



**LAKE CHARLES MUNICIPAL
Fire & Police Civil Service Board
P.O. Box 1564
Lake Charles, Louisiana 70602**

**REGULAR MEETING MINUTES OF THE
LAKE CHARLES MUNICIPAL FIRE AND POLICE CIVIL SERVICE BOARD**

The Lake Charles Municipal Fire and Police Civil Service Board met in Regular Session at 8:30 a.m. on Friday, May 6, 2016, in the City Council Chambers of Lake Charles City Hall, 326 Pujot Street, Lake Charles, LA.

PRESENT: David Morgan, Board Chairman
Russell Ham, Vice-Chairman
Delma Porter, Board Member
Joseph Dantley, Fire Department Board Member
Crystal Buxton Weaver, Secretary to the board

ABSENT: Dustin Gaudet, Police Department Board Member

Calling the Meeting to Order and Roll Call:

- Chairman Morgan called the meeting to order. With four members present, the board had a quorum.

Old Business:

- Board members reviewed the minutes from the regular meeting held on April 1, 2016. The minutes were approved on a motion made by Joseph Dantley, seconded by Russell Ham. No opposing votes; motion carried.

New Business:

- First item on the agenda was to review the personnel action forms for both the fire and police departments. No discussion. Motion made by Russell Ham, seconded by Delma Porter, to approve all personnel action forms. With no opposing votes; the motion carried.
- Next item on the agenda was for board members to approve applications and test scores reported from other jurisdictions. The following were approved on a motion made by Joseph Dantley, seconded by Delma Porter. Motion carried with no opposing votes.

Police Communications Officer:

| Name | Score | Tested | Certified | Expires |
|----------------|-------|-------------|-----------|---------|
| Alexis Charles | 83% | Baton Rouge | 3.17.16 | 9.17.17 |

Firefighter:

| Name | Score | Tested | Certified | Expires |
|-----------------|-------|-----------------------------------|-----------|---------|
| Nikolas Cormier | 84% | Calcasieu Fire Protection Dist. 1 | 11.4.15 | 5.4.17 |
| James McManus | 79% | Ascension Parish Fire District #3 | 12.1.15 | 6.1.17 |

- Next, board members reviewed corrected minutes from regular meetings held on January 8, 2016 and March 4, 2016. There were corrected expiration dates for score transfers. A motion to accept minutes as amended was made by David Morgan, seconded by Delma Porter. All in favor; motion carried.
- Board members then reviewed scores received from the April 7, 2016 testing for Police Major. No Discussion. A motion to approve the scores as reported from the Office of State Examiner was made by Joseph Dantley, seconded by Delma Porter. There were no opposing votes and the motion carried.
- Board members then reviewed a request from the Appointing Authority, also signed by Chief Dixon, to re-hire Joseph Chad Smith, former employee of the Lake Charles Police Department. Mr. Smith was a regular and permanent police officer when he resigned on November 25, 2014 and has provided a favorable medical certificate to the board and the appointing authority. A motion to grant the request from the Appointing Authority to give prior approval for the re-employment of Joseph Chad Smith to begin a working test period in the class of Police Officer was made by David Morgan, seconded by Russell Hamm. No opposing votes; motion carried.
- Next board members reviewed a letter from Fire Chief Keith Murray requesting the Fire Captain examination be administered. A motion was made by Joseph Dantley, seconded by Delma Porter, to call for the Fire Captain examination as requested by Chief Murray. The motion carried with no opposing votes.
- Next item on the agenda was to review suggestions from the Office of State Examiner regarding re-employment. There was some discussion and review of correspondence from the OSE dated April 21, 2016 and April 25, 2016. The board will encourage Chief Dixon and Chief Murray to contact the OSE when considering a re-hire and confirm which action needs to be taken.
After some discussion on prior approvals, a motion to rescind the previous approval to reemploy Brandie Love Baudin and Brandi Jackson Harris was made by David Morgan, seconded by Russell Ham. Mrs. Love/Baudin was employed in the same manner as a new employee – with a valid test score. Mrs. Jackson/Harris was not hired.
- Board members then reviewed applications received for the Firefighter and Police Sergeant examinations scheduled for May 26, 2016. A motion to reject the following 7 applications as they did not provide required attachments was made by Joseph Dantley, seconded by Delma Porter.
 - Durrell Cezair – no birth certificate
 - Eric Ebner – no attachments
 - Ryan Green – no birth certificate
 - Charles Hamilton – no valid driver’s license
 - Heath Hester – no valid driver’s license

- Denzel Hughes – no valid driver’s license
- Eldridge Zenon – no valid driver’s license

A motion to accept all other applications en-globo was made by Joseph Dantley, seconded by Russell Ham. No opposing votes; both motions passed.

A motion was made by David Morgan, seconded by Delma Porter, to add the following item to the agenda. Motion carried with 1 opposed (Joseph Dantley).

1. Consider Judgement/Ruling from Judge Sharon Wilson, 14th Judicial District Court, reversing the Lake Charles Municipal Fire & Police Civil Service Board’s decision to uphold the city’s action to terminate former Deputy Chief of Police Thomas J. Bell was overturned.

After discussing the decision of the Court, a Motion was made by David Morgan and seconded by Russell Ham encouraging, by resolution of the Board or otherwise, the City of Lake Charles to appeal the decision of Judge Wilson to the Third Circuit Court of Appeal. The Motion carried with one Member (Joseph Dantley) opposed.

In discussing and considering the Motion, Board Members comments included the following:

- Board members sat for four days listening to the arguments and numerous witnesses, reviewing voluminous documents, and considering the credibility of witnesses. The Board Members were in the best position to judge the credibility of those witnesses.
- Mr. Morgan noted that it was unimportant to him whether the flex schedule was or was not approved by Chief Dixon. The point of the matter is that, if flexing is being allowed to occur, the employee who is flexing has to be held accountable for the time that they are away from work to attend class. There were absolutely no checks implemented by Mr. Bell to ensure that Ms. Blaney made up the time that she missed.
- Judge Wilson’s decision did not mention and appears to ignore the undisputed testimony that Ms. Blaney was allowed by Mr. Bell to perform Mr. Bell’s homework for courses taken at McNeese on City of Lake Charles time.
- Although multiple witnesses testified that Mr. Bell said “don’t worry about her” and “I got this” when Mr. Bell was questioned about Ms. Blaney’s different work schedule, uniform (or lack thereof) and other preferential treatment, this undisputed testimony also appears to have been ignored.
- Mr. Bell’s office was directly next door to Ms. Blaney’s office. Mr. Bell would or should have been aware of her comings and goings and, since he named her his administrative assistant, should have been monitoring her activities to ensure that she worked all hours for which she was paid by the City of Lake Charles. The fact that Mr. Bell named her his personal administrative assistant, a position which does not appear to even exist within the Department other than Chief Dixon’s assistant, made Mr. Bell personally responsible and accountable for the actions of Ms. Blaney.
- In the end, it was established that Ms. Blaney was paid for numerous hours of work for which surveillance proved she did not work. The surveillance was conducted over a limited period of time. Ms. Blaney likely received much more from the City of Lake Charles than was actually proven as the practice was halted once the investigation was completed.

- Finally, while all agreed that Mr. Bell had an exemplary record with the Department, by policy, the discipline for the offense proven against Mr. Bell was termination. Chief Dixon testified that, pursuant to Department policy, regardless of his personal feelings toward Mr. Bell, he had no other option. Mr. Bell, as a 28 year employee of the Department and, more importantly, as second in command of the Department in his position as Deputy Chief, was or should have been fully aware of the consequences of his actions (or inactions).
 - Mr. Dantley, who opposed the original decision of the Board, was likewise opposed to and voted against the Motion. He believed that Chief Dixon should have gone to Mr. Bell, told him of the problems in Mr. Bell's division, and allowed Mr. Bell to correct the situation. Mr. Dantley added that discipline for such an infraction should have been little more than a slap on the wrist and certainly less than termination.
- With no further business pending, a motion to adjourn was made by Joseph Dantley, seconded by Delma Porter. Motion carried with no opposing votes.


David Morgan, Chairman

*Minutes Prepared & Submitted by:
Crystal Buxton Weaver, Secretary to the
Lake Charles Municipal Fire & Police
Civil Service Board, May 16, 2016*