

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF LOUISIANA
FIREMENS' SUPPLEMENTAL PAY
BOARD OF REVIEW

BOARD MEETING - MAY 5, 2014, at 10:00 A.M.

- Brien Ruiz, Chairman
- Ozias "Junior" Price
- Ronald Schillace
- Roy Robichaux

STAFF PRESENT:

- Paul Schexnayder, Esq.
- Katie Ryland
- Kelli Boudreaux

	<u>I N D E X</u>	
		PAGE (S)
1		
2		
3	CALL TO ORDER	3
4	APPROVAL OF THE MINUTES - December 4, 2014 Meeting	4
5	March 12, 2014 Meeting	
6	OLD BUSINESS - None	4
7	NEW BUSINESS	
8	Hammond Fire Department -Mark Carlisle	5
9	West Baton Rouge Fire District No. 1	14
10		
11		
12	LEGAL MATTERS	15
13	NEW APPLICATIONS SUBMITTED FOR APPROVAL	18
14	SET TIME AND DATE OF NEXT MEETING	20
15	ADJOURN	20
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

CALL TO ORDER

1
2 **MR. RUIZ:**

3 We'll call the meeting to order of the May 5, 2014,
4 meeting of the Supplemental Pay Board to order.

5 Roll call, please.

6 **MS. RYLAND:**

7 Mr. Ruiz?

8 **MR. RUIZ:**

9 Here.

10 **MS. RYLAND:**

11 Mr. Price?

12 **MR. PRICE:**

13 Here.

14 **MS. RYLAND:**

15 Mr. Robichaux?

16 **MR. ROBICHAUX:**

17 Here.

18 **MS. RYLAND:**

19 Mr. Schillace?

20 **MR. SCHILLACE:**

21 Here.

22 **MS. RYLAND:**

23 Mr. Brewer?

24 (No response.)

25 **MR. RUIZ:**

1 Four people present, we have a quorum.

2 **APPROVAL OF THE MINUTES OF THE BOARD MEETINGS**

3 December 4, 2013

4 March 12, 2014

5 **MR. RUIZ:**

6 Approval of the minutes of the Board meeting for
7 December 4th meeting.

8 **MR. ROBICHAUX:**

9 I'll make a motion we approve the minutes as written
10 with no further readings.

11 **MR. PRICE:**

12 Second.

13 **MR. RUIZ:**

14 All in favor.

15 Aye.

16 **MR. PRICE:**

17 Aye.

18 **MR. SCHILLACE:**

19 Aye.

20 **MR. ROBICHAUX:**

21 Aye.

22 **MR. RUIZ:**

23 The motion passes, that was for both, December and
24 March.

25 **OLD BUSINESS**

1
2 **MR. RUIZ:**

3 Old business?

4 (No response.)

5 **NEW BUSINESS**

6 Hammond Fire Department - Mark Carlisle, Jr.

7 **MR. RUIZ:**

8 New business, under new business, Hammond Fire
9 Department, Mark Carlisle, Jr.

10 A question to Mr. Paul is this, Mr. Carlisle was
11 terminated by the fire department in the City of Hammond.
12 Meanwhile, he went in front of the Civil Service Board. The
13 Civil Service Board hired him back with full back pay. Who
14 is responsible for the back pay for supplemental pay, is it
15 the City or is it us?

16 **MR. SCHEXNAYDER:**

17 I'd have to look back into that, but I think we had
18 that.

19 **MR. PRICE:**

20 We had a case with Rapides Parish Fire District 2, with
21 a man named Shawn McLaughlin.

22 **MR. SCHEXNAYDER:**

23 Uh-huh.

24 **MR. PRICE:**

25 It was -- the parish was at fault. In other words, they

1 found that fault, the parish had to pay the money.

2 **MR. SCHEXNAYDER:**

3 Yes. I thought that is what it was.

4 **MR. RUIZ:**

5 The way I understood it, Rapides Parish was wrong.

6 **MR. SCHILLACE:**

7 I want to make sure of that. So, basically, our
8 precedence has been set in a similar case where the governing
9 authority is responsible for back pay?

10 **MR. RUIZ:**

11 I think that's the way the law reads.

12 **MR. SCHEXNAYDER:**

13 I don't think there is anything in the law specifically,
14 but I think we had a case or two on that point.

15 **MR. PRICE:**

16 I know that was one of our neighboring departments,
17 so -- and that's what happened.

18 **MR. SCHILLACE:**

19 Is this something that you can clearly research, if we
20 go in recess or something?

21 **MR. SCHEXNAYDER:**

22 No. I don't know if I can find it that quick.

23 **MR. RUIZ:**

24 No. We'll defer this until our next meeting.

25 **MR. SCHEXNAYDER:**

1 Yes. I'll have it for you.

2 **MR. PRICE:**

3 I'll let Katie know.

4 **MR. RUIZ:**

5 What we'll do with this gentlemen, is that we'll --

6 **MR. SCHILLACE:**

7 In the meantime, this individual is losing -- I hate to
8 say he's losing. He's losing now, right now.

9 **MR. SCHEXNAYDER:**

10 He's back on.

11 **MR. RUIZ:**

12 He shouldn't be, because he's getting his paycheck.

13 **MR. SCHILLACE:**

14 Okay.

15 **MR. SCHEXNAYDER:**

16 The only thing he's losing is like I guess interest on
17 the money --

18 **MS. RYLAND:**

19 He hasn't been put back on yet. As of today, we'll put
20 him back on if you all approve him.

21 **MR. RUIZ:**

22 Right. We'll put him back on, and --

23 **MS. RYLAND:**

24 But the back pay will be --

25 **MR. RUIZ:**

1 -- the day that he -- from the day that they had to hire
2 him back, is -- we will pay him that amount.

3 **MR. SCHEXNAYDER:**

4 Right, exactly.

5 **MR. RUIZ:**

6 The question is, the \$2,500 or whatever --

7 **MR. SCHEXNAYDER:**

8 It's the amount of time --

9 **MR. RUIZ:**

10 -- it is he was due to him -- because I'm looking at the
11 numbers you all got written on here, paid through 11/30/13,
12 so we owe him \$2,500 -- or \$2,800. I don't know which one of
13 the figures is correct. We'll pay him from the day he got
14 hired back.

15 The question is whether this Board is responsible --

16 **MS. RYLAND:**

17 Prior to that?

18 **MR. RUIZ:**

19 -- or is the City responsible?

20 **MS. RYLAND:**

21 Okay.

22 **MR. RUIZ:**

23 And that is something Paul is going to have to research.

24 **MR. SCHEXNAYDER:**

25 It looks like they're doing this all on 1/16. He should

1 have -- he definitely should get it from 1/16 forward, if
2 they overturned it on that date.

3 **MR. ROBICHAUX:**

4 I'll make a motion that we put him back on the rolls
5 effective 1/16/14, and we'll wait for an opinion from Legal
6 on back pay.

7 **MR. RUIZ:**

8 Second?

9 **MR. SCHILLACE:**

10 I'll second that motion.

11 **MR. RUIZ:**

12 Anymore discussion?

13 (No response.)

14 All in favor of the motion, signify by saying "aye."

15 Aye.

16 **MR. PRICE:**

17 Aye.

18 **MR. SCHILLACE:**

19 Aye.

20 **MR. ROBICHAUX:**

21 Aye.

22 **MR. RUIZ:**

23 Any opposed?

24 (No response.)

25 Hearing no opposed, the motion passes.

1 (Off-the-record discussion.)

2 West Baton Rouge Fire District No. 1

3 **MR. RUIZ:**

4 West Baton Rouge Fire District No. 1. Is this a new
5 fire district?

6 **MS. RYLAND:**

7 This is a consolidation of, I guess, all of the smaller
8 districts, however you want to say. There's a bunch of --

9 **MR. RUIZ:**

10 I bet you Chief Roy knows exactly what this is.

11 **MR. ROBICHAUX:**

12 The State legislature last year created -- consolidated
13 all the fire districts in West Baton Rouge Parish into one
14 fire district. I don't know why they're here, but ...

15 Were these people receiving supplemental pay prior to
16 that?

17 **MS. RYLAND:**

18 Yes, sir.

19 **MR. ROBICHAUX:**

20 So now it's just moving them from the individual
21 departments into one department?

22 **MS. RYLAND:**

23 Yes, sir. I think there's one --

24 **MS. BOUDREAUX:**

25 The Chief actually began employment in February, so we

1 need to pay him now. Everybody else won't be effective until
2 July 1st.

3 **MR. RUIZ:**

4 Say that again.

5 **MS. BOUDREAUX:**

6 The Chief began employment actually in February, so we
7 need to pay him now, it's Charles Stephens, but all the rest
8 aren't going to be effective until July 1st.

9 **MR. ROBICHAUX:**

10 Were they receiving supplemental pay from their old
11 departments?

12 **MS. BOUDREAUX:**

13 He's the only one currently eligible.

14 **MS. RYLAND:**

15 Yes, and they're eligible in July.

16 **MR. RUIZ:**

17 I missed that.

18 **MR. ROBICHAUX:**

19 Charles Stephens is the chief.

20 **MR. RUIZ:**

21 Correct.

22 **MR. ROBICHAUX:**

23 And he has been on the payroll of this --

24 **MS. RYLAND:**

25 He is the only one currently not receiving.

1 **MR. ROBICHAUX:**

2 Okay. He's currently not receiving.

3 **MS. RYLAND:**

4 Correct.

5 **MR. ROBICHAUX:**

6 So he's already been cut off from Port Allen?

7 **MS. RYLAND:**

8 Uh-huh.

9 **MR. ROBICHAUX:**

10 Okay. And the rest of them are not going to be on the
11 District 1 payroll until July 1st?

12 **MS. RYLAND:**

13 July.

14 **MR. RUIZ:**

15 How much do we owe the Chief?

16 **MS. RYLAND:**

17 From the end of February until now.

18 **MR. ROBICHAUX:**

19 And he was receiving it before then?

20 **MS. RYLAND:**

21 Yes.

22 **MR. RUIZ:**

23 I understand. And that's Charles Stephens?

24 **MS. RYLAND:**

25 Yes, sir.

1 **MR. SCHILLACE:**

2 I just have a quick motion. So all of the firefighters
3 in West Baton Rouge, instead of them being on the municipal,
4 they are now a parish employee?

5 **MR. ROBICHAUX:**

6 Instead of a fire department employee, they are now
7 parish employees.

8 **MR. SCHILLACE:**

9 Okay.

10 **MR. ROBICHAUX:**

11 Do you want it all in one motion?

12 **MR. RUIZ:**

13 One for the chief and one for everybody else.

14 **MR. ROBICHAUX:**

15 I make a motion that we approve Charles Stephens's
16 application.

17 **MR. PRICE:**

18 Second.

19 **MR. RUIZ:**

20 All in favor of the motion, signify by saying "aye."

21 Aye.

22 **MR. PRICE:**

23 Aye.

24 **MR. SCHILLACE:**

25 Aye.

1 **MR. ROBICHAUX:**

2 Aye.

3 **MR. RUIZ:**

4 The motion passes.

5 The second motion will be all these gentlemen right here
6 (indicating)?

7 **MR. ROBICHAUX:**

8 Is the second motion needed to approve the fire
9 department, and the rest of them would follow?

10 **MS. RYLAND:**

11 Yes.

12 **MR. PRICE:**

13 Motion to approve the fire department.

14 **MR. SCHILLACE:**

15 I'll second that motion.

16 **MR. RUIZ:**

17 Motion to approve West Baton Rouge Fire Department's
18 Fire District No. 1 and seconded.

19 All in favor of the motion, signify by saying "aye."

20 Aye.

21 **MR. PRICE:**

22 Aye.

23 **MR. SCHILLACE:**

24 Aye.

25 **MR. ROBICHAUX:**

1 Aye.

2 **MR. RUIZ:**

3 Any opposed?

4 (No response.)

5 Hearing no opposed, the motion passes.

6 Now, these gentlemen that we have here, they're just
7 going to automatically start getting supplemental pay on the
8 30th of June?

9 **MS. RYLAND:**

10 They've just got to move over. We're just going to move
11 them over.

12 **MR. RUIZ:**

13 But they're already getting it?

14 **MS. RYLAND:**

15 Yes.

16 **MR. RUIZ:**

17 And they're not going to miss a beat?

18 **MS. RYLAND:**

19 Correct.

20 **MR. RUIZ:**

21 Okay.

22 **LEGAL MATTERS**

23 **MR. RUIZ:**

24 Any legal matters?

25 **MR. SCHEXNAYDER:**

1 No.

2 **MR. SCHILLACE:**

3 I need one more clarification on the Hammond issue.
4 Once you clarify the issue pertaining to the law, you're
5 going to act on it and send the City of Hammond a letter?

6 **MR. SCHEXNAYDER:**

7 I think that's what we've done in the past, if I
8 remember right.

9 **MR. SCHILLACE:**

10 Do we need a vote to -- for this so that you can -- to
11 keep from having to wait until our next meeting, giving you
12 the authority or would you need our authority or whatever,
13 the bottom line, once you've determined to act on it, is what
14 I'm saying.

15 **MR. SCHEXNAYDER:**

16 Right. And I can do that -- if you want to do a vote,
17 but I can do that.

18 **MR. RUIZ:**

19 Okay. Go back to that. So how much are we going to give
20 him?

21 **MR. SCHILLACE:**

22 It was about \$750, the back -- what he's due to the
23 City, but from January until now is what he -- that's the --

24 **MR. RUIZ:**

25 So January -- you have January, February --

1 **MR. SCHILLACE:**

2 Well, actually, from January 17, 2014, to May 30, 2014,
3 he'll get that on the May 30th check.

4 **MR. RUIZ:**

5 Okay.

6 **MR. SCHILLACE:**

7 And the department in question is November 30, 2013, to
8 January 16, 2014, the City of Hammond owes -- and I'll just
9 round it off -- approximately \$750.00

10 **MS. RYLAND:**

11 He's going to get \$2,250 at the end of this month.

12 **MR. SCHILLACE:**

13 \$2,250, okay.

14 **MR. RUIZ:**

15 But he's been back on the payroll since --

16 **MR. SCHILLACE:**

17 It says January 17th.

18 **MR. RUIZ:**

19 So he's been working at the firehouse since the 17th of
20 January?

21 **MR. SCHILLACE:**

22 Well, yes. They put him back to work. The Civil
23 Service, once they adjourned, he was back at work the next
24 day.

25 **MR. RUIZ:**

1 In other words, this paperwork should have come to us in
2 our March 12th meeting?

3 **MR. SCHILLACE:**

4 It should have, yes, I agree. Why? I don't know.

5 **MR. RUIZ:**

6 All right. I understand.

7 Legal matters?

8 **MR. SCHEXNAYDER:**

9 No.

10 **NEW APPLICATIONS SUBMITTED FOR APPROVAL**

11 **MR. RUIZ:**

12 Under new applicants, one of our Board member's grandson
13 is on there, so he wants to abstain.

14 **MR. SCHILLACE:**

15 I will abstain from this vote, due to the fact that my
16 grandson is on this list.

17 **MR. ROBICHAUX:**

18 I'll make a motion to approve the new applicants.

19 **MR. PRICE:**

20 I'll second it.

21 **MR. RUIZ:**

22 All in favor, signify by saying "aye."

23 Aye.

24 **MR. PRICE:**

25 Aye.

1 **MR. ROBICHAUX:**

2 Aye.

3 **MR. SCHILLACE:**

4 Can we get a roll call vote?

5 **MR. RUIZ:**

6 So that we can note that he abstained.

7 **MS. RYLAND:**

8 Mr. Ruiz?

9 **MR. RUIZ:**

10 Yes.

11 **MS. RYLAND:**

12 Mr. Price?

13 **MR. PRICE:**

14 Yes.

15 **MS. RYLAND:**

16 Mr. Robichaux?

17 **MR. ROBICHAUX:**

18 Yes.

19 **MS. RYLAND:**

20 Mr. Schillace?

21 **MR. SCHILLACE:**

22 Abstain.

23 **MR. PRICE:**

24 You tell him you didn't want to vote for him.

25 **MR. SCHILLACE:**

1 I don't want Ethics knocking on my door.

2 **SET TIME AND DATE OF NEXT MEETING**

3 **MR. RUIZ:**

4 Is August 6th a good day for everybody?

5 (Off-the-record discussion.)

6 **MR. RUIZ:**

7 So let's set the time and date of the next meeting for
8 August 6, 2014.

9 **ADJOURN**

10 **MR. RUIZ:**

11 Motion to adjourn, gentlemen.

12 **MR. SCHILLACE:**

13 I so move.

14 **MR. PRICE:**

15 Second.

16 **MR. RUIZ:**

17 All in favor of the motion, signify by saying "aye."

18 Aye.

19 **MR. PRICE:**

20 Aye.

21 **MR. SCHILLACE:**

22 Aye.

23 **MR. ROBICHAUX:**

24 Aye.

25 **MR. RUIZ:**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

The motion passes.

Thank you all, gentlemen.

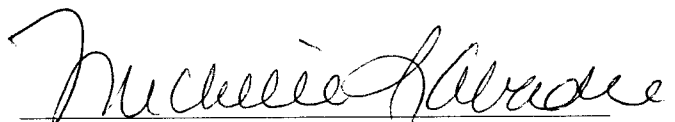
STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

I, Michelle S. Abadie, Certified Court Reporter in and for the State of Louisiana, as do hereby certify that the foregoing twenty-one (21) pages, constitute a true and correct transcription of the meeting held on May 5, 2014, regarding the Firemens' Supplemental Pay Board of Review;

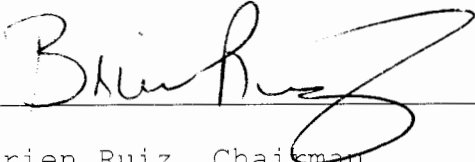
That the minutes of this meeting were transcribed by me from an audio recording of the proceedings;

And that I am not related to any of the parties herein, nor am I otherwise interested in the outcome of this matter.



MICHELLE S. ABADIE, CCR #24032

* * * APPROVAL OF MINUTES * * *



Brien Ruiz, Chairman



Ozias "Junior" Price