

MINUTES

STATE POLICE COMMISSION

JANUARY 24, 1994

The State Police Commission convened its monthly meeting at 9:30 a.m. on Monday, January 24, 1994, in Classroom No. 1, Administration Building, State Police Training Academy, 7901 Independence Boulevard, Baton Rouge, Louisiana. Present were Chairman James R. Conway, III, Vice-Chairman Ollie G. Christian, and Members Clifford V. Johnson, Richard N. Kinsey, Joseph T. Booth, Helen E. Mendell and Larry W. Jeane. Also present was Norman W. Ershler.

Sergeant Helmuth J. Montz, scheduled to appear before the Commission, was unable to be present.

After motion duly made and seconded, by unanimous vote, the minutes of the Commission's December 20, 1993 meeting were approved.

After motion duly made and seconded, by unanimous vote, the Appeal of Gary J. Vines, Sr., Docket No. 94-43-T was assigned to Norman W. Ershler, Referee.

Upon joint motion of the parties, the Appeal of Vincent J. DiBenedetto, Docket No. 93-42-T, was continued without date to allow the parties to prepare and present a written settlement to the Commission.

The Commission received a presentation from Robert Collins, Attorney at Law, on behalf of Colonel Paul W. Fontenot's request for the creation of the position (and detail) of Captain for the

Office of Motor Vehicles. Mr. Mark Falcon, Attorney at Law, appearing on behalf of clients in the Legal Section of the Office of Management and Finance and the Office of Motor Vehicles, and Mr. William Spencer, Executive Director of the Louisiana State Troopers Association, appearing on behalf of the his Association, both spoke in opposition to Colonel Fontenot's request.

After this presentation, Mr. Johnson was unable to remain and he did not participate thereafter.

After testimony on Colonel Fontenot's request, and after a motion to grant Colonel Fontenot's request was duly made and seconded, the Commission voted as follows:

For: Chairman Conway and Members Booth and Mendell;

Against: Vice-Chair Christian and Members Kinsey and Jean, whereupon the motion failed for lack of a majority.

Mr. Collins then requested a "stay" of the Commission's decision, during which the detail would be continued, in order to allow Colonel Fontenot time to seek review by the courts of the Commission's denial of his request. Mr. Booth offered a motion to allow a sixty (60) day extension of the detail, which motion lacked a second. Ms. Mendell then offered a substitute motion to allow a thirty (30) day extension of the detail. After being seconded, the Commission voted on Ms. Mendell's motion as follows:

For: Members Booth and Mendell;

Against: Chairman Conway, Vice-Chair Christian and Members Kinsey and Jeane, whereupon the motion failed for lack of a majority.

Mr. Collins then requested a one (1) week extension of the detail in which to allow the transfer of the duties from Captain Moreau, who had been detailed to the position, to an employee of the Office of Motor Vehicles. After a motion to allow a one (1) week extension of the detail was duly made and seconded, the Commission voted as follows:

For: Vice-Chair Christian and Members Booth, Mendell, Kinsey
and Jean;

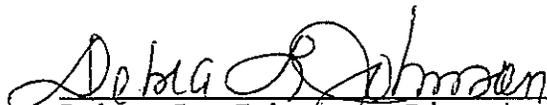
Against: Chairman Conway,

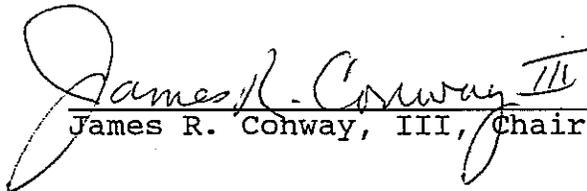
whereupon the motion passed by a majority.¹

The Commission then adjourned its public session and reconvened in Executive Session in order to discuss its decision in the Appeal of Michael J. Mensman, Docket No. 93-38-T.

After the conclusion of its business, the Commission then adjourned its meeting at 5:00 p.m., until Monday, February 21, 1994.

Respectfully submitted:


Debra L. Johnson, Director


James R. Conway, III, Chair

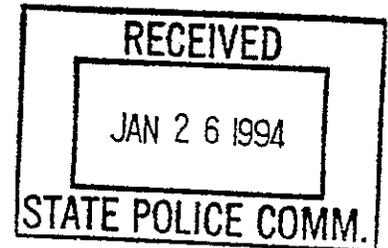
¹By letter dated January 25, 1994, a copy of which is attached hereto, Robert J. Collins, on behalf of Colonel Paul W. Fontenot, notified the Commission that no further review of this matter would be sought.

Robert J. Collins
Attorney at Law

715 St. Ferdinand Street
Baton Rouge, LA 70802-6460
Voice: 504-336-0404
Fax: 504-336-3017

January 25, 1993

Mr. James R. Conway, III,
Chairman
State Police Commission
P.O. Box 66555
Baton Rouge, LA 70896-6555



RE: State Police Civil Service position of—
Statewide Commander of Motor Vehicle Police,
also docketed as:
Capt. Donald Moreau v. Debra L. Johnson (Dkt. # 94-44-O)

Dear Mr. Conway:

Further to the State Police Commission's hearing yesterday of Col. Paul Fontenot's request to overturn Director Debra Johnson's rescision of her decision to allocate a position of State Police Captain for the Motor Vehicle Police section, please be advised that Col. Fontenot has decided not to seek relief in the courts from yesterday's decision by the Commission.

In addition, as I stated yesterday, the Notice of Appeal by Capt. Donald Moreau referenced above was filed simply to preserve all legal rights to press the issue which Col. Fontenot presented to the Commission yesterday. Inasmuch as the Commission has now ruled on that issue, please be advised that Capt. Moreau is hereby *withdrawing* his appeal.

Please do not hesitate to contact me if you should need any additional information. My thanks, again, to you and the other members of the Commission for your patience in listening to our presentation yesterday.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Robert J. Collins".

Robert J. Collins

cc: Col. Paul Fontenot
Capt. Donald Moreau
Mr. Norman W. Ershler
Ms. Debra L. Johnson

MINUTES

STATE POLICE COMMISSION

FEBRUARY 21, 1994

The State Police Commission convened its monthly meeting at 9:10 a.m., on Monday, February 21, 1994, in Classroom No. 17, Second Floor, Dormitory Building, State Police Training Academy, 7901 Independence Boulevard in Baton Rouge, Louisiana. Present were Chair Conway, Vice-Chair Christian and Members Booth, Jeane, Johnson, Kinsey and Mendell. Also present were Debra Johnson, Norman Ershler and Gilda Russ.

On motion duly made, seconded and passed, by unanimous vote of the members present, the Commission voted to approve the Minutes from the January 24, 1994 meeting.

The public hearing of the appeal of Robert F. Guilbeaux, (Department of Public Safety and Corrections, Office of State Police), Docket No. 93-41-S, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. Upon completion of testimony, evidence and all arguments by the parties, the matter was taken under advisement, with a written decision to be forthcoming.

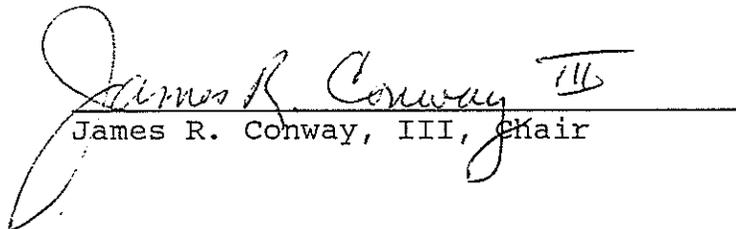
The public hearing of the appeal of Kimberly Allison Le-Blanc, (Department of Public Safety and Corrections, Office of State Police), Docket No. 93-34-P, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. Upon completion of testimony, evidence and all arguments by the parties,

the matter was taken under advisement, with a written decision to be forthcoming.

There being no further business, the Commission adjourned its meeting at 6:55 p.m., until Monday, March 21, 1994.

Respectfully submitted:


Debra L. Johnson, Director


James R. Conway, III, Chair

MINUTES

STATE POLICE COMMISSION

MARCH 21, 1994

The State Police Commission convened its monthly meeting at 9:12 a.m., on Monday, March 21, 1994, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chair James Conway, Vice-Chair Ollie Christian, and Members Booth, Jeane, Johnson and Mendell. Member Kinsey was absent. Also present were Debra Johnson, Norman Ershler and Gilda Russ.

The Commission received a presentation from Sergeant Kenneth Curlee relative to the procedures utilized by the Commission's staff in calculating promotional scores.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the February 21, 1994 meeting.

On motion duly made and seconded, by unanimous vote of the members present, the Appeal of Perry D. Smith, Docket No. 94-45-T, Appeal of Wyatt J. Achord, Docket No. 94-46-P and Appeal of Robert R. Moore, Docket No. 94-47-S, were assigned to Norman Ershler, Referee.

The Commission received comments from Russell Culotta and Debra Johnson relative to revision of State Police Rules 3.1(o) and 4.1(e). On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to defer action on this revision until its April 18, 1994 meeting.

The Commission received comments from Walter L. Smith and Foye L. Lowe relative to the adoption of State Police Commission Rules 13.18.1(a) through (g). On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to adopt the Rules, as amended, attached hereto as Attachment A, with an effective date of March 21, 1994.

The Commission received a presentation from Foye L. Lowe relative to the status of the Appeal of Vincent J. DiBenedetto, Docket No. 93-42-T. Mr. Lowe also filed a written Application for Appeal to the Court of Appeal, First Circuit in the Appeal of Michael J. Mensman, Docket No. 93-38-T, and advised the Commission of the status of the reinstatement of the employee, pursuant to the Commission's decision rendered on March 1, 1994.

The public hearing of the Appeal of Gary J. Vines, Sr., Docket No. 93-43-T, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. The hearing was limited to an oral Request for Summary Disposition presented by counsel for appellant. Upon completion of testimony, evidence and all arguments by the parties, the matter was taken under advisement, with a written decision to be forthcoming on the Request for Summary Disposition.

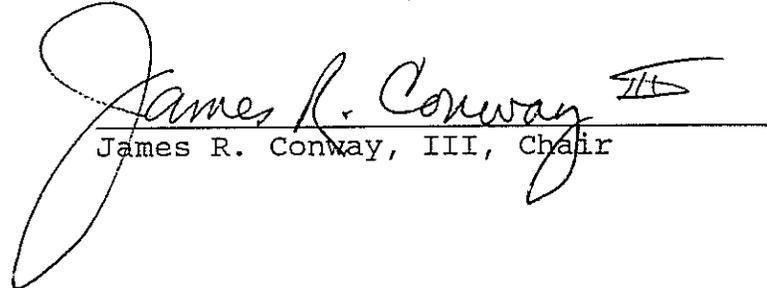
On motion duly made and second, by unanimous vote of the members present, the Commission voted to change the position of Gilda Russ from Confidential Assistant to Deputy Director; and award a four percent increase in pay to both Debra Johnson and

Gilda Russ, effective February 1, 1994 for the remainder of the fiscal year 1993/94.

There being no further business, the Commission adjourned its meeting at 5:15 p.m., until Monday, April 18, 1994.

Respectfully submitted:


Debra L. Johnson, Director


James R. Conway, III, Chair

13.18.1 Pre-Hearing Procedures.

- (a) In any appeal, on its or his own initiative, or on the request of a party, the Commission or the appropriate referee may order a pre-hearing conference with the parties and/or their attorneys to consider:
1. The identification and/or simplification of the factual and/or legal issues;
 2. What material facts are or are not in substantial dispute, and stipulations which might be entered into by the parties;
 3. The limitation of the number of witnesses, including expert or cumulative fact witnesses;
 4. Documentary or other exhibits which may be used and/or offered at the hearing; or
 5. Such other matters as may aid in the hearing or disposition of the appeal.
- (b) At the discretion of the Commission or the appropriate referee, the pre-hearing conference referred to in Section (a) above may be held in person or by telephone.
- (c) In any appeal, whether before or after a pre-hearing conference, on its or his own initiative, or on the written request of a party made in conformity with the requirements of State Police Commission Rule 13.21(d), the Commission or the appropriate referee may order the parties and/or their attorneys, in the manner and within the time ordered, to produce, exchange copies of and/or allow inspection of documents or other tangible things.
- (d) As soon as practicable after a pre-hearing conference, the Commission or the appropriate referee shall render an order which recites:
1. The action taken at the pre-hearing conference;
 2. The agreements made by the parties as to any of the matters considered; or
 3. The orders made with regard to the production, exchange and/or inspection of documents, tangible things or other exhibits.

- (e) The order issued by the Commission or the appropriate referee pursuant to Section (d) above shall control subsequent proceedings, including the hearing, unless modified by the Commission or the appropriate referee to prevent injustice.
- (f) After ordered by the Commission or the appropriate referee, a party or his attorney who fails, without good cause, to produce, exchange copies of and/or allow inspection of any document or other tangible things shall, unless necessary to prevent injustice, be prohibited from using or offering such document or tangible things at the hearing or otherwise.
- (g) Failure of a party or attorney, without good cause, to appear at or participate in a pre-hearing conference ordered by the Commission or the appropriate referee shall be a contempt of the Commission and may be punished by the Commission as such. Additionally, within the discretion of the Commission or the appropriate referee, such failure may cause the continuance of a hearing, and if the failure is attributable to him, the denial to appellant of back pay or other benefits during the period after the failure and prior to the hearing of the appeal.



MINUTES

STATE POLICE COMMISSION

APRIL 18, 1994

The State Police Commission convened its monthly meeting at 9:00 a.m. on Monday, April 18, 1994, in the Eleventh Floor Conference Room, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chairman James R. Conway, III, and Members Clifford V. Johnson, Joseph T. Booth, Helen E. Mendell and Larry W. Jeane. Also present was Debra L. Johnson, Director, and Norman W. Ershler, Chief Counsel.

During the Employee Opportunity to Address the Commission, Foye L. Lowe, Jr. requested that the Commission overrule Director Johnson's decision refusing to stay the Commission's decision in the Appeal of Michael J. Mensman, Docket No. 93-38-T, and to grant a stay of that decision. No action was taken by the Commission at that time.

After motion duly made and seconded, by unanimous vote, the minutes of the Commission's March 21, 1993 meeting were approved.

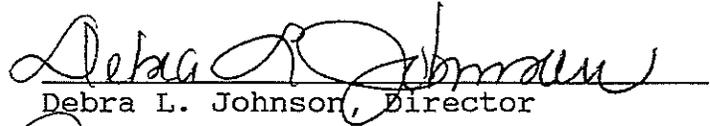
The public hearing of the Appeal of Edward A. Kuhnert, Docket No. 93-36-D, limited to appellant's Motion for Summary Disposition, was held, at the conclusion of which the appeal was taken under advisement.

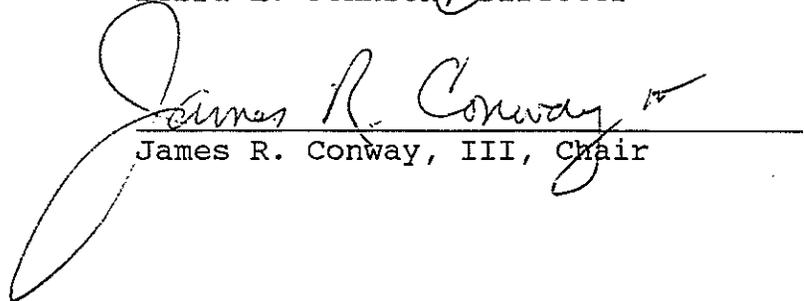
The Commission then adjourned its public session and reconvened in executive session in order to discuss its decision in the Appeal of Edward A. Kuhnert, Docket No. 93-36-D.

The Commission then ended its executive session and

reconvened its public session, at the conclusion of which the Commission adjourned at 4:30 p.m., until Monday, May 23, 1994.

Respectfully submitted:


Debra L. Johnson, Director


James R. Conway, III, Chair

MINUTES

STATE POLICE COMMISSION

MAY 23, 1994

The State Police Commission convened its monthly meeting at 9:10 a.m. on Monday, May 23, 1994, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Chair Conway and Members Booth, Jeane, Kinsey and Mendell. Vice-Chair Christian arrived at 9:20 a.m. Member Johnson was absent. Also present were Debra Johnson, Gilda Russ and Norman Ershler.

During the employee opportunity to address the Commission, the Commission received comments from Baxter Welch, Mark Bascle, Wayne Winkler, John D'Oriocourt, Kermit Smith, Kenneth Williams, Troy Hebert, Mike O'Neal and Kenneth Williams.

On motion duly made and seconded, by unanimous vote of the members present, the Commission voted to approve the Minutes from the April 18, 1994 meeting.

The Commission received comments from the following individuals relative to the adoption of a pay plan: John D'Oriocourt, Baxter Welch, Ronnie Jones, Clifford Devereaux, Bill Spencer, Wayne Winkler, Mark Bascle and Debra Johnson. On motion duly made and seconded, the Commission voted to adopt the pay plan, attached hereto as Exhibit A.

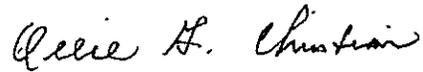
The Commission then adjourned its public session and reconvened in executive session in order to discuss its decision in the Appeal of Vines, Docket No. 93-43-T and Appeal of Kuhnert, Docket No. 93-36-D.

The Commission then ended its executive session and reconvened its public session, at the conclusion of which the Commission adjourned at 3:15 p.m., until Monday, June 20, 1994.

Respectfully submitted:


Debra L. Johnson, Director

James R. Conway, III, Chair



STATE POLICE PAY PLAN

Job Title	GS Level	Proposed Minimum Salary	Maximum Salary	Proposed Maximum Salary
Cadet	GS-13	1580	2347	2465
Trooper	GS-14	1690	2511	2637
Master Trooper	GS-15	1809	2687	2822
Sergeant	GS-17	2070	3076	3230
Pilot	GS-18	2216	3292	3457
Lieutenant & Polygraphist	GS-19	2370	3522	3699
Deputy Command Pilot	GS-20	2536	3786	3976
Captain	GS-21	2714	4032	4234
Command Pilot	GS-22	2904	4314	4530
Major	GS-23	3106	4615	4846
Chief of Staff	GS-25	3557	5285	5550
Deputy Supt.	GS-27	4072	6050	6353



MINUTES

STATE POLICE COMMISSION

JUNE 20, 1994

The State Police Commission convened its monthly meeting at 9:10 a.m., on Monday, June 20, 1994, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Larry Jeane, Ollie Christian, Joseph Booth and Richard Kinsey. Member Clifford Johnson arrived at 9:20 a.m. Members James Conway and Helen Mendell were absent. Also present were Debra Johnson, Gilda Russ, Nadine Cripple and Norman Ershler.

At the employee opportunity to address the Commission, comments were received from Donald Moreau and Russell Culotta.

After motion duly made and seconded, by unanimous vote of the members present, the minutes of the Commission's May 23, 1994 meeting were approved.

The Commission received a presentation from Foye Lowe and J. Arthur Smith relative to a settlement of the appeal of Vincent J. DiBenedetto, Docket No. 93-42-T. After receiving all comments and the actual settlement document, the Commission took the matter under advisement, with written notice to be forthcoming.

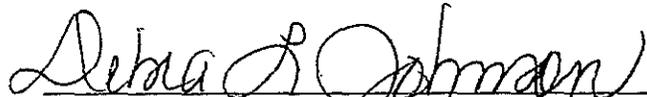
The public hearing of the appeal of Michael J. Mensman, Docket No. 94-49-0, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. Upon completion of testimony, evidence, stipulations and all arguments by the parties, the matter was taken under advisement, with a written decision to be

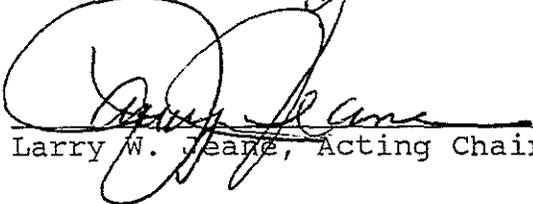
forthcoming.

The public hearing of the appeal of Robert R. Moore, Docket No. 94-47-S, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. Upon completion of the testimony, evidence, stipulations and all arguments of the parties, the matter was taken under advisement, with a written decision to be forthcoming.

The Commission then ended its executive session and reconvened its public session at the conclusion of which, the Commission adjourned at 5:10 p.m., until Monday, July 18, 1994.

Respectfully submitted:


Debra L. Johnson, Director


Larry W. Jeane, Acting Chair

MINUTES

STATE POLICE COMMISSION

JULY 18, 1994

The State Police Commission convened its monthly meeting at 9:10 a.m. on Monday, July 18, 1994, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Acting-Chair Larry Jeane and Members Ollie Christian, Joseph Booth, Clifford Johnson and Helen Mendell. Members James Conway and Richard Kinsey were absent. Also present were Debra Johnson, Gilda Russ, Nadine Cripple and Norman Ershler.

At the employee opportunity to address the Commission, comments were received from Kermit Smith.

After motion duly made and seconded, by unanimous vote of the members present, the Minutes of the Commission's June 20, 1994 meeting were approved.

The public hearing of the appeal of Perry D. Smith, Docket No. 94-45-T, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. Upon completion of testimony, evidence, stipulations and all arguments by the parties, the matter was taken under advisement, with a written decision to be forthcoming.

The public hearing of the Court of Appeal, First Circuit remand of the appeal of Robert E. Hilburn, II, Docket No. 92-24-O, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the

taking of testimony in this matter. Upon completion of testimony, evidence, stipulations and all arguments by the parties, the matter was taken under advisement, with a written decision to be forthcoming.

At the conclusion of the public hearings, the Commission entered into executive session. The Commission then ended its executive session and reconvened its public session, at the conclusion of which, the Commission adjourned at 5:30 p.m., until Monday, August 15, 1994.

Respectfully submitted:


Debra L. Johnson, Director


Larry W. Jeane, Acting Chair

MINUTES

STATE POLICE COMMISSION

AUGUST 15, 1994

The State Police Commission convened its monthly meeting at 9:10 a.m., on Monday, August 15, 1994, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Members James Conway, Joseph Booth, Larry Jeane, Clifford Johnson and Richard Kinsey. Members Helen Mendell and Ollie Christian were absent.

After motion duly made and seconded, by unanimous vote of the members present, the Minutes of the Commission's July 18, 1994 meeting were approved.

The public hearing of the appeal of Chet Z. Robichaux, Docket No. 94-50-T, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. Upon completion of testimony, evidence, stipulations and all arguments by the parties, the matter was taken under advisement, with a written decision to be forthcoming.

At the lunch break during the Robichaux appeal hearing, the Commission entered into executive session from 12:00 to 2:00 p.m. At the conclusion of the Robichaux hearing, the Commission once again entered into executive session. The Commission then ended its executive session and reconvened its public session, at the conclusion of which, the Commission adjourned at 6:25 p.m., until Monday, September 19, 1994.

Respectfully submitted:


Debra L. Johnson, Director


James R. Conway, Chair

MINUTES

STATE POLICE COMMISSION

SEPTEMBER 19, 1994

The State Police Commission convened its monthly meeting at 9:20 a.m., on Monday, September 19, 1994, in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Members James Conway, Ollie Christian, Joseph Booth, Clifford Johnson and Richard Kinsey. Member Larry Jeane arrived at 9:30 a.m. Member Helen Mendell was absent.

After motion duly made and seconded, by unanimous vote of the members present, the Minutes of the Commission's August 15, 1994 meeting were approved.

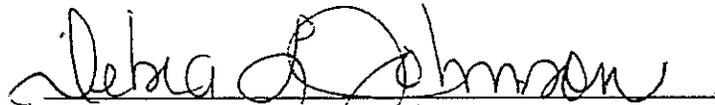
After motion duly made and seconded, by unanimous vote of the members present, the Commission, pursuant to the provisions of State Police Commission Rule 6.16(a), voted to approve a \$0.50 per hour shift differential to State Police officers assigned to Troop Operations, for work performed during any time periods other than 8:00 a.m. to 4:30 p.m., excluding special details, effective September 12, 1994.

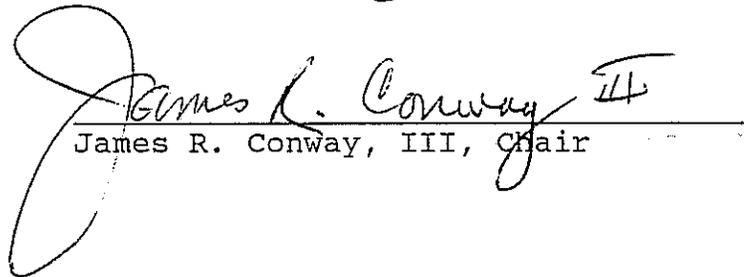
The public hearing of the appeal of Bruce Baker, Docket No. 94-51-T, was called. By unanimous vote of the members present, the Commission voted to appoint Norman Ershler as Referee for the taking of testimony in this matter. Evidence was received and the matter was held open for further proceedings.

At the conclusion of the Baker appeal hearing, the Commission entered into executive session. The Commission ended its executive

session and reconvened its public session, at the conclusion of which, the Commission adjourned at 5:50 p.m., until Monday, October 17, 1994.

Respectfully submitted:


Debra L. Johnson, Director


James R. Conway, III, Chair

MINUTES

STATE POLICE COMMISSION

OCTOBER 17, 1994

The State Police Commission convened its monthly meeting at 9:15 a.m. on Monday, October 17, 1994, in the 11th Floor Conference Room, Wooddale Towers, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were James R. Conway, III, Chair, Ollie Christian, Vice-Chair, and Members Joseph T. Booth, Larry W. Jeane, Helen E. Mendell and Richard N. Kinsey. Member Clifford V. Johnson was absent. Also present was Norman W. Ershler.

During General Business, Kermit Smith addressed the Commission regarding existing pay inequities in the current pay plan and flexible work schedules to permit employees to attend college. The Commission took no action on these matters at that time.

On motion made and seconded, by unanimous vote of the members present, the Minutes of the September 19, 1994 Commission meeting were approved.

The public hearing of the Appeal of Edward A. Kuhnert, Docket No. 93-36-D, which was limited to a consideration of appellee's Motion for Continuance, was called. By unanimous vote of the members present, Norman W. Ershler was appointed Referee to conduct the hearing. After argument, the Motion for Continuance was taken under advisement.

The public hearing of the Appeal of Jamie C. Hanna, Docket

No. 94-52-S, was called. By unanimous vote of the members present, Norman W. Ershler was appointed Referee to conduct the hearing. After receipt of evidence and argument, the appeal was taken under advisement.

During a recess in the Hanna appeal, and by majority vote of the members present, the Commission convened in Executive Session to discuss the Motion for Continuance in the Appeal of Edward A. Kuhnert, Docket No. 93-36-D. Thereafter, in open session and by majority vote, the Commission denied appellee's Motion for Continuance.

At the conclusion of the Hanna appeal, and by majority vote of the members present, the Commission convened in Executive Session to discuss the Hanna appeal, at the conclusion of which the Commission resumed its public session.

The public hearing of the Appeal of Robert A. Harrison, Docket No. 94-48-S, was called. By unanimous vote of the members present, Norman W. Ershler was appointed Referee to conduct the hearing. After receipt of some evidence, the record was held open for further proceedings.

At the conclusion of the appeal hearings, the Commission entered into a General Business session. After motion made and seconded, all members present, except for Mr. Booth, voted to appoint William A. Norfolk, Attorney at Law, as Referee to conduct the hearing in the Public Investigations of the Office of State Police, Anthony Genusa and Donald R. Moreau, Docket Nos. 94-55-PI, 94-56-PI and 94-57 PI, respectively, at a rate of compensation of \$100.00 per hour. Mr. Booth stated the reasons

for his opposition and voted against.

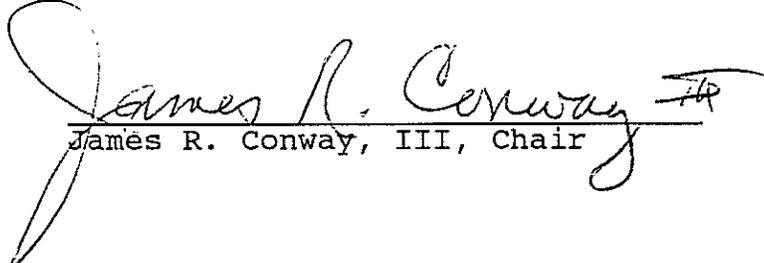
On motion made and seconded, and by unanimous vote of the members present, the Commission instructed Mr. Ershler to give priority to writing decisions in previously heard appeals and to have all backlogged decisions on completed hearings ready for rendering at the next meeting.

On motion made and seconded, and by unanimous vote of the members present, the Commission instructed that a discussion of a constitutional amendment providing for a Referee with decisional authority be placed on its November 21, 1994 agenda.

Upon completion of the public session, the Commission adjourned at 5:45 p.m., until Monday, November 21, 1994.

Respectfully submitted:

Debra L. Johnson, Director



James R. Conway, III, Chair



MINUTES

STATE POLICE COMMISSION

NOVEMBER 17, 1994

The State Police Commission convened its monthly meeting at 9:00 a.m. on Monday, November 21, 1994, in the 11th Floor Conference Room, Wooddale Towers, 1885 Wooddale Boulevard, Baton Rouge, Louisiana. Present were Ollie Christian, Vice-Chair, and Members Joseph T. Booth, Larry W. Jeane, Helen E. Mendell, Richard N. Kinsey and Clifford V. Johnson. Also present were Debra L. Johnson and Norman W. Ershler.

Because of a lack of time due to other business, the public hearing of the Appeal of Robert A. Harrison, Docket No. 94-48-S, was continued until December 19, 1994.

On motion made and seconded, and with one correction offered by Mr. Booth, by unanimous vote of the members present, the Minutes of the October 17, 1994 Commission meeting were approved.

A presentation by Russell Culotta, Human Resources Director of Public Safety Services, on the Department's request to restore the sick leave of Master Trooper Ronald E. Briley pursuant to State Police Commission Rule 11.21.1(b) was received by the Commission. On motion made and seconded, by unanimous vote of the members present, the Commission voted to restore the sick leave of Trooper Briley.

Comments by Russell Culotta, Human Resources Director of Public Safety Services, on the proposed amendment of Chapter 16 of the Rules of the State Police Commission were received.

Thereafter, on motion made and seconded, by unanimous vote of the members present, the Commission voted to adopt the proposed amendment of Chapter 16.

Comments by Colonel Paul W. Fontenot and Ms. Wanda S. Raber, Public Safety Services, Debra L. Johnson, Director, State Police Commission, and Baxter Welch on the proposed Pay Plan Structure Adjustment were received by the Commission. Thereafter, on motion made and seconded, by unanimous vote of the members present, the Commission voted to approve the Pay Plan Structure Adjustment submitted by Paul W. Fontenot, Colonel, State Police Superintendent and, alternatively, the Pay Plan Structure Adjustment contained in General Circular No. 37.

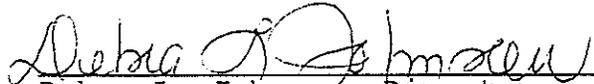
After discussion of a constitutional amendment providing for a Referee with decisional authority, on motion made and seconded, by unanimous vote of the members present, the Commission voted to have such a constitutional amendment prepared and to consider such at a later date.

The public hearing of the Appeal of Edward A. Kuhnert, Docket No. 93-36-D, was called. By unanimous vote of the members present, Norman W. Ershler was appointed Referee to conduct the hearing. At the conclusion of the hearing, the appeal was taken under advisement.

At the conclusion of the appeal hearings, and by majority vote of the members present, the Commission convened in Executive Session to discuss decisions in the appeals of Edward A. Kuhnert, Docket No. 93-36-D, Perry D. Smith, Docket No. 94-45-T, Chet Z. Robichaux, Docket No. 94-50-T and Jamie C. Hanna, Docket No.

94-52-S at the conclusion of which the Commission resumed its public session. Upon completion of the public session, the Commission adjourned at 6:00 p.m., until Monday, December 19, 1994.

Respectfully submitted:


Debra L. Johnson, Director


Larry W. Jeane, Acting Chair



MINUTES

STATE POLICE COMMISSION

DECEMBER 19, 1994

The State Police Commission convened its monthly meeting at 9:12 a.m., on Monday, December 19, 1994 in the Conference Room, Eleventh Floor, Wooddale Towers Building, 1885 Wooddale Boulevard in Baton Rouge, Louisiana. Present were Chair James Conway, Vice-Chair Ollie Christian and Members Joseph Booth, Larry Jeane, Richard Kinsey, Clifford Johnson and Helen Mendell.

On motion made and seconded, with a correction offered by James Conway, by unanimous vote of the members present, the Minutes of the November 17, 1994 meeting were approved.

At the request of counsel for appellant, the public hearing of the Appeal of Robert A. Harrison, Docket No. 94-48-S, was continued, until Monday, January 23, 1995, due to a conflict with appellant's schedule.

The proposed settlement of the public investigations of Department of Public Safety and Corrections, Office of State Police, Anthony Genusa and Donald Moreau, Docket Nos. 94-55-PI, 94-56-PI and 94-57-PI (consolidated), was called. By unanimous vote of the members present, William A. Norfolk was appointed Referee to conduct the proceedings. By unanimous vote of the members present, the Commission voted to approve the settlement submitted in connection with the investigations.

At the conclusion of the settlement proceedings, and by majority vote of the members present, the Commission convened in Executive Session to discuss a decision in the Appeal of Edward A.

Kuhnert, Docket No. 93-36-D, at the conclusion of which, the Commission resumed its public session. Upon completion of the public session, the Commission adjourned at 10:20 a.m., until 9:00 a.m., Monday, January 23, 1995.

Respectfully submitted:


Debra L. Johnson, Director


James R. Conway, III, Chair