

**MINUTES  
OF THE NEW BRAUNFELS CIVIL SERVICE COMMISSION  
MEETING OF MARCH 10, 2017**

The Civil Service Commission of the City of New Braunfels, Texas, convened on March 10, 2017, in the Braunfels Room of the New Braunfels City Hall Building.

**Commissioners present were:** Chairperson Paul Ericksen and Commissioner Fritz Welsch.

**City Staff present were:** Gary Wuest, Human Resources/Civil Service Director; Tom Bushur, Human Resources/Civil Service Manager; Lori Stidham, Human Resources Associate/Civil Service Associate; Becca Pence, Human Resources Specialist; Val Acevedo, City Attorney; Kenneth Jacks, Fire Chief; Joe Vargas, Assistant Police Chief; Darren Brinkkoeter, Battalion Chief; Greg Patty, Fire Lieutenant and Chris Peltier, Police Sergeant.

The meeting was called to order by Chairperson Ericksen at 9:00 a.m. in the Braunfels Room in the City of New Braunfels City Hall Building.

**INDIVIDUAL ITEMS FOR CONSIDERATION:**

**1. APPROVAL OF MINUTES FROM THE MEETING ON FEBRUARY 17, 2017.**

Commissioner Welsch made a motion to approve; Chairperson Ericksen seconded the motion, which was unanimously approved.

**2. DISCUSS AND CONSIDER APPROVAL ON NOTICE OF APPEAL BY ONE FIRE LIEUTENANT OF QUESTION NUMBERS 5, 9, 28, 29, AND 96 FROM THE FIRE CAPTAIN PROMOTIONAL EXAMINATION CONDUCTED ON FEBRUARY 27, 2017, FOR THE NEW BRAUNFELS FIRE DEPARTMENT.**

Civil Service Director Gary Wuest presented and introduced Fire Lieutenant Greg Patty to the Commission.

Fire Lieutenant Greg Patty presented his appeal of question number 5 from the Fire Captain Promotional Examination. Fire Lieutenant Patty explained to the Commission the reason he was appealing this question is not having the use of a calculator, even though it stated in the written test instructions that calculators would be provided for the test exam. During the reading of the test instructions, all taking the exam were verbally informed that calculators would not be provided. He further explained to the Commission that question number 5 required calculations.

Civil Service Director Gary Wuest confirmed that the written test instructions did state that calculators would be provided, however, the instructions from the test maker instructed that the use of calculators was not required. The test booklets and instructions from the test maker were received late Friday afternoon after the written test instructions provided by the City were prepared and printed for Monday morning's promotional test. Therefore, there was not adequate time to correct the written test instructions provided by the City before the exam. He further explained to the Commission that, while reading these instructions, Human Resources Manager Tom Bushur informed the test takers that calculators would not be provided. Therefore, calculators were not available to any of the test takers.

Commissioner Welsch stated the formula to calculate the answer would result in the answer as "B", which is the correct answer.

Fire Lieutenant Patty stated there were multiple questions in a row that require making calculations and that it is standard practice that calculators are provided for promotional exams.

Chairperson Ericksen asked if notes regarding this appeal were provided in the packet. Civil Service Manager Tom Bushur and Assistant Lori Stidham both explained that back up from the reference material was provided in the packet that showed the calculation for the question.

Chairperson Ericksen made a motion to sustain the answer key; Commissioner Welsch seconded the motion, which was unanimously approved.

Fire Lieutenant Greg Patty presented his appeal of question number 9 from the Fire Captain Promotional Examination. Fire Lieutenant Patty explained to the Commission that there are two contradicting answers in two different parts of the book.

Commissioner Welsch stated according to the reference material the correct answer is "word for word."

Chairperson Ericksen made a motion to sustain the answer key; Commissioner Welsch seconded the motion, which was unanimously approved.

Fire Lieutenant Greg Patty presented his appeal of question number 28 from the Fire Captain Promotional Examination. Fire Lieutenant Patty explained to the Commission the question used confusing verbiage.

Commissioner Welsch stated he had a problem with both questions 28 and 29 and stated that the questions could be clearer.

Chairperson Ericksen made a motion to eliminate question number 28 from the answer key; Commissioner Welsch seconded the motion, which was unanimously approved.

Fire Lieutenant Greg Patty presented his appeal of question number 29 from the Fire Captain Promotional Examination. Fire Lieutenant Patty explained to the Commission again the question used confusing verbiage.

Chairperson Ericksen made a motion to eliminate question number 29 from the answer key; Commissioner Welsch seconded the motion, which was unanimously approved.

Fire Lieutenant Greg Patty presented his appeal of question number 96 from the Fire Captain Promotional Examination. Fire Lieutenant Patty explained to the Commission he does not have much of a standing for his appeal for this question.

Chairperson Ericksen made a motion to sustain the answer key; Commissioner Welsch seconded the motion, which was unanimously approved.

**3. DISCUSS AND CONSIDER APPROVAL AND CERTIFICATION OF THE ELIGIBILITY LIST FOR FIRE CAPTAIN FROM THE PROMOTIONAL EXAMINATION CONDUCTED ON FEBRUARY 27, 2017 DEPENDING ON THE OUTCOME OF ITEM 2.**

Civil Service Director Gary Wuest explained to the Commission that due to the elimination of the two questions on the previous item, the tests will be re-graded and a new eligibility list will be created.

Chairperson Ericksen made a motion to postpone the approval of the eligibility list; Commissioner Welsch seconded the motion, which was unanimously approved.

**4. DISCUSS AND CONSIDER CANCELLING THE CURRENT POLICE CORPORAL PROMOTIONAL EXAMINATION.**

Civil Service Director Gary Wuest presented and discussed the item.

Chairperson Ericksen made a motion to cancel the promotional exam; Commissioner Welsch seconded the motion, which was unanimously approved.

**5. DISCUSS AND CONSIDER CALLING FOR A POLICE CORPORAL PROMOTIONAL EXAMINATION TO FILL A VACANCY AND/OR CREATE AN ELIGIBILITY LIST TO BE SCHEDULED THE WEEK OF APRIL 10<sup>TH</sup>, 2017 OR LATER.**

Civil Service Director Gary Wuest presented and discussed the item.

Chairperson Ericksen made a motion to approve to re-schedule the promotional exam; Commissioner Welsh seconded the motion, which was unanimously approved.

**6. EXECUTIVE SESSION**

DELIBERATE PENDING/CONTEMPLATED LITIGATION, SETTLEMENT OFFER(S), AND MATTERS CONCERNING PRIVILEGED AND UNPRIVILEGED CLIENT INFORMATION DEEMED CONFIDENTIAL BY RULE 1.05 OF THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION 551.071, OF THE TEXAS GOVERNMENT CODE.

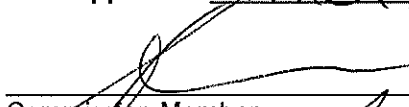
Civil Service Director Gary Wuest stated there no items for executive session.

**7. FUTURE AGENDA ITEMS**

Civil Service Assistant Lori Stidham distributed a list of possible meetings to approve eligibility lists and promotional appeals to the Commission. Civil Service Director Gary Wuest explained to the Commission that the dates listed are possible dates for upcoming meetings.

**ADJOURNMENT:** Meeting adjourned at 9:22 a.m.

Date Approved: March 16, 2017

  
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Commission Member

  
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Commission Member

**Attest:**

  
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GARY WUEST, Recording Secretary