

# St. Tammany Fire Protection District No. 1

## Board of Commissioners

### Regular Meeting Minutes July 19, 2011

The meeting was called to order at 5:34 p.m.

The pledge of allegiance and prayer were given.

Roll Call: Chairman Kline and Commissioners Rich, Davis, Risley and Kingston were present.

#### **APPROVAL OF MINUTES-**

*Commissioner Davis made a motion to approve the minutes of the June 21, 2011 meeting. Commissioner Rich seconded the motion. The motion carried unanimously.*

As the minutes were approved, Chief Hess requested that the rules be suspended and the public hearing be conducted.

*Commissioner Risley made a motion to suspend the rules and conduct a public hearing relative to levying millage rates. Commissioner Kingston seconded the motion. The motion carried unanimously.*

**PUBLIC HEARING-** A public hearing was held to consider levying increased millage rates after reassessment and rolling forward millage rates not exceeding the maximum authorized by law.

**Rodney Roig (Constitution Dr.)-** Mr. Roig stated that he feels the Chief has a problem telling the truth, stating that when the Brownsitch Station was built, Station 13 was supposed to close, when the parcel fee was approved, Chief wasn't supposed to raise the millage, neither have happened. He further stated that Chief Hess has lied about his years of service on the Fire Department. Chief Hess clarified, stating that he has been with the department for 7 years, but has 45 years in the fire service.

Mr. Roig questioned whether raising the millage was really to build a new fire station or to provide free medical insurance to the firemen's wives and families.

Chief Hess stated that he would be happy to meet with Mr. Roig in order to clarify any discrepancies.

**Fred McDonald (Candlewood Dr.)-** Mr. McDonald stated that tonight's millage vote is a very important issue because this is the maximum rate that we can be assessed at, for the fire district. He stated that at 35 mills, the cost per year for a homeowner is an increase of \$60.00/ per \$100,000 each year. He further stated that for businesses, the increase would be \$90.00/ per \$100,000 of their property value, as well as inventory value, upon assessment. He stated that this can be a big increase to businesses; which 70% of the revenue comes from businesses.

Mr. McDonald stated that due to the fact that property re-assessments will be done in 2010, he doesn't think it justifies rolling the millage up by 6 mills this year. He further stated that the district has operated on 30 mills for 2008 and 2009, and 29 mills for 2010. He stated that a Training Facility was built, a temporary fire house was created ( Station 18), and the mapping out of fire hydrants was done, for the sole purpose of raising the PIAL rating. This rate increase could possibly improve by 1 point, thus resulting in lower homeowner insurance rates.

Mr. McDonald stated that the district has paid out \$250,000 in "other" overtime, as well as \$550,000 in incentive pay, in 2010.

Mr. McDonald stated that in his opinion, rolling the millage to 35 mills just so it is easier to get a renewal does not show good stewardship. He recommended 31 mills.

**Richard Reardon (Berkley Dr.)-** Mr. Reardon inquired into how long the \$39 parcel fee would not go into effect if the millage is increased to 35 mills. He further stated that the millages have to be based on the economic make-up of the community (i.e. materials, wages, food, etc.) to determine how much money is needed.

Mr. Reardon stated that in his review of the incentive pay, the pay is the same for everyone. He would like to see where money is being spent on incentives so we can justify how much incentive pay is given which will allow for re-alignment of incentive pay to reduce salaries.

Mr. Reardon feels there is a tremendous amount of overtime. He feels the department has done a well job with 29 mills and doesn't feel it should go above 30 or 31 mills, which should cover the economic increases.

**Gordon Bright (Partridge Rd.)-** Mr. Bright had the following concerns:

1. He stated that he spoke with the parish and there is no capability to expand hydrant services in Quail Ridge
2. He inquired as to whether the district still has \$2,000,000 in the bank
3. He inquired into the pay raises for 2009 and 2010
4. He also asked if the millage was to be raised, would this be to enlarge the services within the current service area, stating that he feels there is an overlap in response with Brownsitch and Robert Rd.

**Carol Fox (Pearl River- representing Northshore 912)-** Ms. Fox stated that her concern, after getting our budget off line, was regarding some expenses (office supplies, professional services). Ms. Fox further stated that she was told that the fire trucks are being used to go to restaurants and inquired into whether a service vehicle would be suffice for that purpose. She also inquired as to whether the department is looking into ways to save on fuel . Ms. Fox suggested that things be can cut and requested that these areas be looked into.

**Gordon Bright-** Mr. Bright stated that insurance rates increased this year due to the matrix used with response times and other variable factors. His increase was the result of the hydrant system. Chairman Kline stated that the department has no control over the hydrant system.

**Glenn Kirby (1009 Clipper)-** Mr. Kirby, responding to the comment about taking the fire trucks to lunch, stated that he has been in restaurants where the fire truck is parked, firefighters get their lunch, and then have to leave to respond to a call. He further stated that if an auxiliary vehicle were used, the response would be delayed due to having to return to the station to get the fire truck. Mr. Kirby is in agreement with controlling the spending and income, and making the best use of taxpayer money.

*Commissioner Davis made a motion to adjourn the public hearing. Commissioner Risley seconded the motion. The motion carried unanimously. The hearing adjourned at 5:58 p.m. with no action taken.*

#### **OLD BUSINESS-**

- A) **Station 18- Temporary Housing-** Chief Hess requested that the rules be suspended to have this item placed under the PMI Report.

*Commissioner Davis made a motion to suspend the rules and move this item to the PMI Report. Commissioner Risley seconded the motion. The motion carried unanimously.*

#### **NEW BUSINESS -**

A) **Chief's Report-**

- a.) **2010 Audit-** Chief Hess reported that there were no findings in the 2010 Audit

**b.) Adopt the Adjusted Millage Rate-( Resolution 2011-017)-**

**Commissioner Kingston made a motion to roll the millage back to 27.040. Commissioner Davis seconded the motion.**

Commissioner Rich requested clarification on our position by rolling back.

Chief Hess stated that we have asked that this be moved forward to 35 mills; however, not in a manner that it is excessive and we just need the money. He further stated that in 2016, IF we adopt the 35 mills, we need 39 to run the department. By adopting the 35 mills now, we can begin saving for 2016 funding.

Chief Hess, responding to the prior discussion of overtime, agreed that the overtime is excessive. He explained that we have a finite number of people, and we have a hiring freeze in place. He discussed the overtime for the filling of vacancies to keep Station 13 open, as well as filling vacancies in Dispatch. Chief Hess stated that a discussion needs to be held to discuss at what point it would be better to hire someone additional vs. paying overtime. Chief Hess further stated that any number, below 35 mills, that is chosen, will push the date to an earlier date where we reach the point of economic diminishing return.

Chief Hess stated that we do have two million dollars. He further stated that we do not always receive money, from the tax collector, in January or February. This savings covers the operating costs for those two months. Chief Hess also discussed re-engineering revenues. He also stated that he's worried about the budget, in five years, and maintaining the same level of protection.

Chief Hess stated that the incentive pay is given based on certifications acquired and training. Chief Hess reiterated that we are not asking for the 35 mills for the sake of protecting the millage, but for the financial future. He stated that we have foregone 6 million dollars in revenue, over the past 4 years.

Commissioner Rich stated that it is his understanding that if the millage is rolled back to 27.040, and then are not able to agree on a roll forward amount, the millage, for the next two years, will be at 27.040. He then stated that in 2012, when it goes before the voters, we would have to ask for a 30% increase (to get to 35 mills). Chief Hess confirmed that Commissioner Rich was correct; however, if the Commissioners do not vote, this can be tabled until next month (with proper advertising and notification).

Chairman Kline read the Resolution for the record:

**RESOLUTION NO. 2011-017**

**BE IT RESOLVED**, by the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 of the Parish of ST. TAMMANY, Louisiana, in a regularly scheduled public hearing/meeting held on July 19, 2011, conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B) wherein the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 voted to set the adjusted millage rate for the year 2011. ACCORDINGLY,

**BE IT FURTHER RESOLVED**, by the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 of the Parish of St. Tammany, Louisiana, in a public meeting held on July 19, 2011, which meeting/hearing was conducted in accordance with the Open Meetings law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the following adjusted millage rate be and it is hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2011, for the purpose of raising revenue:

FIRE PROTECTION SERVICES	MILLAGE	27.040
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**BE IT FURTHER RESOLVED** that the Assessor of the Parish of St. Tammany, shall extend upon the assessment roll for the year of 2011 the taxes herein levied, and the Tax Collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, the votes were:

YEAS:  
NAYS:  
ABSTAINED:  
ABSENT:

**CERTIFICATE**

I hereby certify that the foregoing is a true exact copy of the resolution adopted at the meeting/hearing held on the 19<sup>th</sup> day of July, 2011, at which meeting/hearing at least two-thirds of the total membership was present and voting.

Slidell, Louisiana, this 19th day of July, 2011.

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**CALVIN "BUD" KLINE, CHAIRMAN  
BOARD OF COMMISSIONERS, ST. TAMMANY  
FIRE PROTECTION DISTRICT NO. 1**

*Chairman Kline called for the vote:*

*Yeas: Risley, Davis and Kingston*

*Nays: Rich, Kline*

*The motion carried.*

**c.) Set forth the adjusted millage rate AND roll forward to millage rate not exceeding the maximum authorized rate.**

*Commissioner Davis made a motion to roll forward to 29 mills. Commissioner Kingston seconded the motion.*

Commissioner Rich asked Commissioner Davis what the 29 mills was based on. Commissioner Davis stated that we are currently at 29 mills and he feels we should remain at it.

Commissioner Rich asked Mr. DiGiovanni about the future budget deficits stating that we could potentially have a 3.4 million dollar deficit in 2016. Mr. DiGiovanni stated that in 2016, we will have a deficit of 4.2 million (at 29 mills).

Commissioner Risley, for clarification, inquired into the voting process. Chairman Kline stated that a super majority vote is necessary, or the millage remains at 27.040. Chief Kaufmann requested that they approve 32.53, as this would be a break-even amount.

Commissioner Rich addressed Chairman Kline, stating that we are being faced with a reduction in ad valorem taxes, as well as multiple increases (insurance, mandated longevity pay, FRS), and feels we are "hamstringing" ourselves. Chairman Kline agreed. Commissioner Risley stated that 27.040 would be devastating.

Chairman Kline read the Resolution for the record:

**RESOLUTION NO. 2011-018**

**BE IT RESOLVED**, by the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 of the Parish of ST. TAMMANY, Louisiana, in a regularly scheduled public hearing/meeting held on July 19, 2011, conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B) wherein the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 voted to increase the millage rate for the year 2011 from the adjusted millage rate of 27.040 mills to 29 mills. ACCORDINGLY,

**BE IT FURTHER RESOLVED**, by the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 for the Parish of ST. TAMMANY, Louisiana, in a public meeting/hearing held on July 19, 2011, which meeting/hearing was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the taxing district voted to increase the millage rate, but not in excess of the prior year's maximum rate, on all taxable property shown to the official assessment roll for the year 2011, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. Said millage rate is:

	<u>Adjusted rate</u>	<u>2011 Levy</u>
FIRE PROTECTION SERVICES	27.040 mills	29 mills

**BE IT FURTHER RESOLVED** that the Assessor of the Parish of St. Tammany, shall extend upon the assessment roll for the year 2011 the taxes herein levied, and the Tax Collector of said Parish shall collect and remit the same to said taxing authority in accordance with law, and which followed a public meeting/hearing held on July 19, 2011, which meeting/hearing was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B).

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by no less than two-thirds of the total membership of the taxing authority voting in favor as required by Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B). The votes were:

- YEAS:
- NAYS:
- ABSTAINED:
- ABSENT:

**CERTIFICATE**

I hereby certify that the foregoing is a true exact copy of the resolution adopted at the meeting/hearing held on the 19<sup>th</sup> day of July, 2011, at which meeting/hearing at least two-thirds of the total membership was present and voting.

Slidell, Louisiana, this 19th day of July, 2011.

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**CALVIN "BUD" KLINE, CHAIRMAN  
BOARD OF COMMISSIONERS, ST. TAMMANY  
FIRE PROTECTION DISTRICT NO. 1**

Commissioner Rich inquired, to the Board, if the ones supporting the 29 mills will reconsider, to avoid going to 27.040. Commissioner Davis stated that he would not. Commissioner Kingston stated that we can't go down to 27.040, but also can't support rolling up. Commissioner Risley agreed with Commissioner Kingston; however, if four people can't agree, the millage remains at 27.040

*Chairman Kline called for the vote:*

*Yeas: Risley, Davis, Kingston*  
*Nays: Rich, Kline*

*The motion died.*

Chairman Kline asked the board's consideration to raise the millage to 31 mills.

*Commissioner Kingston made a motion to reconsider the millage vote.*

Commissioner Risley stated that there are some areas in the budget that can be cut. Once cuts are made, and we go back to the taxpayers in a couple years, we can explain our intentions of what we will do with the extra money in requesting a higher millage.

*Commissioner Risley seconded the motion.*

*Chairman Kline called for the vote:*

*Yeas: Risley, Kingston, Rich, Kline*  
*Nays: Davis*

*The motion carried.*

Chairman Kline stated that he would like to see 31 mills. Commissioner Rich reiterated that the breakeven point is 32.53 for 2012.

*Commissioner Kingston made a motion to roll up to 30 mills. Commissioner Risley seconded the motion.*

Chairman Kline read the Resolution for the record:

**RESOLUTION NO. 2011-018**

**BE IT RESOLVED**, by the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 of the Parish of ST. TAMMANY, Louisiana, in a regularly scheduled public hearing/meeting held on July 19, 2011, conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B) wherein the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 voted to increase the millage rate for the year 2011 from the adjusted millage rate of 27.040 mills to 30 mills. ACCORDINGLY,

**BE IT FURTHER RESOLVED**, by the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 for the Parish of ST. TAMMANY, Louisiana, in a public meeting/hearing held on July 19, 2011, which meeting/hearing was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the taxing district voted to increase the millage rate, but not in excess of the prior year's maximum rate, on all taxable property shown to the official assessment roll for the year 2011, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. Said millage rate is:

	<u>Adjusted rate</u>	<u>2011 Levy</u>
FIRE PROTECTION SERVICES	27.040 mills	30 mills

**BE IT FURTHER RESOLVED** that the Assessor of the Parish of St. Tammany, shall extend upon the assessment roll for the year 2011 the taxes herein levied, and the Tax Collector of said Parish shall collect and remit the same to said taxing authority in accordance with law, and which followed a public meeting/hearing held on July 19, 2011, which meeting/hearing was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B).

The foregoing resolution was read in full, the roll was called on the adoption thereof, and the resolution was adopted by no less than two-thirds of the total membership of the taxing authority voting in favor as required by Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B). The votes were:

YEAS:  
NAYS:  
ABSTAINED:  
ABSENT:

**CERTIFICATE**

I hereby certify that the foregoing is a true exact copy of the resolution adopted at the meeting/hearing held on the 19<sup>th</sup> day of July, 2011, at which meeting/hearing at least two-thirds of the total membership was present and voting.

Slidell, Louisiana, this 19th day of July, 2011.

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**CALVIN "BUD" KLINE, CHAIRMAN  
BOARD OF COMMISSIONERS, ST. TAMMANY  
FIRE PROTECTION DISTRICT NO. 1**

*Chairman Kline called for the vote:*

*Yeas: Risley, Kingston, Rich, Kline  
Nays: Davis*

*The motion carried, setting the millage at 30.*

Chief Hess requested to suspend the rules and move on to the PMI report.

**d.) Fire Chief Performance Review**

*Commissioner Davis made a motion to suspend the rules and hold the Chief's performance review in abeyance until after the Attorney's report. Commissioner Rich seconded the motion. The motion carried unanimously.*

**B) PMI Report-**

**1. Employee Benefits**

**a.) Benefit Template-** Mr. Waniewski stated that due to health care changes and newer mandates, we are seeing higher trend rates.

**2. Human Resource**

- a.) 2011-008: BOC Resolution (Referred to Civil Service (OSE))**
- b.) 2011-009: BOC Resolution (Referred to Civil Service (OSE))**
- c.) 2011-011: BOC Resolution (Relocate Public Meetings to the Towers)- pending**
- d.) Employee Handbook Revisions-** in process
- e.) Fire Chief- Annual Evaluation Form-** Review
- f.) Legislative Watch**
- g.) 2011-014: BOC Resolution (EAP Contract Renewal)-** previously approved

- h.) **2011-015: BOC Resolution (Tender/ Engine 11 Replacement & Upgrade) [2011-007]-** previously approved
- i.) **2011-016: BOC Resolution (Station 18- Permanent Housing)-**

*Commissioner Risley made a motion to withdraw Resolution 2011-018 relating to the permanent housing at Station 18. Commissioner Davis seconded the motion. The motion carried unanimously.*

- j.) **2011-017: BOC Resolution (Millage Roll Back)-** approved above
- k.) **2011-018: BOC Resolution (Millage Roll Forward)-** approved above
- l.) **2011-019: BOC Resolution (Fit As A Firefighter- Copyright)**
- m.) **2011-020: BOC Resolution (Fire Chief Voluntary Salary Reduction)**

*Commissioner Davis made a motion to adopt Resolution 2011-020 relating to the voluntary reduction of base salary compensation for Fire Chief. Commissioner Kingston seconded the motion. The motion carried unanimously.*

Mr. Waniewski stated that the Civil Service Board has received three formal complaints against the Board of Commissioners.

### **3. Payroll**

- a.) **2012 Budget Forecast (Rolling 5 years forward)**

### **4. FRS (Firefighters Retirement System)**

- a.) **FRS Back Pay Audit- Pay off balance (Outstanding)**
- b.) **FRS 2006- Outstanding Audit Acknowledgement (Filed as not in agreement with FRS determination)**
- c.) **FRS ER Contribution Rate: 23.25% effective July 1, 2011**
- d.) **FRS EE Contribution Rate: 10% Effective July 1, 2011**

### **5. VFIS Special Risk Insurance & LWCC**

*Commissioner Davis made a motion to accept the PMI report. Commissioner Risley seconded the motion. The motion carried unanimously.*

#### **C) DiGiovanni & Associates, CPA's, L.L.C-**

Mr. DiGiovanni discussed the financial report.

*Commissioner Kingston made a motion to accept the financial report. Commissioner Rich seconded the motion. The motion carried unanimously.*

- D) Attorney's Report-** Mr. Ingram reported, with respect to the CVS, specifications have been received and the draft will have to be revised based on the specifications.

*Commissioner Rich made a motion to approve the Attorney's report. Commissioner Kingston seconded the motion. The motion carried unanimously.*

**Fire Chief Performance Review-** Chief Hess stated that he sent the Commissioners a self-assessment evaluation that he performed on himself. His assessment was 3.25 (on a 0-4 scale) and the Board of Commissioners assessment was 2.43. Chief Hess clarified, for those in attendance, that a 2 rating is defined as "competent, meets all job requirements in this area". Chief Hess stated that there were individual items with greater degrees of separation. Chief Hess further stated that items indicative of a 0

or indicate that guidance should be given for improvements; therefore asked for guidance from the Commissioners in these areas.

Chief Hess requested discussion on item #10- "is a skilled/ experienced financial manager". Although a score of 2 was given, he felt guidance is necessary as he feels he has the knowledge of financial management through his business and education experiences. He also requested guidance on Item # 27- "provides uniform involvement of all Board of Commissioners", stating that he sends numerous e-mails.

Commissioner Risley asked Chief Hess if he considers e-mails as involvement with the Commissioners. Chief Hess responded, stating "yes", he does not make phone calls to individual Commissioners in order to avoid showing favoritism. Chairman Kline stated that he agreed with Chief and clarified that he does not get any calls from him on items that the other Commissioners are not aware of.

Commissioner Risley, in an attempt to clarify, stated that she received two calls instigated from Chief Hess; one call was fire department related and the other call was to find out if she was aware of a meeting between two other Commissioners. Commissioner Risley further stated that she has spent hours after Board meetings typing up suggestions/comments and stated that they have been ignored. Chief Hess commented by saying that after reviewing all of the e-mails he has sent, he feels that any item that needed a response was responded to. He further stated that if there were some unanswered comments, it was because he wanted to discuss those issues in a financial workshop due to everyone being affected.

With regards to the rating on financial management, Commissioner Kingston stated that he feels that there are some budget items that can be discussed in the financial workshop. Chief Hess inquired as to whether this is a shortcoming on his ability to manage the department's finances. Commissioner Kingston stated that he feels some items could have been changed, but we didn't make those changes.

Commissioner Risley commented on the Chief's evaluation stating that this evaluation is down considerably from 2007. She further stated that based on the ratings on this evaluation, the Board is not 100% satisfied with his performance. Chief Hess requested recommendations and Commissioner Risley responded, stating that a lot of the information provided is misleading. Commissioner Rich stated that with regards to the millage issues, the information was out there, in a state of flux. He further stated that this is a complicated undertaking and he doesn't think they will ever have all of this procedure perfected.

***Commissioner Kingston made a motion to accept the Chief's Report. Commissioner Davis seconded the motion. The motion carried unanimously.***

Attorney Troy Ingram re-read the Resolutions to reflect the above hi-lighted changes (originally read 2010, corrected to reflect 2011).

***The motion carried unanimously.***

***Commissioner Kingston made a motion to adjourn. Commissioner Davis seconded the motion. The motion carried.***

***The meeting adjourned at 7:30 p.m.***