. V.J. St. Pierre, Jr., Parish President
Mr. Leon C. Vial, III, Legal Services Director
Library Board of Control w/attachments
Mr. Matt Scallan, Times Picayune, w/attachments
Mr. Jonathan Menard, Herald-Guide, w/attachmehts