



St. Tammany Parish Fire Protection District # 3

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Patrick F. Sicard
Fire Chief

Regular Public Meeting of the Board of Commissioners

February 8, 2017

Meeting Minutes

Called To Order:

Chairman MacGregor called the meeting to order on Wednesday, February 8, 2017 at 6:00 PM.

Pledge of Allegiance

Roll Call:

Danny MacGregor, Murphy Arsenaux, Leo Casanave, Raymond Batiste, Jeanne Hutchison are present. Mark Wanieski of PMI, Attorney Troy Ingram, Chad Danenhower, and Grant Schlueter are present.

Mr. MacGregor called for a motion to amend the agenda to move Mr. Schlueters presentation on the Resolutions forward. Mr. Arsenaux made a motion to amend the agenda. Mr. Batiste seconded. A vote was taken. Motion carries unanimously.

Secretary Minutes:

Amended minutes of December 16, 2016 regular meeting.

Minutes of January 11, 2017 regular meeting.

Minutes of January 16, 2017 special meeting.

Minutes of January 24, 2017 special meeting.

Mr. MacGregor asked to approve minutes before Mr. Schlueters announcement. Mr. Casanave made a motion to dispense with the reading of the minutes and accept as is. Mrs. Hutchison seconded. A vote was taken. Motion carries unanimously.

Mr. Schlueter discussed a technical resolution that amends the resolution previously adopted calling for a special election with two propositions, the renewal of the millage and the parcel fee. Given the action by the Council, this is a mandatory resolution to provide that the parcel fee, proposition number two will be deleted from the election call. The millage renewal will remain on the ballot. He provided a revised Notice of Special election reflecting one proposition that will be on the April ballot. He also mentioned that original Notice of Special Election has started to run the newspaper could not pull it so it will be out this week. They do have instruction to pull the remaining publications. The revised Notice of Special election needs to be provided to the Farmer to be published in four consecutive issues.

Mr. Schlueter also advised the Board that the two remaining election dates for this year are October 14th, and November 18th. October 14th has a lengthy timeline to get on the ballot and the Board

should start at their March meeting. The November 18th election, the Board could start at the June meeting if they chose to do so.

Mr. Waniewski stated for record keeping purposes that the Resolutions that are referenced are under his agenda as 2017-013 and 2017-014, and they are the Resolutions prepared by Grant and his firm.

Mr. Casanave made a motion to accept Mr. Schlueter's Resolutions. Mr. Batiste seconded. No further discussion. A vote was taken. Motion carries unanimously.

Treasurer Report:

Mrs. Hutchison suspended the report and is letting Mark Waniewski report. Mr. Waniewski stated that for future agendas, the PMI financial report will be removed from the PMI report and will allow that to be the new Treasurers report.

Chief stated that the January account balance is in the packet. Mrs. Hutchison read the bank statements balance.

First NBC account, allocated funds - previous balance of \$255,690.64, current balance as of the end of January, \$206,428.32. Annual percentage rate of 1.26%

First NBC operating account – previous balance of \$40,384.71, current balance as of the end of January, \$768,836.50. Annual percentage rate of 1.26%

Capital One account – previous balance \$2368.22, current balance as of the end of January, \$9224.69. Annual percentage rate of .05%

Chief's Report:

Chief Sicard reported.

- 1) Total calls for the year – 133
- 2) Prior Month responses – no print out available
- 3) Merrick Tassin retirement. Chief Sicard passed around the Invitation for anyone interested to RSVP.

Chief Sicard stated that was all for the Chief's report.

Assistant Chief's Report

1) Employment/Training: Assistant Chief Lober stated they four contract workers were interviewed. One is currently active and two are still in the process of background checks and physicals. There are still four full time vacancies and there have been no interviews for these positions.

We are continuing all PIAL mandated training working with District 1 with auto aide drill training. We have some MCI drills, Mass casualties drills with District 1 that they just found out today and the all hazards team will be attending. There is also one candidate, Eddie Rodriguez, going through Officer 1 and Officer II training at District 1.

2) Cyprian Fire Update: Assistant Chief Lober stated that this was a major incident in our District. It was a fully involved working structure fire. It was a one story wood frame structure fully involved when they got on scene. Mutual aid was called immediately to District 1, which they sent a compliment of apparatus and personnel. The same Engine companies that they attended training with that morning were on scene to assist. Assistant Chief Lober also stated that a Hot Stick was put to use and possibly saved Firefighter lives and or injury. There were a total of 18 personnel on scene between the two Districts.

Nothing further to report.

Old Business:

1) **Respond to Civil Service Board member comments.** This will be under PMI report.

2) **April 29th Election Matters. Completed above.**

3) **Comments regarding Parish Council special meetings.** Mr. Waniewski stated that there was a special Council meeting Monday night and he and Chief Sicard spoke for about a hour and a half. They were voted to go forward with the millage renewal, but at this time not to go forward with the parcel fee. Council told them to come back in six months and his recommendation to the Board would be to go back in six months. Mr. Waniewski stated that meet the June deadline for the November 18th date discussed earlier.

New Business:

Appointment of Firefighter Civil Service Representative Michael Guillot.

Michael Guillot was sworn in by Mrs. Hutchinson.

PMI Report:

Mr. Waniewski stated that Resolution 2017-013 was the Resolution that Grant Schlueter referenced. It is in the Resolution packet. Mr. Casanave made a motion to approve Resolution 2017-013. Mr. Batiste seconded. No further discussion. A vote was taken. Motion carries unanimously.

Mr. Waniewski stated that Resolution 2017-014 which is the revised Notice of Special Election that is also in the packet and is for record keeping purposes. This was also prepared by Grant Schlueter's office. Mr. Casanave made a motion to accept Resolution 2017-014. Mr. Arsenaux seconded. No further discussion. A vote was taken. Motion carries unanimously.

Mr. Waniewski stated that at the January 4, 2017 Civil Service Board special meeting, Michael Geissler who was the Board Chairman, discussed his suspension. Mr. Waniewski wanted to make sure the record was clear and transparent. Mr. Geissler quotes in the minutes that he maintained that none occurred when he talked about he received a suspension for disciplinary action that he did nothing wrong and that he did nothing intentional. Mr. Waniewski stated that Mr. Geissler waived his rights when an expert witness affidavit was presented to him. Upon his review of that affidavit he waived his rights and that was not entered into the public record. Mr. Waniewski stated that an expert witness was able to provide specific detail to actions and once Mr. Geissler was presented with that he waived his rights and basically end the process and go forward. Mr. Geissler's actions resulted in suspension. Mr. Waniewski stated that if he had done nothing intentional that they would've never found reason to suspend as part of the disciplinary action. Mr. Waniewski said that Mr. Geissler also stated that "there were some instances during the investigation where his Bill of

Rights were violated". Mr. Waniewski stated that Mr. Geissler has served multiple terms as Civil Service Board member and as the Chairman and that he clearly knows that if his Bill of Rights were violated that produces an automatic nullity of the event. He could've brought that forward and with the nullification of a Bill of Rights issue, this action would've disappeared and there would've been no suspension. Mr. Waniewski wanted to let the Board know that those statements could reflect poorly that the disciplinary committee and all parties attached to that may have violated his rights. They did not violate his rights, he did not appeal his action, and Mr. Geissler knew that if his Bill of Rights were violated it could've been nullified and under state law no action could've been taken against him. Mr. Waniewski did not want those statements that were of public record to reflect badly on the District.

Mr. Waniewski discussed the monthly officers meeting that he attended for almost two hours discussing the new pay scale, the new protocols that took effect. He thanked the department, the Chief, the Assistant Chief, and every member that was at the meeting that morning.

Mr. Waniewski discussed the financial reports through December 31, 2016. These documents were the financials that were left in QuickBooks upon Mary's separation. All PMI did was accumulate the reports, they did not change any transactions or modify any work product that was there. PMI also received the 2015 audit and the 2015 trail balance work papers from LaPorte. This is the information that will be submitted to LaParte for the 2016 audit. The packet submitted to the Board includes a balance sheet, a profit and loss statement, and a budget vs. actual.

Mrs. Hutchison made a motion to approve the PMI report. Mr. Batiste seconded. A vote was taken. Motion carries unanimously.

Mr. Ingram requested that the Board make a motion to amend the agenda to add the attorney's report. Mrs. Hutchison made a motion to add the attorney's report. Mr. Batiste seconded. A vote was taken. Motion carries unanimously.

Mr. Ingram stated that evening he learned of a lawsuit filed in Federal Court by James Dumas against Fire District 3, Chief Sicard, and Assistant Chief Scott Lober. Essentially he is complaining that actions taken against him with respect to a disciplinary action violated his Constitutional rights under State and Federal law. He is asserting that his right to free speak and right of association have been violated as a result of statements that he made purportedly under protection afforded by his position as an officer of the association. This lawsuit was filed on February 6th and has been allotted to Judge Carl Barbier, a Federal Judge in New Orleans.

Mr. Batiste made a motion to accept the attorneys report. Mrs. Hutchison seconded. There was no further discussion. A vote was taken. Motion carries unanimously.

Adjournment:

Mr. Arsenaux made a motion to adjourn. Mr. Casanave seconded. A vote was taken. Motion carries unanimously

Meeting adjourned at 7:46 p.m.