

**STATE OF LOUISIANA**  
**MUNICIPAL POLICE SUPPLEMENTAL PAY**  
**BOARD OF REVIEW**

**February 16, 2017, 10:00 A.M.**

**BOARD MEMBERS PRESENT:**

Bry Layrisson, Chairman

Ternesia Hutchinson

Candace Oby

**STAFF PRESENT:**

Paul Schexnayder, Esq.

Candy Diez

Kay Debenedetto

Scott Erwin

Erin Bielkiewicz

**OTHERS PRESENT:**

Shilo Bruhl, Folsom Police Dept.

Beau Killingsworth, Folsom Police Dept.

Betty Boggs, Village of Folsom

Gregg Boggs, Denham Springs Police Dept.

Bry Layrisson: I'd like to call this meeting to order. This is the Municipal Police Officer Supplemental Pay Board of Review. Today is Feb 16 2017 10:00am. We're gonna adjust the agenda. The first item on the agenda will be the Folsom Police Department. Before we get started with Folsom, if everyone in the room would please introduce themselves. We have a lot of new faces in here and some guest so starting on my right if you would tell us who you are and why you're here.

Candace Oby: My name is Candace Oby. I am a new Board Member taking the place of Danielle, who recently retired.

Bry Layrisson: Ok, welcome.

Kay Debenedetto: Kay Debenedetto, former Board Member, here for historical purposes only. To help Candace out with all of the re-org stuff.

Candy Diez: Candy Diez, and I work in Management and Finance under Candace. And I will be taking over some of Kelli Green's duties in supplemental pay.

Betty Boggs: Mayor Betty Boggs, Village of Folsom.

Greg Boggs: Greg Boggs, I'm here just for corroborating information.

Bry Layrisson: Welcome.

Beau Killingsworth: Beau Killingsworth, Chief- Folsom

Shilo Bruhl: I am Shilo Bruhl and I am the Chief's Secretary for the Police Department.

Erin Bielkiewicz: I am Erin Bielkiewicz; I am the Deputy Undersecretary for the Office of Management and Finance.

Scott Erwin: I am Scott Erwin I am the Director of Financial Services for the Department of Public Safety.

Ternesia Hutchinson: Ternesia Hutchinson, Member of the Board as the designee for the Commissioner of Administration

Paul Schexnayder: Paul Schexnayder, Attorney for the Board.

Bry Layrisson: Alright, on the, Folsom Police Department. Would you or the Chief like to go first?

Beau Killingsworth: I think Shilo, I think she could state her case. I will be here if I need to elaborate on anything.

Bry Layrisson: Shilo, Ok.

Beau Killingsworth: I would like her; I think she could explain it?

Shilo Bruhl: Ok, I was hired by the Folsom Police Department.

Paul Schexnayder: Hang on one second. Let me go ahead and swear ya'll in. Just raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Shilo Bruhl: I do.

Beau Killingsworth: I do.

Shilo Bruhl: I was hired by the Folsom Police Department in December 13<sup>th</sup> of 2010. When I came into, when I came in there was a new Mayor taking Office on the 1<sup>st</sup> of 2011. There was some, some issues that happened that the shift of

some things that just happened in normal Administration. Shift happened. And there was a \$1.00 an hour taken away from me. Is the whole brunt of what happened. So, we started discussing it. And I said well I'm here at the police department, why don't I just become a Police Officer. And we talked about that for three years. My husband works off shores, so I couldn't quite, I have a child. So I couldn't quite, go after hours and go to POST at night without having him home to help me with my child. So in February of 2014, the Mayor at the time, Phillip Becom, agreed to allow me to go ahead and go since I had already been doing the Chief's Secretary's job for the last four years. Allowed me to go ahead and go to POST. Went to POST. Graduated in 2014. Mayor Boggs was at my graduation. And it was an absolute, it is, was a big accomplishment for me. So afterwards I called the State, got everything set up. At which time, two years ago in February, I was awarded, at this Board Meeting, State Supplemental Pay for my job as the Chief's Secretary. Included in my duties, I would like to state that. I wrote them down just so I would not forget them all. As you know, we are a Police Department of five individuals. We have three patrol, One Sergeant. Two patrolmen. One Chief. And myself. I, it was a very, I mean, even the Mayor encouraged me to go because I'd be a huge asset to the department. Because we didn't have any female Officers. So it was, just a great, you know, asset to bring that on board. So, after receiving my POST pay, I mean my POST certificate. I was able to step up and do many many more things because now I am a duly commissioned Police Officer, not just the Police Secretary. Even though it's not written anywhere, on any kind of paperwork, I have my badge. I have my entire, my entire application. A copy of the entire application. I'm sorry my lips are getting dry. My entire application is here. Of what I was told, was exactly, per State Statute, what I deserved in my role as the Police Chief, a duly commissioned Police Officer. Who does, I work every Mardi Gras parade, every Christmas parade, I even get to ride the Mayor around for Christmas parade. She's in the parade, she sees me there. So the questioning of why I'm even here. I have been receiving state supplemental pay since November of 2014.

Bry Layrisson: I'm sorry would you pass that down to me.

Shilo Bruhl: I sure will.

Bry Layrisson: So I can review it while you're still talking.

Shilo Burhl: Absolutely, sure.

Bry Layrisson: You can continue, I'm sorry.

Shilo Bruhl: So anyway, I do, I do Police on the street doing crowd control during those times when I am needed. Otherwise, I am a desk Officer. I'm a desk Officer and the Chief's Secretary first and foremost. Yes, I do all of the paperwork for the Police department. I handle all the investigations through NCIC, through our ThinkStream system because I am the only Police Officer that is on that program, through St. Tammany Parish and thought ThinkStream. The rest of the Officers are through NCIC through CAD. So they all run through that. I frisk any female officers that come and go. I mean female officers, female detainees. I'm there for that reason. I think it's a huge asset for the police department. So, my concern is, I've been receiving this for twenty-four months, and the Mayor has been, the Mayor for two, a twenty-six months now. I mean, I've been receiving it for twenty-eight months and she been the Mayor for twenty-four months and I'm just baffled, absolutely baffled, that this is even coming into, for why? You know, why am I even here? Is what I would like to know? If I've done something wrong, I have followed everything that I was instructed to follow and to the letter of the law. I mean I pride myself in that.

Beau Killingsworth: You know, if I may say, you know, as a small Department, we wear different hats. I mean we do different things and I don't have an investigative bureau or tracking division, or a juvenile division. We pretty much do it all.

Kay Debenedetto: I'm sorry, could you identify yourself for the record.

Beau Killingsworth: I'm Beau Killingsworth. The Chief.

Kay Debendetto: Just so we'd have it.

Beau Killingsworth: I'm sorry. Anyway, and I think that. Then, Shilo is a part of that. She's an integral part of the Police Department. And I think any of these guys will tell ya'll. I've got guys from other departments see her doing POST level one police work, crowd control, and things like this. I, you know, she was, she qualifies with her pistol. She qualifies with a shot-gun. She qualifies with her assault rifle. I mean and she can do, keeps up with her continuing education. I don't know why after two years this has come up.

Shilo Bruhl: And I would also like to add. Two weeks after I received the letter from Kelli stating that I had to be at this board meeting, I received an email, its in my packet there, from the Mayor, explaining that Risk Management was up for, it was renewal time and she needed to know if she had her records correct. And submitted, it's in that packet right there that I passed down to you. And submitted that the Chief, the Sergeant, Phillip Beach, who is a Patrolman, and Shilo Bruhl are listed as law enforcement officers. So if I'm not a law enforcement officer, why would she put it on the insurance?

Beau Killingsworth: The Insurance.

Shilo Bruhl: And pay Sixteen hundred and fifty dollars a year for me to carry my weapon and my badge and have arrest powers with the police department. That's a waste of money, if that's not the case. So I just don't understand any of this. I do not.

Bry Layrisson: So you're a certified Police Officer?

Shilo Bruhl: Yes, I am.

Bry Layrisson: You have arrest powers?

Shilo Bruhl: Yes, sir.

Bry Layrisson: Do you carry a firearm?

Shilo Bruhl: I do.

Bry Layrisson: Ok. Mayor, would you like to speak please?

Betty Boggs: Yes.

Paul Schexnayder: Let me go ahead and swear you in too.

Betty Boggs: Ok.

Paul Schexnayder: Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Betty Boggs: Yes, I do.

Paul Schexnayder: Ok.

Betty Boggs: This is, I'm gonna give you the original copy of this. This is basically my presentation to the board today. I would like for you to make a decision. I don't know if I made enough copies but, ok. Ok, let me explain. I'm gonna go through this, the origin of this whole situation and why we are here today. In December, when I received the Approving and Certifying Official Signature. I noticed at the bottom, that the submission of false information could constitute a

criminal offense, including but not limited to filing a false public record, that false swearing, and malfeasance in office. Which I'm sure you're familiar with that. Up until this point, I had relied on my Police Chief, who is a long term, Police Chief, operating in law enforcement, to provide me the appropriate information and documentation. Upon looking into this matter myself, reading the revised statute, which I went to revised statute 40:1667.1 specifically D.1. And after talking to other law enforcement agencies throughout the state, I even went to a state agency here in Baton Rouge, for clarification of this. Basically, I want to protect the Village, I want to protect myself in terms of the Warrant that I sign every month. And in terms of this document here. And I might add, I took this to my, the Village attorney, to notarize. He too had a problem with it. And he would like to be here today, but he had a conflict therefore I'm representing the Village. So at that point, I basically contacted the Board, that's what I was advised to do; by the agency here in Baton Rouge, by all the other law enforcement agencies that I reached out to for information. They advised me to contact the board, here. I contacted, I made my initial call on January the 6<sup>th</sup>. And I believe I spoke to Kelli Green who is no longer with us. And I explained the situation to her, and she said we need to bring this to the Board for a decision. I said fine. She said, I said would you let me know when that Board meeting takes place. She said she would, obviously she has left. I did not hear from her. So weeks later, I contact the Office again, and the person I talked to, I'm sorry I didn't get the name, didn't really know anything about what I was talking about, which is understandable if you had a change of personnel. So at that point, on the recommendation of agencies in here in Baton Rouge, I was requested to send a letter, which I think you have a copy of, to the Chairman of the Board, as well as to the attorney. Subsequently, I have spoken to Mr. Schexnayder over the phone. I've expressed our concerns, and hence that's why we're here today.

Bry Layrisson: Let me ask you this question. Or I'll ask both of ya'll. When you, once you graduated from POST, did you immediately start receiving supplemental pay?

Shilo Bruhl: I did, because I had been in the position for four years at that point.

Bry Layrisson: Been in what position?

Shilo Bruhl: I had been as the Chief's Secretary for the past four years.

Bry Layrisson: Ok. Do you have anything else Ma'am?

Betty Boggs: Yes. My three main points, that I would like a legal opinion on are these. Subsequent to Mrs. Bruhl's, and this is on the second page. Subsequent to Mrs. Bruhl's completion of the Academy in November, her job title changed, was changed by the Police Chief, to secretary of the Chief. I took office on January 1, 2015. Mrs. Bruhl's monthly warrant certification is listed as Chief's Secretary. However, again, looking at the law.

Bry Layrisson: Well, let me make this clear for you, the Job Title, has nothing to do with whether or not this Board approves supplemental pay. There are several police officers who receive supplemental pay who have various job titles.

Betty Boggs: Ok.

Bry Layrisson: So, job duties and descriptions of their job duties, is much stronger and that's where we need to focus on. Whether or not we approve anyone for supplemental pay.

Betty Boggs: Ok, I understand that.

Bry Layrisson: So, that'll clear that one up for you.

Betty Boggs: Yea, I understand that. The documents and the warrants that I sign every month.

Bry Layrisson: Yes, Ma'am.

Betty Boggs: Say, Secretary to the Chief.

Bry Layrisson: Well, I understand that. And like I'm saying for example, a public information officer, you know, there's police officers that work for twenty years and they may get transferred into a job that is mainly management or in the office and not out patrolling the streets and they still qualify. So there's a difference between job title and job description. We focus solely on job description, what their duties are, whether they are actually commissioned police officers, that have the right to carry a firearm, that they keep up their in-service training, and most importantly that they have their POST certification. Because if you do not have your POST certification you don't even come before us.

Betty Boggs: Thank you, yes.

Bry Layrisson: Ok?

Betty Boggs: And like I said, the point here is, according to the law, and I don't think I need to read that to you, because I feel like you're all very familiar with that. This particular secretary to the Police Chief is not under civil service.

Bry Layrisson: Is not under civil services, yes Ma'am. We've reviewed that as well.

Betty Boggs: Ok.

Bry Layrisson: Alright.

Betty Boggs: Ok. And.

Bry Layrisson: What we're going to do at this time is.

Betty Boggs: Could I finish my other points?

Bry Layrisson: Yea, I'm Sorry. Go ahead.

Betty Boggs: Yes, the other point that I discussed with Mr. Schexnayder, was the one year requirement, that the supplemental pay.

Bry Layrisson: I just seen that as well, yes.

Betty Boggs: Started before that one year requirement.

Bry Layrisson: Ok.

Betty Boggs: And then lastly, in conversation with this, with Mrs. Bruhl, as well as with her conversations with the previous training officer with the Village of Folsom. She has expressed to me that she cannot service in the capacity of community policing due to fear. She performs her clerical duties, in addition to the two parades, that she stated. On that basis, in all due respect to the law enforcement officers who risk their lives daily, and to those officers who recently lost their lives, right here in Baton Rouge, and other communities. We are requesting a determination of the status of this issue. And based upon the three concerns that I have pointed out to you, which have been given to me by legal advice, we would like for the Board to look at this, and to please understand that our goal is not to deny this employee supplemental pay, if the receipt of such pay is legally warranted. But to protect the Village of Folsom and the State of Louisiana, if such supplemental pay is being received fraudulently. Thank you.

Bry Layrisson: Thank you. At this time we're gonna go into executive session to discuss this with the Board. So I'd ask ya'll to please step outside and then we'll call you back in.

Betty Boggs: Ok, just for clarification. The reason that Mr. Boggs is here, is not because he is my husband. He was the former training officer for the Village of Folsom. In addition to that, he is now the training officer for Denham Springs Police Department. He teaches at Academies. And he's one of the POST firearm instructors for the state.

Candace Oby: Ok.

Bry Layrisson: For ya'lls information nothing was discussed while ya'll were outside. We're gonna allow ya'll to sit in while we discuss this matter. So, Paul ?

Paul Schexnayder: So, I think the Mayor brings up a valid issue with regards to the one year waiting period.

Bry Layrisson: I do too.

Paul Schexnayder: I do see an issue with that. Because if she was the secretary to the Police Chief and it's not a civil service position, then she didn't accumulate that one year.

Bry Layrisson: Ok, I agree. I think in my opinion, that we have seen enough to where she is currently, I think that currently she should be receiving supplemental pay but I think that we should immediately institute the one year delay. And then once the, her one year is up, then she will start back receiving supplemental pay. I make that motion, unless we wanna discuss.

Kay Debenedetto: Well, I just have a question. I don't have a vote.

Bry Layrisson: Ok.

Kay Debenedetto: We, as long as they have been serving in the position, we typically give them the one year period and then they begin receiving upon receipt of their POST. If you hire anyone, you know, they may not be POST certified even within that one year waiting period, but then immediately upon.

Bry Layrisson: Well let me ask this question, Chief, did her duties change from prior till she went to the Academy. Did she take on more law enforcement type duties after graduation?

Beau Killingsworth: Well after graduation she was able to because she was POST certified. She could pack a gun. But you know her

Bry Layrisson: So did she have arrest authority prior to attending POST?

Beau Killingsworth: No.

Bry Layrisson: Or was she strictly a Secretary? So that is my Basis for, No, she doesn't qualify for one year prior.

Kay: Yes,yes. Right.

Beau Killingsworth: I guess my only question is that the POST council approved, you know. We submitted the application and it was approved that she, that you know, that she got the supplemental pay. You know if you follow?

Bry Layrisson: We messed up, when we first awarded her supplemental pay.

Beau Killingsworth: Right, ok.

Bry Layrisson: This Board made the mistake. POST sent us her certification, but it was our fault in not denying her until her one year of service up, one year from her POST graduation.

Beau Killingsworth: Right.

Shilo Bruhl : Can I ask a question?

Bry Layrisson: Yes, Ma'am.

Shilo Bruhl: I was still doing investigations at that time. I was still doing all the stuff other than.

Beau Killingsworth: Right.

Shilo Bruhl: Being able, having arrest powers. I was sworn in on the 14<sup>th</sup>. I mean, I'm sorry on April of 2014. So may I ask, I mean if you are going to do that, I was sworn in as an Officer, on April of 2014. I did not graduate until November of 2014. So I was in the process, all the time I was in POST doing the job. I was doing it before the job, before POST, still doing the investigations, still doing the dispatch, still doing all the other things other than having arrest powers. I did everything else. There was absolutely nothing else that I didn't do.

Bry Layrisson: Well, Paul can answer that. But I'm pretty strong on it has to be one year after you receive arrest authority.

Paul Schexnayder: Right.

Bry Layrisson: No matter what you were doing.

Shilo Bruhl: Ok, and that was on...Correct, and that was on April.

Bry Layrisson: If you were acting as a police officers but you hadn't been commissioned and had arrest powers, it does not matter.

Shilo Bruhl: Gotcha.

Beau Killingsworth: So where does that leave us now, Chief? As far as, or what happens.

Bry Layrisson: We're gonna have to determine the date that she got arrest powers, the date that she graduated, and they will determine. There's gonna have to be a one year wait. So it may not be exactly one year from today. We're gonna go back into the records and see, but we're about to make a motion and vote that she is gonna be suspended now until that amount of time is accumulated and then once her one year is brought up to date.

Bea Killingsworth: So it would be time served so, they'll take from what she has?

Bry Layrisson: She will get some credit for time served, but she will, you will not receive supplemental pay for, until that time is up. And then you will be back. If they vote, you will be back approved to receive supplemental pay.

Candace Oby: And I would just like to say something else. I know you say that, and we have your application and your application. If you, when you submitted the application, I feel like you should have in your, either in the letter from Chief or additional to your job duties, explained your police job duties. Because in this application, there is nothing in here that says that you have the ability to, that you arrest people, that you frisk people. That would have saved, a lot. I'm looking at the application that was submitted.

Shilo Bruhl: Right. What,um?

Candace Oby: And we approved it in November.

Shilo Bruhl: Right, the duties of the Chief's Secretary, under those duties?



Candace Oby: Is that correct, do ya'll see that anywhere.

Bry Layrisson: That's correct. I think you explained it better than what we see.

Ternesia Hutchinson: Right, because.

Candace Oby: There's nothing written here.

Bry Layrisson: We have to see that you have arrest authority; we have to see that you're frisking detainees.

Shilo Bruhl: Gotcha. I understand.

Ternesia Hutchinson: It should be the majority.

Bry Layrisson: To let ya'll know that we take this as a case by case deal, Mayor and Sir. The smaller towns where they don't have female officers and we can see that you're actually helping out with female incidents, we take that into account. Obviously, a Chief's Secretary from a very large Department that we know is sitting behind the desk, not doing any law enforcement, you know, we don't allow that. Cuz we know that's gonna be abuse of supplemental pay, so, do you have any questions?

Ternesia Hutchinson: Yes, because on the job description, I do not see any of the police type work listed out as essential job functions. Am I missing, missing one.

Shilo Bruhl: Can I have my packet back? You got all my stuff.

Ternesia Hutchinson: I mean it's not just that if you perform those duties, but it should be a majority of the time that you are performing and I don't see it listed in the essential job functions.

Kay Debenedetto: Can I make a suggestion? Can we deny or defer, whichever you choose, on it at this particular time and request officially in writing her expanded job duties, her, the dates of her commission, when she was actually sworn into office and all of that. So you'd have those before you to make the actual determination. We could go ahead and suspend her now, so she start accumulating that time, and then as soon as we receive these official documents on her swearing in, receiving arrest powers, amended job description with percentages of time and of course any backup that you can give at that time as to specific incidents that you might have.

Bry Layrisson: If you're working those events and you're carrying a firearm we need to know about it. If you're just POST certified and you don't ever carry...

Shilo Bruhl: No, I mean I am on the street, I'm doing crowd control.

Bry Layrisson: Well that's what we need to see.

Ternesia Hutchinson: For those parades, right. But what about for on a daily?

Beau Killingsworth: She carries a gun daily.

Shilo Bruhl: I carry. I, I am a desk officer. Period. I do.

Kay Debenedetto: Do you wear a uniform?

Shilo Bruhl: I wear, well, I wear. Yes, I mean it's my uniform. Yes. Not a. I don't wear a.

Beau Killingsworth: She wears the same one I wear basically.

Shilo Bruhl: Ah, ah, a shirt.

Bry Layrisson: Class B

Shilo Bruhl: Thank you.

Ternesia Hutchinson: Ok, yeah, I was like I don't know what that's called.

Shilo Bruhl: I wear a Class B.

Bry Layrisson: Yes Ma'am. Mayor?

Betty Boggs: Yes, I have a comment about the number of times that she's actually doing community policing. According to my knowledge, it's twice a year.

Bry Layrisson: Well, like I said we're gonna get all of this information, we're gonna suspend her pay today. We're gonna allow her and the Chief to turn in some more documentation before the next meeting. And you as well. Ya'll all are invited to come back to the next meeting. At the next meeting we'll do the same as today we'll review all of the information and we'll make a final decision at that point. Today we are suspending her until then. Cuz regardless she's gonna lose time because she was given supplemental pay immediately without waiting that year of service.

Betty Boggs: Ok.

Beau Killingsworth: If that's the case though, if she gets suspended why? I mean I know, I understand what you're saying, but was it so much her fault as is was maybe that the Board should've not have done it though, I guess, Chief is what I'm asking? I mean it seems like she's paying...

Bry Layrisson: No, it was our mistake, but either way we have to re-coup that money from her, you know even if we made the mistake and we gave her money we shouldn't have.

Beau Killingsworth: Ok, Ok, I was just checking.

Bry Layrisson: We have to get it back, it's the tax payer's money.

Beau Killingsworth: Ok.

Shilo Bruhl: May I, Can I do this? I would be more than happy to write a check for whatever, I mean I. It's just very hard for me to lose this \$500.00 a month. I am the lowest paid employee in the Village of Folsom. The lowest. I um, it's just, it's why I am here I don't know. Because I love what I do. I love the police work, I love every person that walks in the door. That's my responsibility, when they walk in the door, I am the officer they see. I am the officer that handles every single person that comes in the door. I can't tell you how many times a day I handle police issues. How many times a day. And so that's what concerns me, is, I feel that this is a personal vendetta against me. And I don't understand.

Bry Layrisson: It's nothing personal against you.

Ternesia Hutchinson: Nothing from the Board.

Shilo Bruhl: No, not from the Board. Not from the Board, I understand you made a, there was a mistake made. I was told by Kelli we have I have plenty of you know back and forth with Kelli over everything cuz I called Kelli two years before prior to going to POST. And we talked about all this and I was so excited she was so excited for me. Again the Mayor was so excited for me. Everything was, it was just set to go. So it wasn't anything that I mean that I'm just sad

that I. We're wanting to go with federal charges against me. I did what I was told to do. And I followed the law to the letter of how it went around to get the supplemental pay.

Bry Layrisson: Well, since we're putting this on the next agenda at the next meeting. And since we don't know how much back pay she owes us for how many months. I'm ok with leaving her on for now and at that meeting when ya'll provide more documentation. Paul Schexnayder will in the meantime check to see if it's legal for us to request a lump sum payment from her.

Paul Schexnayder: Well, actually we go back against the municipality. We don't go back against the individual. Since that's who signs the warrant.

Betty Boggs: First of all this is not a personal matter. This is a legal matter.

Bry Layrisson: We understand.

Betty Boggs: I am acting upon legal advice. I would like to ask, and let it be stated the number of arrests that Mrs. Bruhl has made since becoming commissioned?

Shilo Bruhl: Zero.

Betty Boggs: And I would also like it documented that what is being said here in terms of her role as a female officer, there is no documentation about what-so-ever to my knowledge.

Bry Layrisson: Well, were gonna give her an opportunity to provide it at the next meeting and you will get it as well. If, either party can't provide us with the correct documentation then we're gonna have that to base our ruling on.

Betty Boggs: Right, I understand that. I also need the Board to understand the monthly warrant that I sign, that I have entrusted that was all correct, to my police chief. I up until January, I never got the second page of it. I only got the top copy.

Kay Debenedetto: Well, you know, speaking as the person who created those warrants, that is why we put that statement on the warrants. Now it is incumbent upon the town, to provide you with the documentation.

Betty Boggs: And I have, I was not provided with it until I became aware of the fact that there were pages to this. And so, I then asked for the complete document. Which now I have, um, so, again, I respect your decision. I'm laying out to you what has been given to me by legal counsel.

Bry Layrisson: Alright.

Paul Schexnayder: WE need to have a motion and vote.

Candace Oby: Ok, this is what I was going to say. So are we billing the Town or we?

Bry Layrisson: We're going to make that decision at the next meeting.

Candace Oby: Ok.

Bry Layrisson: Cuz right now we don't know how much to bill. We have to gather her information.

Ternesia Hutchinson: Have we changed, originally I thought we were suspending her.

Candace Oby: Until the next meeting?

Ternesia Hutchinson: Until we figured out how much time. Cuz we know that the one year has not been served so she should be suspended as of today, until that's determined and then once we verify that one year has been accumulated for her then we a decision will be made based on updated information of the actual job functions that she's performing. Then a determination will be made whether or not she qualifies for supplemental pay.

Bry Layrisson: Correct.

Ternesia Hutchinson: Is that what we're?

Bry Layrisson: That's what the motion we need to make.

Ternesia Hutchinson: I make that motion.

Candace Oby: I second.

Bry Layrisson: All in favor certify by saying, Aye.

Ternesia Hutchinson: Aye

Candace Oby: Aye

Bry Layrisson: Any opposed? Motion carried. You are suspended until the next Board meeting.

Candace Oby: Which is June. Scheduled currently for June 8<sup>th</sup>, I think. Yes, June 8<sup>th</sup>.

Bry Layrisson: June 8 2017. So get the documentation together before that time. The sooner you can get it in to us the better prepared we can be cuz obviously our expert lawyer here is gonna have to review all of it.

Betty Boggs: And as the Mayor of a municipality with an appointed police chief. And according to the Lawerson Act, the duties and responsibilities of a appointed Police Chief are totally different from an elected Police Chief. I would also request copies of that documentation. I would like that in the minutes as well.

Candace Oby: It's being recorded.

Paul Schexnayder: You would have to submit a public records request. Which is basically something in writing.

Betty Boggs: I'm asking for the documentation from my police department.

Kay Debendetto: I think she's asking the police department.

Paul Schexnayder: If she's asking the.

BettyBoggs: I'm not asking the Board, I'm asking because, because I have a difficulty getting information from the police department. Obviously, based upon what I told you today. And so.

Bry Layrisson: Ma'am I would suggest you call LMA.

Betty Boggs: Ah, we've done that.

Bry Layrisson: You've done that.

Betty Boggs: Yes.

Bry Layrisson: Ok, you've had the Mayor's and Chief's come in?

Betty Boggs: I had the director of LMA come in.

Bry Layrisson: Ok. Well we have a program where we bring in three Mayors and they bring in three Police Chiefs and I strongly suggest that ya'll look into that. It's all community...

Betty Boggs: I attended the LMA conference on relationships between Police Chief's and Mayors and met this gentleman and I appreciate the suggestion.

Bry Layrisson: Ok. I think it would help both of ya'll out. It's much too small of a town for ya'll to not be getting along. And I come from a small town too, and don't get along with my Mayor from time to time so I understand.

Betty Boggs: Well, it's not a matter of getting along; it's a matter of legal.

Bry Layrisson: I understand, you gotta communicate better.

Paul Schexnayder: If you would like the records from us, all you need to do is ask for it in writing.

Betty Boggs: I would like a copy of these minutes.

Ternesia Hutchinson: You have to submit it in writing.

Paul Schexnayder: In writing.

Betty Boggs: Ok. Can I do that today? Or do you want it on Village letterhead?

Kay Debenedetto: Yea, please?

Betty Boggs: Ok.

Bry Layrisson: Ok, we're moving on the next item on the agenda. I'm sorry ya'll are welcome to stay for the entire meeting or ya'll can leave.

Bry Layrisson: Next item on the agenda under old business is Southern University. I make a motion that we permanently deny Southern University until they provide us with any current documentation that justifies them receiving supplemental pay.

Ternesia Hutchinson: I second that motion.

Bry Layrisson: All in favor certify by saying, "Aye."

Ternesia Hutchinson: Aye.

Candace Oby: Aye.

Bry Layrisson: Opposed? (No response.) Motion carried.

Bry Layrisson: Next item on the agenda is the Benton police department. Can you explain that one to us?

Candace Oby: I think we are waiting on some information from Benton. Basically, I put him on the agenda so we could table him to the next meeting. We're waiting on Steven Collier.

Kay Debenedetto: This is simply that they have had some back and forth within their town with putting him on the warrant and then taking him off the warrant. Obviously they have two people who are on workman's comp receiving or at least, one I know for sure. That is receiving workman's compensation.

Candace Oby: This is, no this is different.

Kay Debenedetto: Oh, I'm sorry.

Scott Erwin: This is leave without pay.

Candace Oby: They were supposed to provide exact days that he was on leave without pay, but all they provided was some employee's hours report.

Bry Layrisson: Is the individual currently receiving supplemental pay?

Candace Oby: Yes.

Ternesia Hutchinson; He is receiving supplemental pay?

Candace Oby: Yes.

Bry Layrisson: Do we have enough information to make a determination at this time?

Candace Oby: No.

Ternesia Hutchinson: He's on LWOP right now?

Kay Debenedetto: The retirement system or whoever brought it to our attention is alleging that he has routinely been on leave without pay throughout his whole employment at times. And the town has never notified us that he has been on leave without pay. And any leave without pay should be noted on the warrant and we prorate that back. Even if it's just a day of suspension or a day of you run out of leave so you're on leave without pay. We prorate that next payment accordingly and that has never been done. Now, I think our question is, have we officially asked the town to provide that information? There may have been some back and forth with Kelli. But has the Board actually requested documentation of the number of hours of LWOP that this person has been on?

Ternesia Hutchinson: I don't recall.

Candace Oby: I don't know and I don't have anything.

Candy Diez: Well Kelli had this email.

Ternesia Hutchinson: That would be from just her, that wouldn't be from the Board.

Bry Layrisson: Well honestly in my opinion, I don't think we have enough to make a decision today. I think we need to have you notify the town asking them for exactly what we need. So I don't think we need to take any action until the next meeting. I make a motion that we defer the Benton Police Department matter until the next meeting and that we request all necessary documentation to make a determination.

Ternesia Hutchinson: Ok, I'll second.

Bry Layrisson: Motion has been seconded. All in favor certify by saying, "Aye."

Ternesia Hutchinson: Aye

Candace Oby: Aye.

Bry Layrisson: Aye. Motion carried.

Bry Layrisson: Next item on the agenda is the Ferriday Police Department.

Candace Oby: Ok, so at the last meeting, this Lee Chester Williams brought up to the Board. He is currently on workman's comp. He has been on workman's comp since 2015 for a job related injury. And in April of 2016 he was removed from the Warrant by the clerk or whomever prepared the Warrant. So he stopped receiving supplemental pay. He reached out to the Board, a letter was sent saying...there is a letter in here from October 20, 2016 from the Chief of Police. Saying that he was not rehired for the new administration on July 1<sup>st</sup>. And the he not a commissioned officer anymore. So at the last meeting the Board made a motion to pay him through June 30<sup>th</sup>. He was paid April, May and June. He has not been paid since June 30<sup>th</sup>. Since then we have received this first letter that you see from the Mayor saying that he is still employed because he is currently on workman's comp. And asking him to be added back and paid back pay. And there's also another individual, John Smith, who was also removed in April due to workman's comp and she stated in this letter as well that he is still an employee and still receiving workman's comp.

Bry Layrisson: So they both should be getting it.

Kay Debenedetto: They both should. I mean historically as long as you are receiving a workman's comp payment. Until that is settled by the insurance company and the department, he continues to receive. Both of them do.

Paul Schexnayder: Right.

Bry Layrisson: Well, I make a motion that both of these individuals receive supplemental pay and back pay to the dates we received in the documentation we received from the Mayor.

Ternesia Hutchinson: I second.

Bry Layrisson: All in favor certify by saying, "Aye."

Ternesia Hutchinson: Aye

Candace Oby: Aye.

Bry Layrisson: Aye. Opposed? (No Response.) Motion carried.

Bry Layrisson: Next item on the agenda under new business; Gramercy Police Department.

Candace Oby: Ok, Sylvester Oubre. Enclosed is a copy of Mr. Oubre's application. Mr. Oubre was added to the supplemental system in October of 2016. He is still currently receiving supplemental pay. Mr. Oubre's POST certificate was issued in 2001. However, his prior service that was submitted in his application begins in 2012 and ends in 2016. The question being brought to the Board is does he qualify for supplemental pay because his POST certification was completed in 2001 and we do not have record that he was doing any police activity from 2001 to 2012.

Bry Layrisson: Do we have anything from POST saying that he is POST certified?

Candace Oby: Yes, he was POST certified in 2001.

Bry Layrisson: But we he came back he would have been required to go through the entire Academy.

Kay Debenedetto: But we can't find where we had anything on him in 2001.

Bry Layrisson: To me, none of that matter if we have something from POST now saying that he is POST certified.

Kay Debenedetto: But we don't.

Candace Oby: So he has to get re-certified? Is that what you're saying?

Bry Layrisson: Yes, if he was out more than 5 years he has to get re-certified through the entire Academy.

Candace Oby: Ok, well we need that information.

Bry Layrisson: So all you have to do is contact POST and see if his POST is up to date.

Candace Oby: Ok.

Kay Debenedetto: Well I think the town has to request that.

Bry Layrisson: Ok. Is he receiving it now.

Candace Oby: Yes, he is currently still receiving supplemental pay.

Bry Layrisson: Ok, I move that we move this item to the next agenda. And you try to gather the information from POST and from the town now.

Candace Oby: Ok.

Kay Debenedetto: But he is receiving based upon this his one year of service with this town. The reason that he is brought up is their asking to go back and that's when we noticed that he may have this five year break in service, so.

Bry Layrisson: Well this is the first one. Ok, you have the five years break in service and POST requires you to go back to the Academy. Can we still grant him that prior year even though it was that far back?

Kay Debenedetto: Well, I guess we'll have to see what POST has to say first.

Bry Layrisson: I mean I would say yes. But this is a first. I mean, we need to check out the law but in my opinion anytime you have a full year of service as POST certified Officer.

Kay Debenedetto: There is definitely the possibility that he was employed somewhere in 2001 with some Sheriff's Office but we just don't have it.

Candace Oby: But we don't have that.

Bry Layrisson: That's why I don't want to suspend him because it's the town's faults for not sending it.

Kay Debenedetto: Right, exactly.

Bry Layrisson: Well that's why, I make a motion that we just move it to the next meeting until we can gather more documentation.

Ternesia Hutchinson: From the town? I second.

Bry Layrisson: Motion is seconded. All in favor certify by saying, "Aye."

Ternesia Hutchinson: Aye.

Candace Oby: Aye.

Bry Layrisson: Aye. Motion carries.



Bry Layrisson: Next item on the Agenda is the Folsom police department. We've already covered that. Next item on the agenda is legal matters.

Paul Schexnayder: Yea, I think the one; the one that's outstanding is the matter with Many. That's Ms. Pauline Snell. She has, well she received supplemental pay and it appears that she wasn't working full time as a Police Officer. Her retirement has since been. The retirement system has voted to terminate her retirement based on the fact that she was not employed in a position which qualified her to earn sufficient service. It appears that she shouldn't have been receiving supplemental pay either. There's an investigation by the US attorney's office. Which I spoke with the Inspector General's Office this morning and they said that investigation is still moving forward. The only thing that slowed it down was the US attorney that was handling it retired so they had to turn it over to a new US Attorney. But they are still going forward with charges. So the question is, should we do anything now or should we just wait until the charges go through the normal procedures?

Bry Layrisson: That's a legal affair, I mean, what you asking us for?

Paul Schexnayder: Because ya'll are the Board, I can't make your decision. I can advise. I can represent you.

Bry Layrisson: So what do you advise we do with this matter, sir?

Paul Schexnayder: Well, we can wait till the charges are adjudicated and then go forward with reimbursement.

Bry Layrisson: That what I feel we should do. We need to wait for the court decision and then we'll go after the town at that point.

Paul Schexnayder: That's the safe thing to do.

Candace Oby: Ok.

Bry Layrisson: Alright

Kay Debenedetto: Have we pulled anything on that, Candace Oby?

Candace Oby: No.

Kay Debenedetto: Like her application?

Bry Layrisson: Oh, yeah, we've been looking at this for a year. Yeah.

Paul Schexnayder: Well this came up, the Auditor.

Candace Oby: It's in the last minutes.

Bry Layrisson: She's claiming to have been working two full time jobs at the same time.

Paul Schexnayder: The Auditor caught it. And we actually have two other officers with Many that they actually reimbursed us for everything. But this is the third Officer and there was a little question mark as to what she was doing and not doing.

Kay Debenedetto: Well we'll just keep an eye on everything.

Bry Layrisson: It's a significant amount of money that they're gonna owe us.

Paul Schexnayder: Yeah, in fact she owes retirement \$180, 000.

Bry Layrisson: Next Item on the agenda, the FLSA issues.

Candace Oby: Ok, the issue with this. We've been contacted a couple of Chiefs asking what is the proper way that they need to calculate their Police Officer's overtime rate based on including or not including supplemental pay. So basically there are asking do they need to include supplemental pay in their total salary.

Bry Layrisson: Hourly Rate?

Candace Oby: Hourly Rate. And I just wanted to bring it to the Board for clarification before we told everybody. I did attach.

Kay Debenedetto: Ya'll make get questions on it. This is not a legal matter. This would be a human resource benefits kind of thing.

Bry Layrisson: I agree.

Kay Debenedetto: Which I actually found yesterday as I was digging through some old stuff. I will tell you that yes. There was definitely one decision, Hebbler, back in the 80's probably, New Orleans Fire Department filed suite saying they should be getting it added to their retirement.

Bry Layrisson: Yes.

Kay Debenedetto: It should have been, and the state.

Bry Layrisson: If you're getting taxed on it. It's your salary.

Kay Debenedetto: That's right. The opinion stated that, yes, it should be included for all benefits that the employees receive. We also, I came across a letter which we can give to ya'll or whatever back even before that where the Division of Administration's Wage and Hour Division, who handled those things, sent out to all of the Mayors and Departments throughout the State saying, Yes, you need to include this in taxes, in any benefit, in wage and hour and everything. So, yes, the Towns should be adding the supplemental pay to the calculation of overtime pay, for all taxes withheld, for all retirement system issues, for anything that they might receive.

Bry Layrisson: Well see that's why we brought you back, you got this covered. Do a letter for us.

Paul Schexnayder: I would add to that we are not their attorney we are not in a position to advise them. We can refer them to the letter, we can refer them to the Supreme Court decision, but we're not going to tell them what to do.

Candace Oby: Ok.

Bry Layrisson: We can refer them for an Attorney General opinion.

Paul Schexnayder: We could do that too.

Candace Oby: Ok, so I will tell them.

Bry Layrisson: You will let her respond to them. She's been assigned that duty.

Candace Oby: Ok.

Paul Schexnayder: Tell them don't expect legal advice. We will site them something.

Bry Layrisson: Next item on the agenda, new applications submitted for approval. This is the lowest Act110 that we have every had in the history since I've been on this Board. Thank you Jesus.

Candace Oby: I have a question. On the agenda there was always billing. Did ya'll ever talk about billing?

Ternesia Hutchinson: No.

Candace Oby: Ok, I just wanted to know.

Ternesia Hutchinson: Unless you have issues.

Bry Layrisson: The First item on the agenda after call to order is the approval of the pervious minutes.

Candace Oby: Right.

Kay Debenedetto: Believe me, we will begin doing that.

Bry Layrisson: What happened with you on that?

Paul Schexnayder: It got lost in the shuffle.

Bry Layrisson: For five or six years, we've never done that. What kind of legal advice is that?

Paul Schexnayder: I thought we did do that?

Bry Layrisson: We've never done that since I've been here.

Kay Debenedetto: Probably that about when, I was on the Board, we always did it. That was always the first item of business.

Paul Schexnayder: I know the Fireman do it.

Kay Debenedetto: But you know we should be really reporting to ya'll not only, new apps and Act 110 money but the billing is another thing because some of these towns you know have huge balances that they owe us. And we need to be a little bit more proactive.

Bry Layrisson: Well our legal advisor needs to be sending a certified letter saying to pay up or the Chairman's coming to town.

Ternesia Hutchinson: They owe the State?

Scott Erwin: That's probably what that bullet represents maybe? Advising the Board as to what maybe the receivables balance is.

Bry Layrisson: They never brought it forward to us.

Kay Debenedetto: Yea, well, yeah we will start bringing that forward.

Bry Layrisson: Bring us the top ten every month, every quarter.

Kay Debenedetto: Yea, well I can tell you who the top number one is every month, New Orleans.

Paul Schexnayder: But we have been successful

Bry Layrisson: We have sent letters out.

Kay Debenedetto: We did get some money in from New Orleans and from some other towns.

Bry Layrisson: And we have talked about, we know how to get it real quick. New Orleans, we're just going to cut everybody off for that quarter and I guarantee you the Mayor is going to be sending in the check.

Kay Debenedetto: And that's how we got that last payment.

Bry Layrisson: 16,000 or however many NOPD's knocking on the door. Alright new applications.

Candace Oby: Yes.

Bry Layrisson: I approve all of them but Ponchatoula, I can't vote on Ponchatoula.

Ternesia Hutchinson: I make a motion to approve all of them.

Bry Layrisson: We have a motion.

Candace Oby: I second.

Bry Layrisson: All in favor certify by saying "Aye."

Ternesia Hutchinson: Aye.

Candace Oby: Aye.

Bry Layrisson: Oppose? (No Response.) Motion carries.

Bry Layrisson: Alright, budget matters.

Candace Oby: Did ya'll ever talk about that?

Ternesia Hutchinson: If you had a budget issue.

Candace Oby: Ok.

Ternesia Hutchinson: If you were showing that you were possibly short.

Candace Oby: Ok, we don't have any budget matters at this time. That I know of.

Ternesia Hutchinson: Do you have enough money?

Candace Oby: I haven't gotten anything.

Bry Layrisson: You're first meeting you're not asking for a raise?

Candace Oby: No.

Ternesia Hutchinson: Well, we don't look at that we just look at the supplemental payments.

Candace Oby: Well, I don't know I haven't gotten.

Scott Erwin: We haven't seen supplemental pay projections for the fiscal year.

Candace Oby: Right. I did send the new applicant list to Budget, but I haven't seen the projections yet.

Ternesia Hutchinson; DPS budget, but soon DOA budget will contact Chad and ask him how much money if I don't have anything, to show like, if your showing a surplus or deficit if it's something that you have to let us know. Cuz otherwise we won't have enough money to pay those.

Bry Layrisson: Last item on the agenda is we have set the date and time for the next meeting and it is tentatively set for June 8, 2017 at 10:00 am.

Bry Layrisson: I need a motion.

Ternesia Hutchinson: To adjourn? I make a motion to adjourn.

Candace Oby: I second.

Bry Layrisson: All those in favor certify by saying Aye.

Ternesia Hutchinson: Aye.

Candace Oby: Aye.

Bry Layrisson: Aye.

Bry Layrisson: Motion adjourned.