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REGULAR BOARD MEETING

April 16, 2009

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MINUTES

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Colorado Robertson, former SGA President at LSU, commented on the "Update on the Board of Regents Funding Formula".

1. Call to Order and Roll Call

Mr. Blake Chatelain, Chairman-Elect, called to order the Regular Meeting of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College in the System Building, Baton Rouge, Louisiana on April 16, 2009, at 1:30 p.m.

The secretary called the roll.

PRESENT

Mr. Blake Chatelain
Chairman-Elect
Mr. Ronald R. Anderson
Dr. Jack A. Andonie
Mr. Henry P. Barham
Mr. Anthony "Tony" Falterman
Dr. John F. George
Mr. Francis M. "Hank" Gowen

Mr. Stanley J. Jacob
Mrs. Laura A. Leach
Mr. James W. Moore, Jr.
Mr. Ben Mount
Mrs. Dorothy "Dottie" Reese.
Mr. Jerry E. Shea, Jr.

ABSENT

Mr. James P. Roy
Mr. Alvin E. Kimble

Mr. Roderick K. West

Also present for the meeting were the following: President John V. Lombardi; Mr. P. Raymond Lamonica, General Counsel, LSU System; system officers and administrators from their respective campuses; faculty representatives; interested citizens and representatives of the news media.

2. Invocation and Pledge of Allegiance

Ms. Janai Sells gave the Invocation. Mr. Jared Stevenson led the Pledge of Allegiance. Both students attend LSU in Shreveport.

Chairman-Elect Chatelain recognized Chancellor Vince Marsala, LSU-Shreveport. He introduced:

Mr. Trey Gibson, Director of Debate and Forensics at LSU in Shreveport. Professor Gibson reported on the success of the debate program and its numerous accomplishments.

Janai Sells, senior, Biological Sciences, has been accepted into the physician's assistant program at LSUHSC; she was a recipient at 2009 NAIA National Tournament; and she is a 4 year member of LSUS Women's Basketball Team.

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Jared Stevenson, senior, is the 2009 recipient of the Cole, Evans, and Peterson Scholarship for Accounting, during the summer, he provides individual basketball workouts for middle and high school basketball players.

3. Introduction of Faculty and Staff Representatives

The faculty and staff representatives from the respective campuses were acknowledged.

4. Approval of the Minutes of the Board Meeting held on March 5, 2009

Upon motion of Mr. Moore, seconded by Mrs. Reese, the Board voted unanimously to approve the Minutes of the Regular Board Meeting of March 5, 2009.

5. Personnel Actions/Corrected Requiring Board Approval

Mr. Lamonica, General Counsel, LSU System, advised that the executive staff has reviewed these actions and recommends Board approval.

Upon motion of Mrs. Reese, seconded by Mrs. Leach, the Board voted unanimously to approve the personnel actions as presented.

6. President's Report

President Lombardi recognized:

Mr. Henry Barham, student Board member, reported on the activities of the Council of Student Body Presidents;

Dr. George introduced a resolution of appreciation for Henry Barham for his service as the student member of the LSU Board of Supervisors.

Resolution of Appreciation to Mr. Henry P. Barham for his Service as the Student Board Member for the 2008-2009 Academic Year

Upon motion of Dr. George, seconded by Mr. Gowen, the Board unanimously approved the following resolution:

WHEREAS, Mr. Henry P. Barham, President of the Student Government Association at Louisiana State University Health Sciences Center in Shreveport was elected by the Council of SGA Presidents as the student member of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; and

WHEREAS, Mr. Barham has served as an outstanding member of the Board; and

WHEREAS, he has provided a strong, but reasoned voice in representing student views and interests; and

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WHEREAS, his contributions have earned him the respect and admiration of his colleagues on this Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College commends Mr. Henry P. Barham for his service on this Board and wishes him great success with his medical career.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mr. Barham as an expression of gratitude from this Board and that this resolution be entered into the permanent record of the Board of Supervisors.

* * *

President Lombardi announced that LSUS Chancellor Vince Marsala and his wife Carol Ann, are celebrating their 50th Wedding Anniversary this weekend.

7. Report on Activities of the Board of Regents

Dr. Mike Gargano, Vice-President, Student and Academic Support, LSU System, provided this informational report.

8. Reports to the Board

A. Report from the LSU System Diversity Initiative (Mrs. Dottie Reese, Chair)

Dr. Katrice A. Albert, Vice Provost, Equity, Diversity & Community Outreach, Office of Academic Affairs, presented this report.

B. Health Plan Status Report (Written Report Only)

C. 4th Quarter Audit Summary (Written Report Only)

9. Approval of Consent Agenda Items

Chairman-Elect Chatelain offered the following recommendation:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the Consent Agenda items as submitted.

Upon motion of Mrs. Leach, seconded by Mrs. Reese, the Board voted unanimously to approve the following Consent Agenda resolutions:

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9A. Recommendation to approve an Electrical Service Servitude with SLEMCO at the LSU Agricultural Center's Rice Research Station in Rayne, Louisiana

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby authorize John V. Lombardi, President of the Louisiana State University System, or his designee, to enter into and execute an Electrical Service Servitude Agreement granting SLEMCO a servitude of right of way over a parcel of ground at the LSU Agricultural Center's Rice Research Station for the purpose of powering an irrigation well for the sole benefit of the LSU Agricultural Center's Rice Research Station in Rayne, Louisiana.

BE IT FURTHER RESOLVED that said John V. Lombardi, President, or his designee, is duly authorized by and empowered for and on behalf of and in the name of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to include in said Electrical Service Servitude Agreement such terms and conditions that he may deem in the best interest of the Board of Supervisors.

BE IT FURTHER RESOLVED that any and all lawful acts done and performed by John V. Lombardi, President of the Louisiana State University System, or his designee, on behalf of the Board of Supervisors in consideration of the authority hereby granted be, and the same are hereby ratified.

9B. Approval of Power Engineering, Inc. as a tenant in the UNO Research & Technology Park

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve Power Engineering, Inc. as a tenant in the University of New Orleans Research and Technology Park.

9C. Request approval of degrees to be conferred on candidates meeting degree requirements for graduation at the Spring 2009 commencement exercises on campuses of the LSU System (May 11, 14, 15, 16, 17, 28, 30, 2009)

LSU

May 15, 2009
8:30 a.m.
Pete Maravich
Assembly Center

LSU at Alexandria

May 14, 2009
10:00 a.m.
Alexandria Riverfront
Center

LSU at Eunice

May 16, 2009
10:00 a.m.
HPE Gymnasium

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LSU Health Sciences Center in New Orleans	May 16, 2009 10:00 a.m. Keifer Lakefront Arena UNO
LSU Health Sciences Center in Shreveport	May 30, 2009 10:00 a.m. Centenary Gold Dome
LSU in Shreveport	May 17, 2009 2:00 p.m. CenturyTel Center Bossier City
LSU School of Veterinary Medicine	May 11, 2009 2:00-4:00 p.m. Cox Auditorium
Paul M. Hebert Law Center	May 28, 2009 10:30 a.m. Pete Maravich Assembly Center
University of New Orleans	May 15, 2009 7:00 p.m. Keifer Lakefront Arena 50 th Anniversary of University Founding

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the degrees to be conferred on candidates meeting degree requirements for graduation at commencement exercises on campuses of the LSU System (May 11, 14, 15, 16, 17, 28, 30, 2009).

9D. Recommendation to Approve the Establishment of the James E. "Jimmy" Maurin Professorship in Business in the E. J. Ourso College of Business at LSU, \$60,000

WHEREAS, Roger Ogden has made a substantial donation to the LSU Foundation, including therein a specific donation totaling \$60,000, to the Board of Regents Support Fund for the establishment of the James E. "Jimmy" Maurin endowed professorship in the E. J. Ourso College of Business at LSU; and

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WHEREAS, the James E. "Jimmy" Maurin Professorship in Business in the E. J. Ourso College of Business will provide critically needed funds annually to secure and maintain a highly qualified faculty member in the E. J. Ourso College of Business; and

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one to one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program; and

WHEREAS, the law provided that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the James E. "Jimmy" Maurin Professorship in Business in the E. J. Ourso College of Business at LSU.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named Professorship.

9E. Recommendation to approve establishment of the A. Wilbert's Sons Professorship at the LSU AgCenter, \$100,000

WHEREAS, A. Wilbert's Sons has made a substantial pledge to the LSU Foundation, including therein a specific donation totaling \$100,000 to the Board of Regents Support fund for the establishment of an endowed professorship to benefit the Audubon Sugar Institute; and

WHEREAS, the Board of Regents Support fund was created by the Legislature of Louisiana in 1983 as R.S. 17:3384, providing therein for multiple challenge grants to be awarded on a one to one and one-half matching basis; and

WHEREAS, this pledge of \$100,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program; and

WHEREAS, the law provided that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Board of Regents is hereby requested to approve the establishment of the A. Wilbert's Sons Professorship at the Audubon Sugar Institute in the LSU AgCenter.

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BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of LSU and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

- 9F. Recommendation to approve the establishment of the Hubert and Pat Hervey Endowed Professorship for the Museum of Life Sciences in the College of Sciences at Louisiana State University in Shreveport, \$60,000

WHEREAS, the Hubert and Pat Hervey Endowed Professorship for the Museum of Life Sciences in the College of Sciences at Louisiana State University in Shreveport was established at LSUS in 2009 after receiving a \$60,000 private donation; and

WHEREAS, the Hubert and Pat Hervey Endowed Professorship for the Museum of Life Sciences in the College of Sciences will provide critically needed funds to support and maintain the LSUS Life Sciences Museum Program in the College of Sciences at Louisiana State University in Shreveport; and

WHEREAS, Hubert and Pat Hervey have made a substantial contribution to the Louisiana State University in Shreveport Foundation, including therein a specific donation totaling \$60,000 to the Board of Regents Support Fund for the establishment of an endowed professorship in the College of Sciences at Louisiana State University in Shreveport; and

WHEREAS, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

WHEREAS, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby approves the establishment of the Hubert and Pat Hervey Endowed Professorship for the Museum of Life Sciences Program in the College of Sciences at Louisiana State University in Shreveport.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named Professorship.

- 9G. Request approval of an exclusive patent license between Tesa Medical, Inc. and Louisiana State University (as represented by the Louisiana State University Agricultural and Mechanical College)

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural & Mechanical College authorizes President John V. Lombardi, or his designee, to execute all documents necessary to perfect a license agreement with Tesa Medical,

Inc. granting Tesa Medical, Inc. an exclusive patent and know how license to use the subject technology, the license agreement to contain such terms and conditions as the President deems to be in the best interests of the University, in a form approved by the Board's General Counsel.

BE IT FURTHER RESOLVED that the President of the LSU System is authorized by the Board to enter into any related or ancillary agreements, contemporaneously or subsequently, that the President deems to be in the best interests of the University after review by appropriate System staff.

- 9H. Recommendation to approve a uniform Affiliation Agreement for foundations and other support organizations

BE IT RESOLVED by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College that its President, John V. Lombardi, is hereby authorized to execute the Uniform Affiliation Agreement, and any related and ancillary agreements, with all entities which currently have affiliation agreements with LSU and any of its campuses and institutions. **(Copy of Uniform Affiliation Agreement on file in the Office of LSU Board of Supervisors)**

- 9I. Recommendation to name the Communication Enrichment Conference Room in the College of Engineering at Louisiana State University the "Bill and Stephanie Barineau Communication Enrichment Conference Room"

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve naming the Communication Enrichment Conference Room in the College of Engineering at Louisiana State University the "Bill and Stephanie Barineau Communication Enrichment Conference Room " in honor of Bill and Stephanie Barineau.

- 9J. Recommendation to name the Laboratory for the Study of Pollution Control in the College of Engineering at Louisiana State University the "Wal-Mart Laboratory for the Study of Pollution Control"

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve naming the Laboratory for the Study of Pollution Control in the College of Engineering at Louisiana State University the "Wal-Mart Laboratory for the Study of Pollution Control".

- 9K. Recommendation to name the Laboratory for Environmental Sustainability in the College of Engineering at Louisiana State University the "Sam's Club Laboratory for Environmental Sustainability"

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve naming the Laboratory for Environmental Sustainability in the College of Engineering at Louisiana State University the "Sam's Club Laboratory for Environmental Sustainability

10. Committee Reports

- 10A. Health Care and Medical Education Committee

Dr. Andonie, Chairman, Health and Medical Education Committee, reported that the Committee met and received the following informational report:

10A1. Status Report on Activities at the LSU Health Sciences Centers and the Health Care Services Division

Dr. Fred Cerise, Vice President for Health Care and Medical Education, presented this report. No official Board action required.

10A2. Resolution on Board authority regarding the LSU Health Care Service Division Hospitals

Upon motion of Dr. Andonie, seconded by Mrs. Leach, the Board voted unanimously to approve the following resolution:

[General Authority of the Board of Supervisors over LSU HSC-NO Related Hospitals]

WHEREAS, R.S. 17:1519.2.A provides that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College (the Board) “**shall own and operate the hospitals** set forth in Subsection B, and any successor entities” (*emphasis added throughout*); and

WHEREAS, R.S. 17:1519.2.B(1) lists 8 hospitals as being part of the LSU Health Sciences Center – New Orleans (LSU HSC-NO), including: “(a) **Medical Center of Louisiana at New Orleans**, (b) Earl K. Long Medical Center in Baton Rouge, (c) University Medical Center in Lafayette, (d) Leonard J. Chabert Medical Center in Houma, (e) Lallie Kemp Regional Medical Center in Independence, (f) Bogalusa Medical Center in Bogalusa, (g) W. O. Moss Regional Medical Center in Lake Charles, (h) University Medical Center in Baton Rouge (*sic*);” and

WHEREAS, R.S. 17:1519.2.B(2) provides that the “**operation and management of the LSU HSC-NO hospitals shall be the responsibility of the [LSU] board** pursuant to this Subpart;” and

WHEREAS, R.S. 17:1519.1(8) provides that “LSU HSC-NO hospitals” means “**all** the health care institutions set forth in R.S. 17:1519.2.B(1) together with all the programs and facilities thereof;” and

WHEREAS, R.S. 17:1519.1(5) provides that the hospitals and administrative personnel immediately responsible for the hospitals of the LSU HSC-NO are referred to as the “health care services division,” or the “division;” and

WHEREAS, R.S. 17:1519.3.A provides that the division and its component hospitals “**shall be under the immediate direction and control of the LSU HSC-NO subject to the overall direction, supervision, and management of the [LSU] board;**” and

WHEREAS, R.S. 17:1519.4.A vests responsibility for determining the overall role, scope, and mission for all the hospitals of the division in LSU HSC-NO, which must “**submit such recommendations to the [LSU] board for approval;**” and

WHEREAS, R.S. 17:1519.5.A provides that the Board “shall have authority to exercise **all power to direct, control, supervise, and manage the division and the hospitals,**” and further provides that this grant of power is “**in addition to** and not in limitation of the powers **inherent in the board and those set forth elsewhere in this Subpart;**” and

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WHEREAS, R.S. 17:1519.5.E provides that “Nothing in this Subpart shall restrict the **authority inherent in the board** or otherwise conveyed to it by law;” and

WHEREAS, “this Subpart” refers to R.S. 17:1519 through R.S. 17:1519.15 (see introductory text to Section 1 of Acts 2003, No. 906), which includes the provisions relating to a cooperative endeavor for the administration of the Medical Center of Louisiana at New Orleans (MCLNO); and

[Cooperative Endeavor Agreement for MCLNO]

WHEREAS, Acts 1997, No. 3, transferred the former charity hospital system to the ownership and control of LSU, provided that the “Louisiana State University Medical Center [now LSU HSC-NO], through its chancellor, shall enter into a cooperative endeavor agreement with Tulane University Medical Center through its chancellor and the secretary of the Department of Health and Hospitals or his designee for the administration of the Medical Center of Louisiana at New Orleans” (then-R.S. 17:1519.6.A(1)); and

WHEREAS, Acts 1997, No. 3 provided that “Medical Center of Louisiana at New Orleans’ means Charity Hospital **and** the Medical Center of Louisiana at New Orleans including University Hospital” (then-R.S. 17:1519(7)); and

WHEREAS, Acts 1997, No. 3, provided for *such* cooperative endeavor to establish an administrative board for the administration of MCLNO, to be comprised of three representatives each from LSU, Tulane, and DHH (then-R.S. 17:1519.6.A(4)(a)); and

WHEREAS, pursuant to Acts 1997, No. 3, a principal purpose of the administrative board was to “select a private third party manager to perform the day-to-day management of the Medical Center of Louisiana at New Orleans” (then-R.S. 17:1519.6.A(3)); and

WHEREAS, in 1998 the Board entered into a cooperative endeavor agreement (the “1998 cooperative endeavor”) with Tulane and the Department of Health and Hospitals (DHH) as provided for by Acts 1997, No. 3; and

WHEREAS, pursuant to the requirements of Acts 1997, No. 3, the 1998 cooperative endeavor agreement provided for an administrative body consisting of three representatives from each of LSU, Tulane, and DHH; and

[Failure of Cause or Reason for Cooperative Endeavor Agreement--Third Party Manager]

WHEREAS, the 1998 cooperative endeavor required, as one of its central causes or reasons for execution, that the administrative board “select a third party manager to perform the day-to-day management of the MCLNO” (Sec. 4.A) as required by Acts 1997, No.3; and

WHEREAS, the provisions of Acts 1997, No. 3 were amended by Acts 1999, No. 802, to remove the requirement that the day-to-day management of MCLNO be performed by a private third party manager, and further to remove the requirement that such a third party manager be selected by the administrative board; and

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WHEREAS, the 1998 cooperative endeavor became legally deficient because the 1999 amendment by the legislature removed the statutory authority of the administrative board to select a third party manager, which obligation was a central cause or reason for the cooperative endeavor agreement; and

[Failure to Amend Cooperative Endeavor Agreement to Expand Membership Prior to Katrina]

WHEREAS, the provisions of Acts 1997, No. 3 were further amended by Acts 2003, No. 906, to provide, among other things, that the "LSU Health Sciences Center – New Orleans, through its chancellor, shall **continue** to enter into a cooperative endeavor agreement with" Tulane and DHH (R.S. 17:1519.9.A); and

WHEREAS, Acts 2003, No. 906 further provides that "Any such cooperative endeavor shall include the establishment of an administrative board," and that such administrative board "shall be comprised of fifteen representatives, three from the LSU HSC-NO, three from the Tulane University Health Sciences Center, three from Xavier University, three from the Department of Health and Hospitals, one each from Dillard University and Southern University, which collectively shall have one vote, and the chief executive officer of the division who will serve as an ex officio non-voting member" (R.S. 17:1519.9.B); and

WHEREAS, no cooperative endeavor or amendment to a cooperative endeavor for the administration of MCLNO has been entered into by LSU, Tulane, and DHH since the 1998 cooperative endeavor; and

WHEREAS, the 1998 cooperative endeavor became legally deficient because it does not contain the new terms and conditions required by Acts 2003, No. 906, particularly those providing for the composition of the administrative board of MCLNO, and **neither LSU, Tulane nor DHH timely resolved that deficiency prior to Hurricane Katrina**; and

[Authority of Administrative Board Recognized as Discretionary by Statute]

WHEREAS, the 1997 Act provided that the policy-making decisions for which unanimous approval of the administrative board was required "**shall** include" an enumerated list of actions (then-R.S. 17:1519.6.A(4)(c)); and

WHEREAS, in the 2003 Act the legislature amended this language to provide only that the policy-making decisions for which unanimous approval of the administrative board is required "**can** include" substantially the same enumerated list of actions (R.S. 17:1519.9.D); and

WHEREAS, as a result of the legislature's 2003 amendment from the mandatory "shall include" to the permissive "can include," no listed general policies regarding the administration of MCLNO even purport to be statutorily required to be made by an administrative board; and

[Destruction of Charity and University Hospitals and Establishment of Interim Hospital]

WHEREAS, Charity Hospital, the central and essential component of the entity designated as the “Medical Center of Louisiana at New Orleans,” was destroyed by Hurricane Katrina and is no longer functioning as such, and therefore the related functions of the original contemplated administrative board no longer exist; and

WHEREAS, as a result of the destruction of Charity Hospital, FEMA provided funding to the State and LSU for the purpose of restoring the University Hospital building, and FEMA regulations required that the facility be an “interim,” rather than a “replacement” or “alternate” (either of which designations would have had drastic adverse financial consequences to the State and LSU) facility for Charity Hospital or University Hospital, and significantly only LSU and the State committed funds and personnel to achieve the interim facility; and

[Further Constitutional and Statutory Authority of Board of Supervisors]

WHEREAS, Art. 8, § 7 of the Louisiana Constitution of 1974 vests in the Board of Supervisors sole authority to “supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system,” and the LSU HSC-NO hospitals are institutions or other programs placed by statute under the administration of the LSU system; and

WHEREAS, pursuant to R.S. 17:1519.5 and the other cited provisions above, plus its inherent authority as a constitutional body, the Board of Supervisors has full authority and responsibility to “exercise all power to direct, control, supervise, and manage” the public hospitals in New Orleans, including the Interim hospital and the legal entity known as “Medical Center of Louisiana of New Orleans,” which powers are “in addition to” any powers “set forth elsewhere in this Subpart” (which subpart includes the provisions of R.S. 17:1519.9, addressing the discretionary cooperative endeavor).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College acknowledges, reaffirms, confirms and ratifies its continuing obligation and intention to exercise its inherent constitutional and express statutory authority to operate, manage, direct, control, and supervise the hospitals of the LSU Health Sciences Center – New Orleans;

AND, BE IT FURTHER RESOLVED that the Board delegates, reaffirms, confirms and ratifies the authority of Dr. John V. Lombardi, its President, and his designated Vice-President, if so further delegated, to make the daily operating decisions for such hospitals, all subject to the general provisions of the Bylaws of the Board of Supervisors.

10B. Finance, Infrastructure, and Core Development Committee

10B1. Update on the Board of Regents Funding Formula

Mr. John A. Antolik, Asst. Vice President, provided this presentation

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10B2. Status report on FY 2009-2010 Budget

Chancellors from the respective campuses within the LSU System provided these reports. No official action is required.

10B3. Presentation of a proposed financing model for the new College of Business building at Louisiana State University

Dean Eli Jones, College of Business, presented this report. No official action is required.

10B4. Resolution authorizing increases to tuition and mandatory fees for the 2009-2010 fiscal year

Upon motion of Mr. Falterman, seconded by Mr. Moore, the Board voted unanimously to approve the following resolution:

WHEREAS, Acts 2008 No. 915 authorizes this Board to increase tuition and mandatory fees, subject to certain conditions, for fiscal years 2008-2009, 2009-2010, 2010-2011, and 2011-2012; and

WHEREAS, this Board on the 17th day of July, 2008, pursuant to this legislative authorization, adopted a Resolution authorizing increases to tuition and mandatory fees to take effect beginning with and during the 2008-2009 fiscal year, and provided for certain delegation of authority to the President; and

WHEREAS, existing budget circumstances require such authority for such increases in tuition and mandatory fees to be extended to the 2009-2010 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College that the Resolution adopted on the 17th day of July, 2008, be and is hereby readopted and extended to apply to the 2009-2010 fiscal year to establish that tuition and mandatory fees for each campus in the LSU System shall be increased by the same percentage amount as such tuition and fees were increased by such prior Resolution or by the percentages otherwise determined as appropriate pursuant to guidelines of the Board of Regents, to take effect beginning the Fall 2009 semester, all subject to the other applicable terms, conditions, and delegations of authority set forth in such Resolution as if copied *in extenso*, with applicable adjustments for the 2009-2010 fiscal year.

10C. Property and Facilities Committee

Mr. Mount, Chairman, Property and Facilities Committee, reported that the Committee recommends Board approval of the following:

10C1. Approval of the South Campus Master Plan and Design Codes at Louisiana State University

Upon motion of Mr. Mount, seconded by Mrs., Reese, the Board, with the exception of Mr. Gowen, approved the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the South Campus Master Plan & Design Codes, prepared by Architects Southwest dated October 20, 2008, and

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declares that the Master Plan and Design Codes serve as the guiding document for coordinating and planning capital construction and physical improvements at the LSU South Campus. Designs for South Campus building construction projects shall be submitted to the Board of Supervisors for approval.

BE IT FURTHER RESOLVED that from time-to-time modifications to the Master Plan and Design Codes may be necessary to accommodate the functions of the South Campus as a research and business park. Such modifications shall be submitted to the Board for consideration and approval.

BE IT FURTHER RESOLVED that approval of the Master Plan and Design Codes does not constitute approval of capital projects, programs and funding authority associated with capital projects or other transactions related to property and facilities for the South Campus.

10C2. Request to approve Ground Lease for a State Evacuation Shelter at the LSU Agricultural Center's Dean Lee Research and Extension Center, Alexandria, Louisiana

Upon motion of Mr. Mount, seconded by Mr. Jacobs, the Board voted unanimously to approve the following resolution::

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby authorize John V. Lombardi, President of the LSU System, or his designee, to execute a Ground Lease Agreement with the State of Louisiana, Division of Administration for the use of approximately 17.61 acres of property owned by LSU Agricultural Center in Sections 53 & 54, Township 2 North, Range 1 East and Section 2, Township 2 North, Range 1 West, South Western District, Rapides Parish, Louisiana, for the construction of an emergency operation shelter.

BE IT FURTHER RESOLVED that John V. Lombardi, President of the LSU System, or his designee, be and he is hereby authorized by and empowered for and on behalf of and in the name of the Board of Supervisors, in consultation with General Counsel, to include in the Ground Lease Agreement any and all provisions and stipulations that he deems in the best interest of the Board of Supervisors.

10C3. Request to approve Facility Lease & Sublease of Land at the LSU Agricultural Center's Dean Lee Research and Extension Center, Alexandria, Louisiana

Upon motion of Mr. Mount, seconded by Mr. Jacobs, the Board voted unanimously to approve the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby authorize John V. Lombardi, President of the LSU System, or his designee, to execute a Facility Lease and Sublease of Land Agreement with the State of Louisiana, Division of Administration for the use of approximately 17.61 acre lease tract located in Sections 53 & 54, Township 2 North, Range 1 East and Section 2, Township 2 North, Range 1 West, South Western District, Rapides Parish, Louisiana for a state evacuation shelter.

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BE IT FURTHER RESOLVED that John V. Lombardi, President of the LSU System, or his designee, be and he is hereby authorized by and empowered for and on behalf of and in the name of the Board of Supervisors, in consultation with General Counsel, to include in the Facility Lease and Sublease of Land Agreement any and all provisions and stipulations that he deems in the best interest of the Board of Supervisors.

10C4. Request to approve Memorandum of Understanding for a State Evacuation Shelter at the LSU Agricultural Center's Dean Lee Research and Extension Center, Alexandria, Louisiana

Upon motion of Mr. Mount, seconded by Mrs. Reese, the Board voted unanimously to approve the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby authorize John V. Lombardi, President of the LSU System, or his designee, to execute the Memorandum of Understanding with the Department of Social Services for the State Emergency Shelter located at the LSU Agricultural Center's Dean Lee Research and Extension Center, Alexandria, Louisiana.

BE IT FURTHER RESOLVED that John V. Lombardi, President of the LSU System, or his designee, be and he is hereby authorized by and empowered for and on behalf of and in the name of the Board of Supervisors, in consultation with General Counsel, to include in the Memorandum of Understanding any and all provisions and stipulations that he deems in the best interest of the Board of Supervisors.

10C5. Request to approve Memorandum of Understanding for a State Evacuation Animal Shelter at the LSU Agricultural Center's Dean Lee Research and Extension Center, Dewitt Livestock Show Facility, Alexandria, Louisiana

Upon motion of Mr. Mount, seconded by Mr. Jacobs, the Board voted unanimously to approve the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby authorize John V. Lombardi, President of the LSU System, or his designee, to execute the Memorandum of Understanding with the Department of Agriculture and Forestry for the State Emergency Pet Shelter located at the LSU Agricultural Center's Dewitt Livestock Show Facility at the Dean Lee Research and Extension Center, Alexandria, Louisiana.

BE IT FURTHER RESOLVED that John V. Lombardi, President of the LSU System, or his designee, be and he is hereby authorized by and empowered for and on behalf of and in the name of the Board of Supervisors, in consultation with General Counsel, to include in the Memorandum of Understanding any and all provisions and stipulations that he deems in the best interest of the Board of Supervisors.

11. Audit Committee

Chairman-Elect Chatelain announced that the Audit Committee would not meet.

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12. Approval of the Board Meeting Schedule for the 2009-2010 Academic year

Upon motion of Mr. Falterman, seconded by Mrs. Reese, the Board voted unanimously to approve the meeting schedule for 2009-2010. **(Copy of schedule attached hereto)**

13. Chairman's Report

Mr. Chatelain, Chairman-Elect, recognized Mr. Barham, student member of the Board, and SGA President, LSUHSC-Shreveport. Mr. Barham expressed his gratitude for service on the Board.

14. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 4:45 p.m.

Carleen N. Smith
Administrative Secretary