



St. Tammany Parish Fire Protection District No. 11  
Board of Commissioners  
Minutes of the Meeting on February 6, 2018  
Interim Fire Chief Jack Dockery

**ROLL CALL**

Don Thanars – Present  
Eugene Swann - Absent  
Floyd Trascher – Present  
Michele Blackwell - Present

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**MINUTES**

Mrs. Blackwell asked, has everybody read and approved the minutes from June 9, I mean, sorry, January 9<sup>th</sup>?

Mr. Trascher said, yes, I had trouble opening the first time but once I did get them open and go through them they seemed to be in order and I move that we approve them with the video governing.

Mrs. Blackwell asked, do I have a second?

Mr. Thanars said, second.

Mrs. Blackwell asked, Mr. Don Thanars, how do you vote?

Mr. Thanars said, yea.

Mrs. Blackwell asked, Mr. Floyd Trascher, how do you vote?

Mr. Trascher said, yes.

Mrs. Blackwell said, motion carried. Do we have a financial report for January 2018? Chief Dockery?

Chief Dockery said, we do not. I looked through it and we do not have bank statements in yet.

Mrs. Blackwell said, so we will move to the Chief's Report.

Chief Dockery said, we will move to the Chief's Report.

Mrs. Blackwell said, sure thing.

#### CHIEF'S REPORT/EMS REPORT – Chief Jack Dockery

Chief Dockery said, alright, for the month of January 2018

EMS	86
MVA	4
VEHICLE FIRE	1
SERVICE CALLS	2
FALSE ALARMS	5
BARN FIRE	1
ARCING POWER LINE	1
TOTAL	100

Chief Dockery continued, we are starting the year off high. I did put out RFP's for our audit. I've had two so far come email me with interest. I am waiting for some more to come in. I will present them at the next board meeting. It looks like, the one we had previously, last year, they are going to be significantly higher this year. So, that's why I put it out to everybody. I put it out to, I believe, seven different CPA firms to see if we can get a better deal. Like I said, I will present this to the board in the March meeting.

Mr. Thanars said, Chief, based on what you received, you said, significantly higher. Is that like twice as much?

Chief Dockery said, last year we spent roughly \$12,000, \$13,000. This year just for the General Audit, not the Act 774, is \$18,000. Plus, you figure another possibly \$2,000 for the credit card or the Act 774. So, we are looking at \$20,000 from the previous time.

Mr. Thanars said, \$8,000 from last year for basically the same thing.

Chief Dockery said, yes.

Mr. Thanars said, wow.

Chief Dockery said, I think in their minds, they underbid last year and they got caught up with it or they ate what they felt was their profit, so.

Mr. Thanars said, so that's about, for the two that you received, that's about where they are?

Chief Dockery said, I haven't, from the second one, I haven't heard anything price wise, but he is interested. We had them before, so.

Mr. Thanars said, ok.

Mr. Trascher said, is that the one that we had prior to last year?

Chief Dockery said, yes it is.

Mr. Trascher said, because I think, the only issue we had with them is the 774 Audit. When they, after they completed the main audit. When they had to do that and they had to charge us for that.

Mr. Thanars asked, are they bidding on this in two phases? Phase one being the main and then the 774?

Chief Dockery said, yes.

Mr. Thanars said, ok, they are bidding. Ok, got ya.

Chief Dockery said, yes. That's what I got for right now.

Mrs. Blackwell said, that's everything?

Chief Dockery said, yes ma'am.

Mrs. Blackwell said, thank you Chief Dockery. We will move to Old Business, Appointment of Chairman, Mr. Trascher.

## **OLD BUSINESS**

### APPOINTMENT OF CHAIRMAN – Floyd Trascher

Mr. Trascher said, ok, this is a hold over from the last meeting. In accordance with our Bylaws and the two year term, we need to make an appointment for the Chairman and I would nominate, once again, Michele Blackwell, for Chairman.

Mrs. Blackwell said, well I guess if there's nothing else it falls, it fails. I will continue to...

Mr. Trascher said, a second or any other nominations. You might ask him.

Mrs. Blackwell said, are there any other nominations? With that said, I guess I will continue acting until...

Mr. Trascher said, yes, you will continue to serve. Ok, well that was the only business taken on here. Mr. Thanars?

Mr. Thanars said, at the last meeting we had some unfinished business and there were two matters that we were supposedly expecting to follow up. One was the review by the District Attorney, well not the District Attorney, it's the Parish Attorney with respect to the, is it Troy Ingram?

Mrs. Blackwell said, yes.

Mr. Thanars said, Troy Ingram, that review and the second one was whether or not a Board member can be the Chairman of the Board. That was basically the essence of the two matters from the...

Mrs. Blackwell said, Mr. Trascher

Mr. Trascher said, you did request that an email, a written correspondence was sent to the attorneys, they did telephone back and said that they were working on it. That we should refrain from discussing it now until they make a recommendation. If you have any issues or questions, you call them directly.

Mr. Thanars said, ok.

Mr. Trascher said, ok, as far as the second issue with the Chairman, it is in our Bylaws how the Chairman is selected as well as in the State Law. A Board member cannot serve as Chairman.

Mrs. Blackwell said, the Revised Statutes states the Town has two appointments.

Mr. Thanars said, right.

Mrs. Blackwell said, you are appointed by the Alderman in Pearl River or the Mayor. There is another appointment, which I think is Gene, appointed by the Mayor. And then, Floyd is a Parish appointment. Am I correct?

Mr. Trascher said, yes.

Mrs. Blackwell said, and then we have a Parish appointment open. Now, all four of those nominate a Chair and vote on a Chair. A Chair isn't voted in as a, or come in as an appointment from somebody, they are nominated by the Board.

Mr. Trascher said, that is clearly stated in the Bylaws that we approved last year.

Mrs. Blackwell said, and there is a revised statute of it, I just don't know the number right off hand.

Mr. Thanars said, my position is and I think this is again, it doesn't stipulate that, it doesn't, there's no explicit statement that a Board member, but let me digress from that. First of all, I volunteered to be, in the case of me personally, I volunteered. I didn't give up my right as a citizen of this, of Pearl River or this Parish to be able to be appointed. This is voluntary. So, therefore, appointed to a position that obviously, I can't be dual headed and I would obviously have to sever my, you know, basically give up my right as a Board member to act as the Chair.

Mrs. Blackwell said, correct.

Mr. Thanars said, so then again, I would be in line with what you say is a State Law. I don't think it was the intent of the State Law, however, because it's a voluntary thing. Just like you volunteer to be a part of it, you can volunteer to turn in or resign from that position in order to do and hold any other position and I think that is consistent with the State Law. My point though, is that, so, as a Board Member, you can be nominated and if elected, then you would have to resign from your appointment. But, not that you as a Board member you can't, by default, be appointed or elected to another position.

Mr. Trascher said, that would be an issue that you would be best for you to take up with the attorneys. Our Bylaws are clear where they say that the four Board members appoint the Chairman as the fifth member of the Board and as a Board member, you would be the appointing authority for the Chairman. Therefore, you are not eligible to be that. If you were not a Board member and part of the appointing authority, then you would be eligible to serve as a Chairman.

Mr. Thanars said, and I think what we are talking here is a matter of our own interpretation of that because there is no explicit statement that ever says that. These are matters of our interpretation which, to my point from the last meeting, was for us to request clarification based on that specific issue from the Attorney General. That was the...

Mr. Trascher said, not the Attorney General, our Parish Attorneys, right?

Mr. Thanars said, the Parish Attorneys, no, it needs to come from the Attorney General because, the Parish Attorneys would give us an interpretation. When the interpretation that we want is from the folks that actually administered and wrote the law. That's who we really need it from and to the point that we discussed about 18 months ago, is that, it's all about how you word the question to make sure you get the answer. So you can word it so that it is very clear, it's very specific in what we want to know, is whether a Board member can be appointed and if appointed, then what implications, really, does that have? You know, will they have to resign, you know. And as a Board that, this is me and again I don't want to speak for the AG. I think the question was, did we request that, which we should have, based on the last formal meeting that we had. Then, on the second point, about with the Parish Council, Parish Council saying we should defer or refrain from communicating...

Mr. Trascher said, that wasn't the Parish Council, do you mean the Legal Council? The Parish Attorneys said, that they are investigating. They are working on this situation and anything we would discuss or pass or anything may interfere with or have issues with what they are doing. So, they suggested that you call them direct if you would like to communicate it.

Mr. Thanars said, well, here's my point. First of all, this is a Board matter, this is a public matter because this is public dollars. This was a public contract awarded, a public money allocated for a contract. So, it's not me calling. This is as a Board. This is a matter for the Board and it's a matter that should be made public. They need to be aware that there is a potential that we, as a Board, could, you know, be required to pay a fair amount of money above a contract that was awarded. They should, the public should know that it's taking almost what, I have been on the board come March 3, 2 years. We probably along a 3 to 4 year issue. You know, something that is hanging over this Parish's, I mean, this Districts head, you know, that we may have to pay. This is taking way too long and I said this when I first became aware of this earlier on my tenor on this Board. You know, it takes too long. There is no active. As a Board we are allowing, as a Board, things to sit and these matters should be resolved in a timely matter. This is untimely.

Mrs. Blackwell said, well, if you would like, you can call them and tell them it's not timely.

Mr. Thanars said, again, you keep, this is not at me. This is a Board matter and the Board needs to take issue and you as the Madam Chairman, should...

Mrs. Blackwell said, we sent them a letter and we got a response.

Mr. Thanars said, no, my issue is and what it has been is that, things are allowed to fester. There is no active, no active push and there wasn't. You know, you can't fire, when I say fire and forget, I sent an email. Well, they didn't respond. Well, I sent an email 12 months ago, what communication? Did I post them every month, you know, did I post them every week? Did we do that? No, and only it can't be only as Don Thanars as a Board member wants. It's this Board should want to resolve these matters in a timely matter.

Mr. Trascher said, I don't know how else to tell you that they did respond. They called and they said that they are working on it and that if you had any issues or would like to know more about it, to contact them and they would be happy to discuss it with you as a Board member or our legal council.

Mr. Thanars said, ok, I think that, and that call was only prompted by me raising the issue to the Board.

Mr. Trascher said, it was prompted by the written communication that was sent to the attorneys.

Mr. Thanars said, we hadn't heard anything. We hadn't heard anything because otherwise that information would have been brought to the public or to the Board. It was raised last meeting. That's what prompted the call or the email to communicate with them. Nothing. You go six months. We hadn't reached out to them to find out if this stuff, these matters, this is year old, years old matters. All I am saying is that, we need, we have to, and I am raising this because, two years ago I said this. So, two years later, we are still, we still, there's no disposition, no clarification made. No opinion rendered. Three years later. That is unsatisfactory. That is unsatisfactory and not me. It should be the Boards position that we want this. It should be the Board, not me because I want to know. It should be the Board because we want the public to know. We want this resolved. That's what we want. This is, I mean, it's not personal. We are a public body.

Mrs. Blackwell said, but I don't know what else you are asking. We sent a letter and they sent a response. They told us...

Mr. Thanars said, they never sent a response. There was a phone call. Nobody responded to the email. What's a formal communication? So, what should have been asked, they got a formal request for information. They should have formally responded. There shouldn't be a phone call telling us what somebody told you over the phone. You've sent an email, correct, Madam Chair?

Mrs. Blackwell said, yes, we sent an email.

Mr. Thanars said, an email was sent. They should have responded into the email saying, hey, that's it, put that in writing so it's presented. Here's a formal response to our request and that way it's not ignored. We know they received it, they acknowledged it and they responded to it. That's the way it should be handled. For the purposes of this, not telling me or the body

or public, that I got a phone call because we didn't call them on the phone. They, it should be, i mean, that's how most businesses are going to be ran and I know y'all know that. I know you know that. That would have been the appropriate way to respond to that. It's inappropriate for them to make a phone call and then to come before, in a public meeting and say, well, I got a phone call to an official request for information and I think that's unsatisfactory.

Mr. Trascher said, ok, well, in your phone, you should call them or email to them, and you should express that opinion to them as a Board member. That your not satisfied with their actions.

Mr. Thanars said, trust me, that's what I am going to do.

Mr. Trascher said, as far, do you have a copy of our Bylaws?

Mr. Thanars said, I have, with me?

Mr. Trascher said, yes, sir.

Mr. Thanars said, I do, I have read them.

Mr. Trascher said, we can read them and it would clear up the Chairman.

Mr. Thanars said, I am not confused by the Bylaws. Trust me, I wrote them.

Mr. Trascher said, ok, well, if you understand that...

Mr. Thanars said, I am not confused, I am absolutely not confused.

Mr. Trascher said, I move to adjourn.

Mr. Thanars said absolutely not confused.

Mrs. Blackwell asked, do I have second for the motion?

Mr. Thanars asked, what was the motion?

Mr. Trascher said, move to adjourn.

Mr. Trascher said, to adjourn.

Mrs. Blackwell said, a motion to adjourn.

Mr. Thanars said, second.

Mrs. Blackwell said, motion, Mr. Don Thanars, how do you vote?



Mr. Thanars said, yea.

Mrs. Blackwell said, Mr. Floyd Trascher, how do you vote?

Mr. Trascher said, yes.

Mrs. Blackwell said, motion carries.