

**MINUTES OF A CIVIL SERVICE BOARD SPECIAL MEETING  
HELD May 3, 2016**

The St. Tammany Fire District No.3 Civil Service Board met in special session at 5:00 p.m.  
May 3, 2016 at the Training Center located at 29278 HWY 190 Lacombe, LA.

Present were: Michael Geissler, Acting Chairman  
Bud Lusch,  
Theresa McCarthy, Board Secretary

Others present: Josh Bowser, Marc May, Mottie McClary, Troy Ingram, Jim McQuilkin, James Dumas, Mark Waniewski, and Abe Dawson. Sign in sheet attached for audience attendance.

**APPROVAL OF MINUTES:**

The minutes from the April 26, 2016 special meeting were submitted to the board. Mr. Geissler made a motion to accept. Mr. Lusch seconded. A vote was taken and approved.

**NEW BUSINESS**

**Discussion of Civil Service Attorney.**

Mr. Geissler stated that at the last meeting the board made a motion to hire an attorney to represent the civil service board. Mr. Lusch discussed finding an attorney and that Mr. Henry Olinde was a civil service attorney. He has represented the department before and not new to the department and knows the Board of Commissioners and knows the civil service law. No questions from the audience. Mr. Lusch made a motion that the civil service board hire Mr. Henry Olinde from Olinde and Mercer law firm, as the civil service board attorney. Mr. Geissler seconded. A vote was taken as follows:

Mr. Geissler: Aye

Mr. Lusch: Aye

Motion passed.

**Executive session will be held to discuss the investigation and received privileged advice from counsel.**

Mr. Geissler explained that since the board has hired an attorney that they need to discuss some issues and get advice in regards on how the board should move forward with the process and the investigation. Mr. Geissler called for an executive session.

Mr. Ingram stated that he did not think that there has been proper notice as to the reason for the executive session. He also asked if written notice was provided to Chief Sicard that there was going to be discussion concerning him. Mr. Olinde replied as the attorney for the board and explained that the notice on the agenda is good and the purpose was not to discuss a personnel issue but the process and mechanics and legal issues related to the civil service board. Mr. Olinde explained that he has to give the board legal advice and the only way he can do that is in executive session. Mr. Ingram wanted his objection noted.

Mr. Lusch made a motion to go into executive session. Mr. Waniewski asked if there was going to be official action after the executive session. Mr. Geissler stated that it is strictly a procedural discussion on how to move forward with the Investigation. Mr. Waniewski stated that the board misunderstood the question. He asked when the board exited the executive session would there be any action taken by the board. Mr. Geissler stated there would not be any action taken, the board would move forward with the agenda. Mr. Geissler seconded. A vote was taken as follows:

Mr. Geissler: Aye

Mr. Lusch: Aye

Motion passed. Board entered executive session.

The board exited executive session at 5:54. The audience was called back in and Mr. Lusch wanted it noted that three people did not return.

Mr. Geissler stated that there were no formal decisions and no votes made in executive session. It was all procedural discussion in reference to this issue. Mr. Geissler also wanted it noted that no retaliation for either side in reference to this investigation will be tolerated by the board. Any parties involved that feel there is any retaliation issues, is to notify the board immediately.

Mr. Dumas stated that he had documentation from the association on that item if it could be submitted. Mr. Geissler stated that he should hold on to it and documentation would be discussed shortly so they could move forward with the agenda.

#### **Planning and scheduling of the Investigation of Chief Sicard.**

Mr. Geissler stated that May 18<sup>th</sup> is a regular meeting and wanted anything added to the agenda regarding the investigation to be omitted from that agenda so it could be a regular meeting. The next meeting in reference to the investigation will be May 23, 2016. Mr. Lusch made a motion to continue the start of the hearing scheduled on the May 18<sup>th</sup> to May 23<sup>rd</sup> at 5:00 p.m. and will continue every evening at 5:00 p.m. until the investigation is closed. Mr. Geissler seconded. A vote was taken as follows:

Mr. Geissler: Aye

Mr. Lusch: Aye

Motion passed.

#### **Discussion of witness subpoenas for the Investigation.**

Mr. Geissler made a motion to have all parties involved, all documentation involved, be it hard copies, audio visual in reference to this investigation be submitted to the board by May 12, 2016 by close of business, 1600. Submit signed, sealed, and addressed to Michael Geissler, acting Chairman of the Civil Service board and submitted to Ms. McCarthy. Make sure signed and sealed. Mr. Lusch stated that any documentation should be signed. Mr. Lusch seconded. A vote was taken.

Mr. Geissler – Aye

Mr. Lusch – Aye

Motion passed.

Mr. Dumas asked if there was any documentation that an employee is not able to obtain but the board could obtain if the employee should just put that in writing and submit that information.

Mr. Olinde said yes and that the board would be setting a date for potential witnesses to be subpoenaed and if there are documents to go ahead and submit.

Mr. Geissler made a motion that if there are any documentation/witnesses pertaining to this case that an employee would like for the board to request or obtain to make those by the close of business on May 10, 2016. Same process signed and sealed and to put a subject matter on the envelope that it is a request for the board to obtain that information. Mr. Lusch seconded. Mr. Olinde stated that the sooner the information was given the better because the board has to issue subpoenas and the more time the better. A vote was taken.

Mr. Geissler: Aye

Mr. Lusch: Aye

Motion passed.

This concludes all items on agenda. Mr. Lusch added that he wanted to make sure all parties are notified to the hearing on May 23<sup>rd</sup>. Mr. Geissler stated to also notify all parties of motions made tonight. Mr. Olinde stated that he would be sending out correspondence to Chief Sicard advising him of all of the board's actions and would also send to the Board of Commissioners and he could also send to the Local. All documentation will be through the board attorney.

More audience discussion took place as follows.

J. McQuilkin asked if Chief Sicard would be able to use the Fire District attorney. Mr. Olinde stated that would actually be up to the Board of Commissioners not the Civil Service board.

J. McQuilkin also asked if the Chief was allowed to stay at work or does he have to be put on Administrative leave because of the documents that may need to be obtained from him. Mr. Olinde stated it was a gray area and explained issues that could take place by prior cases where that has happened. Mr. Geissler stated that if there were any concerns of Chief Sicard maintaining his position and not being on Administrative leave or any retaliation concerns that the board would address those issues as they come to them.

Mr. Dumas submitted a formal request from the Association to Mr. Olinde. Mr. Olinde, as the board lawyer, acknowledged receipt of the document and will get it to the board members through the appropriate channels.

No further discussion for the meeting. Mr. Geissler made a motion to adjourn. Mr. Lusch seconded. Vote taken.

Mr. Geissler – Aye  
Mr. Lusch – Aye

Motion passed.

Meeting was adjourned at 6:11 p.m.

**Minutes submitted by**  
Theresa McCarthy, Secretary  
May 18, 2016

**Approved by the board**  
May 18, 2016