

# St. Tammany Fire Protection District No. 1

## Board of Commissioners

### Regular Meeting Minutes August 21, 2012

The meeting was called to order at 6:00 p.m.

The pledge of allegiance and prayer were given.

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

#### APPROVAL OF MINUTES-

*Commissioner Rich made a motion to approve the minutes of the July 17, 2012 meeting. Commissioner Brackett seconded the motion. The motion carried.*

#### OLD BUSINESS-

A) **Adopt the millage rate (s)-** Chairman Kline read the Resolution into the record:

#### RESOLUTION NO. 2012-018

**BE IT RESOLVED**, by the ST. TAMMANY FIRE PROTECTION DISTRICT NO. 1 of the Parish of ST. TAMMANY, Louisiana, in a public meeting held on August 21, 2012, which meeting 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 rates be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2012 for the purpose of raising revenue:

#### MILLAGE

FIRE PROTECTION SERVICES

29.70 mills

**BE IT FURTHER RESOLVED** that the Assessor of the Parish of St. Tammany, shall extend upon the assessment roll for the year of 2012 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, and the resolution was adopted by the following votes:

YEAS:

NAYS:

ABSTAINED:

ABSENT:

#### CERTIFICATE

I hereby certify that the foregoing is a true and exact copy of the resolution adopted at the meeting held on the August 21, 2012, at which meeting, at which meeting a quorum was present and voting.

Slidell, Louisiana, this 21 day of August, 2012.

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

***Commissioner Kingston made a motion to un-table Resolution 2012-018. Commissioner Brackett seconded the motion. The motion carried.***

Chief Hess stated that due to the completion of the budget workshop was, it is the Administration's recommendation that the Board of Commissioners adopt the millage at 29.70.

***Commissioner Risley made a motion to adopt Resolution 2012-018. Commissioner Kingston seconded the motion.***

***Chairman Kline called for the vote.***

***Risley:            yea  
Kingston:        yea  
Brackett:        yea  
Rich:            yea  
Kline:            yea***

***The motion carried.***

Mr. Fred McDonald inquired about status of the request he sent to Attorney Troy Ingram. Mr. Ingram stated that he would address this in the Attorney report.

Mr. McDonald asked if we have heard back from the Assessor regarding repayment of the approximate \$400,000. Chief Hess stated that we have not heard anything back.

Chairman Kline read a prepared statement, stating that during the last BOC meeting, Mr. McDonald read a prepared statement directed at him personally. He further stated that his initial inclination was not to respond, but since Commissioner Risley suggested that he respond, he will.

"First of all Mr. McDonald with regard to the June 2012 meeting, I did not hear what I considered any heckling from the audience directed at you. I did hear a number of people say you were incorrect or wrong in some of the statements you made. I checked with Chief Hess and Chief Kaufman and was advised that they did hear something like a hiss or a boo from the audience. I honestly did not hear anything derogatory, but as the Chairman I should have and I should have asked it to stop. For that and as chairman, I apologize".

"Concerning your interpretation to my analogy of the district compared to a corporation, I really have no response."

"I have been associated with this department for about twenty years. I started as a volunteer fire fighter and was a president of the Slidell Volunteer Fire Fighters Association for some 5 years. I was appointed to the BOC several years ago. At that time the department was in a terrible state, both financially and from a morale standpoint. The new BOC, of which only Mr. Rich and I remain, and the new Fire Chief, Larry Hess worked very hard and made this one of the best if not best departments in the state. This administration has brought a high level of

professionalism, financial responsibility, efficiency and integrity to the district that is unmatched in the public sector and rivals that of the private sector”.

“During the past five years I have sat back and witnessed a barrage of attacks on the administration by a very small but vocal minority of the public. I must say I was truly heartened by the results of the last millage referendum that passed by such a substantial margin. It was clearly a huge vote of confidence to this district and the administration”.

“Mr. McDonald, in my opinion you have never brought anything of value or of a constructive nature to these meetings. Your comments are always negative. When you have exhausted one negative issue you move on to another. You frequently make statements as fact when in fact they are not and it is clear that sometimes you do not even bother to research you statements”.

“So, perhaps I am a little biased when it comes to dealing with you and in the future I will strive diligently to separate my personal feeling from those as Chairman of this Board of Commissioners and I will strive to treat you with the same respect and consideration due any other citizen of St. Tammany Fire Protection District 1”.

Mr. McDonald stated that he appreciates his apology and accepts it.

## **NEW BUSINESS -**

### **A) Chief’s Report-**

- a.) Years of Service Recognitions-** Fire Prevention Officer Keith Estes has retired after 21.4 years of loyal and faithful service.

Chief Hess stated that he has not received an update on the PIAL audit results.

***Commissioner Kingston made a motion to accept the Chief’s report. Commissioner Brackett seconded the motion.***

Commissioner Risley asked if the plaque we give to the retirees is standard. Chief Hess stated that with the laws prohibiting us from spending tax payer money that is all we can do.

***The motion carried.***

### **B) PMI Report-**

- 1. Employee Benefits** – Don Massad, from The Massad Group, provided the Commissioners with a renewal summary, inclusive of the RFP’s, Historical Rate Review, Annual Renewal Recap, MLR Reports, Vision, Dental, Life, Sample Benefit Guide and Wellness Newsletter.

Mr. Massad stated that he thought the Administration’s recommendation was to renew with Humana (-5% renewal) and freeze the employee contributions.

Mr. Massad stated, without getting into the healthcare reform, that things are going to start to get more complicated and expensive. He further stated that we will be taking the wellness incentive to the next level, due to insurance companies wanting

to see employers embrace wellness. We will do this through Humana's Vitality program.

Commissioner Rich inquired as to whether insurance carriers credit health club participation and programs. Mr. Massad stated that they do not give credit for it, but companies feel it is something that should be done as prudent consumers.

Mr. Massad stated that soon, employers and insurance companies, will be charging tobacco and non-tobacco rates; not penalizing smokers, but rewarding non-smokers.

Chief Kaufmann stated that in a meeting with Humana, our fitness plan and case management program was presented. This was done to set the foundation for rate reductions, or minimal rate increases. Chief Kaufmann stated that over the past few years, we have seen the advantages of the wellness program. Mr. Massad confirmed that this was considered in the renewals, as well as with Worker's Comp.

## **2. Human Resource**

- a.) **2011-008: BOC Resolution (Referred to Civil Service (OSE))**
- b.) **2011-009: BOC Resolution (Referred to Civil Service (OSE))**
- c.) **2012-015: BOC Resolution (Station 14- Breaux & Assoc.)**

*Commissioner Risley made a motion to adopt Resolution 2012-015, Relating to Station 14 Renovations. Commissioner Rich seconded the motion. The motion carried.*

- d.) **2012-018: BOC Resolution (Millage Roll Back)- (approved above)**
- e.) **2012-019: BOC Resolution (Approve 2011 Audit Report)**

*Commissioner Rich made a motion to adopt Resolution 2012-019, Relating to the Approval of the 2011 Audit. Commissioner Brackett seconded the motion. The motion carried.*

- f.) **2012-020: BOC Resolution (Approve 2012 Revised Budget)**

*Commissioner Brackett made a motion to adopt Resolution 2012-020, Relating to the Approval of the 2012 Revised Budget. Commissioner Kingston seconded the motion. The motion carried.*

- g.) **2012-021: BOC Resolution (6:00 PM CST BOC Meeting)**

*Commissioner Risley made a motion to adopt Resolution 2012-021, Relating to the Monthly Public Meeting time. Commissioner Kingston seconded the motion. The motion carried.*

- h.) **2012-022: BOC Resolution (Employer Sponsored EE Benefits Renewal)**

*Commissioner Kingston made a motion to adopt Resolution 2012-022, Relating to the Renewal of District Sponsored Employee Benefits. Commissioner Risley seconded the motion. The motion carried.*

- i.) **2012-023: BOC Resolution (EE Contribution Rate)**

*Commissioner Rich made a motion to adopt Resolution 2012-023, Relating to Employee and Retiree Contributions for Fire District No.1 Sponsored Benefits. Commissioner Brackett seconded the motion. The motion carried.*

## **3. Payroll**

- a.) **2012 Budget Forecast**

- b.) ER Parochial Rate (01/01/2013) Inc to 16.75% vs. 15.75%
- 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)
- 5. VFIS Special Risk Insurance & LWCC- LWCC renewal effective Nov.1

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

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

Mr. DiGiovanni discussed the financial report.

Chief Kaufmann requested a motion to allow for an emergency roof repair at Central Station; removal and reinstallation of flashing, roofing and stucco. The cost of the repairs is \$16,500 and could be taken from the Rolling Stock/ Facilities/ Equipment Fund.

*Commissioner Rich made a motion to approve the use of \$16,500, from the Rolling Stock/ Facilities/ Equipment Fund, for the emergency roof repair at Station 11. Commissioner Brackett seconded the motion. The motion carried.*

*Commissioner Kingston made a motion to accept the financial report. Commissioner Risley seconded the motion.*

Commissioner Kingston inquired as to whether quotes were received for the repairs. Chief Kaufmann stated that he contacted and met with Slidell Roofing. He stated that they are licensed and insured and offer a two year warranty. They have discussed the scope of work that is needed to be done.

Chief Kaufmann stated that he has also discussed this with the auditor to verify that no bid laws were broken, and due to the fact that the cost is less than \$30,000, we are not violating any laws.

*The motion carried.*

Commissioner Risley inquired into the low percentages spent in line items under "Capital" (i.e. Cascade, LUCAS Device, Medical Equipment and Emergency Management). Chief Hess stated that with the overtime position we were in, he asked these budget stewards to hold off on purchasing; however, he now has a better idea of where we are headed, and has allowed for purchases to be made.

**D) Attorney's Report-**

- a) Mr. Ingram addressed Mr. McDonald's concerns regarding the manner in which the Board's vote was conducted to rescind Resolution 2011-037.

Attorney Troy Ingram read his concerns into the record: "Mr. Ingram, as you requested, here are my questions. I also reserve the right to seek other opinions on these questions.

In regards to the June 19, 2012 and July 17, 2012 meeting of the Fire District, I have a few questions that I would like resolved.”

Attorney Ingram stated that he would answer the questions, although not necessarily in the order they were asked.

Question #3: Does the Fire District 1 governing body operate under Robert’s Rules of Order?

Answer: yes

Question #1: Is the Chairperson a voting member?

Answer: yes

Attorney Ingram stated that after that question, Mr. McDonald stated, “that in earlier meetings, Chairman Kline has stated that he is not a voting member of the Fire District Board. He also stated that Fire Chief Hess has stated to him that a Chairperson is non-voting member”.

Attorney Ingram stated that both of those assertions are incorrect, and the Chairman is a voting member of the Board.

Question #2: If the Chair is a voting member, can he second a motion while he is in the Chair?

Answer: yes, because this is a 4 to5 member (or less) board, he is permitted to make a motion or second a motion.

Question: Was Resolution 2011-037 in effect prior to the June 19, 2012 meeting?

Answer: Yes, it was passed as of January 17, 2012.

Question: Can a Resolution be rescinded by a simple majority if it hasn’t been previously advertised prior to the meeting?

Answer: No, it requires a 2/3 vote of the members present, or a majority vote of the entire members, after prior notice. In this case, on that date, there were 4 members present, and passed under both exceptions.

Question: In regards to the motion generated and voted on June 19, 2012, to rescind Resolution 2011-037, was Section 35 of Robert’s Rules of Order violated.

Answer: No, as explained in the previous question

- b) **CVS-** Attorney Ingram was contacted by Nathan, Architect from First Hartford, and stated that a milestone had been reached regarding whether the new fire station was a “conforming use or non-conforming use”. He further stated that the information provided to him was that they wanted us in the new station Dec.2013 or January 2014.
- c) **Station 14- Barry Breaux Contract-** Attorney Ingram stated that after several communications and various drafts, we are at approximately 98% ready to move forward.

***Commissioner Kingston made a motion to accept the Attorney’s report. Commissioner Brackett seconded the motion. The motion carried.***

08/21/12

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

***The meeting adjourned at 7:04 p.m.***