Hays County Emergency Services District No. 5
Kyle Fire Department Station 1 (Miller-Whitaker) - 210 W. Moore St. - Kyle, Texas 78640
February 16, 2013 – 10:30 a.m.
Special Meeting of the Board of Directors
Minutes

1. Meeting was called to order at 10:30 a.m. and quorum established with Commissioners Mike Fulton, Eric Holen, Susan Meckel, Beth Smith and Paul Terry present.
2. Public comments were heard:

- Clay Huckaby, Buda/HCESD No. 8 Fire Chief offered assistance with the HCESD No. 5 Transition when HCESD No. 5/KFD Fire Chief Whitaker resigns, and stated that HCESD No. 8 has given approval for him to assist HCESD No. 5. He provided his Curriculum Vitae and Fire Department Needs Assessment.
- Joshua Todd encouraged the ESD BOD consider independent outside counsel during the interim period before a permanent fire chief is hired because of animosity among high and mid-level chiefs and inner hostility which could set up a hostile environment.

3. Discussion on Fire Chief Glenn Whitaker pending resignation commenced with President Smith inviting members of the BOD to make comments on the pending resignation. Commissioners publicly thanked Chief Whitaker for his years of service and commitment to growing the fire department from an all volunteer to a paid professional and volunteer department, and commended him on his upstanding character, moral and ethical example, integrity and commitment to public service. Commissioners also thanked Doris Whitaker for her years of dedication and hard work for the department. Commissioner Fulton motioned, seconded by Commissioner Smith to accept Chief Whitaker's resignation with proposed effective date of February 25, 2013. Motion passed unanimously,

4. Commissioner Terry motioned, seconded by Commissioner Fulton to temporarily table agenda Item 4 (Appointment of Interim Chief) to discuss agenda item 5 (Job description and appropriate venue for job posting).

5. Discussion was held to revise and approve job description for Fire Chief and select appropriate venues to post job listing for same. Posting sites mentioned included Texas Municipal League (TML); SAFE-D, International Association of Fire Chiefs; and Texas Workforce Commission – State of Texas Job Matching Service. Commissioner Terry recommended using the Copperas Cove Fire Chief job description detailed job functions and requirements adjusted to reflect ESD 5 and City of Kyle, with changed verbiage; and mentioned that the previous workshop of February 11, 2013 included discussion that a Bachelors Degree in Fire Science would be appropriate.

Commissioner Smith motioned to go through appropriate steps to let the Long-term Structural and Organizational Committee work on job description and meet in a workshop to come up with a good, excellent description and post it within the next few weeks with SAFE-D, TML, Texas Workforce Commission, and International Association of Fire Chiefs. In discussion, motion was seconded with amendment by Commissioner Terry to include city and county websites for posting the Fire Chief's job, and any other posting sites that might be recommended by our Interim Fire Chief. Discussion clarified that the workshop would be a joint workshop with the ESD to finalize job description and requirements. Motion passed unanimously

Discussion on Items 4, 6 – President Smith stated she would like to call Executive session to discuss items 4 and 6 regarding personnel matters and asked for comments from the BOD. On item 6 Commissioner Holen stated the ESD would like to assure employees that they will get paid and ensure continuity of the department, and with that, also ensure continuity continues but then take slower approach to ensure that all bills, financials are taken care of. Commissioner Terry stated that he wasn't sure if it was within our purview in this meeting to solicit bids but he has always used Automated data Processing for his personal business and it provides all manner of support.

President Smith adjourned from Open meeting into Executive Session at 10:50 a.m.to discuss 4 and 6 pursuant to Government Code Section 551.074 of the Texas Government Code regarding Personnel Matters.

Executive Session opened at 10:50 a.m. and closed at Executive Session closed at 11: 42 a.m.
President Smith reconvened the ESD BOD into open session 11:43 a.m.

4. Motion was made by Commissioner Fulton, seconded by Commissioner Holen to appoint Clay Huckaby as Interim Fire Chief. In discussion Commissioner Holen explained that after consideration of a number of applications and taking into consideration that all three chiefs currently within the KFD should have equal chance at applying for and moving into a permanent fire department role, it makes sense to have Chief Huckaby serve as interim to maintain stability and identify roles & responsibilities necessary to hire a permanent chief for the Department.

6. Commissioner Holen motioned, seconded by Commissioner Smith to temporarily table 6 and move to item 7 to address public interest in the item from the present audience. Motion passed unanimously.

7. Discussion with possible action for allocation of unused approved holiday dinner fund to be used for future department event. Allocated, not used – Motion was made by Commissioner Fulton to use previously allocated funds for a holiday dinner that were unused to fund a 4th of July barbecue or picnic for KFD members and families in preparation for the City's fireworks display. Motion died for lack of second. Commissioner Holen motioned, seconded by Commissioner Fulton to put the funds back into the ESD General Fund for later use for an event as the Interim Chief sees fit; In discussion Commissioner Meckel reminded the BOD that in the previous November 2012 meeting there was discussion on creating a possible citizen/employee/BOD committee to oversee how to appropriate funds for events/activities; Commissioner Smith conveyed interest indicated by employees in allocating the funds toward a thank-you/appreciation lunch or dinner for outgoing Chief Whitaker, and offered that the current motion could be voted up or down to place funds back in the General Fund or bring forth another motion that would allow funds to be allocated without coming back to the BOD at a future agenda. Commissioner Terry supported allocation of funds now for Interim Chief's or other appropriate person's discretion to draw for an event for the outgoing Chief without coming to BOD. Commissioner Fulton stated with those caveats he would withdraw his second; and Commissioner Holen withdrew his motion. Motion was made by Commissioner Terry, seconded by Commissioner Smith to reallocate funds for a retirement/going away party for Chief Whitaker. Discussion wsa held on who would coordinate distribution of funds with interim chief, and motion was amended to direct the Deputy Chief to coordinate an event for the outgoing Chief. Motion passed unanimously.

President Smith adjourned from Open meeting into Executive Session at 11:53 a.m.to discuss Items 4 and 6 pursuant to Government Code Section 551.074 of the Texas Government Code regarding Personnel Matters, and invited Chief Huckaby into Executive Session to discuss employment.

Executive Session convened at 11:56 a.m. and adjourned at 12:42 p.m.
President Smith reconvened the ESD BOD into Open Meeting at 12:44 p.m.

4. Motion was made by Commissioner Fulton, seconded by Commissioner Terry to extend an offer of $900.00 per week for employment of Interim Chief Huckaby to be effective February 17, 2013; with understanding that all personnel changes come through the ESD BOD. Motion passed unanimously.

6. Motion was made by Commissioner Fulton seconded by Commissioner Terry to extend offer of employment to Molissa Endicot during transition with a minimum time requirement of 10 hours per week, or as necessary, at $25.00 per hour to fill interim Finance/Human Resource position. Motion passed unanimously.

Another motion was made by Commissioner Fulton, seconded by Commissioner Smith, to extend

offer of employment to Kasey Burch as receptionist and administrative assistant at the rate of $10 per hour for 20 hrs week. Motion passed unanimously.

8. No additional discussion or action was taken on matters relating to personnel.

9. Discussion was held with no action to set future special meeting dates and/or workshops of the ESD Board of Directors; no special meetings are required at this time, but may be called by the President if need arises. The Long-term Structural and Organizational Committee will meet before the next regular ESD BOD meeting in February.

10. The meeting was adjourned at 12:42 p.m.

Note – Interim Chief Huckaby addressed personnel present after the close of the meeting to encourage cooperative effort and announce initial plans to meet with shifts and all personnel to assess needs and address issues.

Respectfully submitted,
Susan Meckel, Secretary
HCESD No. 5