

**MINUTES  
OF THE NEW BRAUNFELS CIVIL SERVICE COMMISSION  
MEETING OF APRIL 20, 2017**

The Civil Service Commission of the City of New Braunfels, Texas, convened on April 20, 2017, in the Braunfels Room of the New Braunfels City Hall Building.

**Commissioners present were:** Chairperson Paul Ericksen, Vice-Chairperson Cesar Castilleja 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; Darren Brinkkoeter, Battalion Chief; Garrick Herbert, Fire Captain; Matthew Wolfe, Fire Engineer; Vance Doege, Firefighter; John Dwyer, Firefighter; Kenneth Pippin, Firefighter; Wes Short, Firefighter; and Stuart Toepfich, Firefighter.

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 APRIL 5, 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 6 FIREFIGHTERS OF QUESTION NUMBERS 10, 13, 22, 23, 35, 36, 106 AND 120 FROM THE FIRE ENGINEER PROMOTIONAL EXAMINATION CONDUCTED ON APRIL 3, 2017 FOR THE NEW BRAUNFELS FIRE DEPARTMENT.**

Civil Service Director Gary Wuest presented the item and asked for Firefighter Michael Thibodeaux to come forward to present his appeal to the Commission.

Firefighter Michael Thibodeaux was not in attendance to present his appeal.

Civil Service Director Gary Wuest introduced Firefighter John Dwyer to the Civil Service Commission.

Firefighter John Dwyer presented his appeal of question number 10 from the Fire Engineer Promotional Examination. John Dwyer stated to the Commission that the map from the test was mislabeled.

Chairperson Ericksen asked if Wilderness Way was on the study map.

Firefighter John Dwyer answered that Wilderness Way is on the study map and that the study map is labeled correctly, but the map provided on the test is not correct.

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

Civil Service Director Gary Wuest asked for Firefighter Reyes Villarreal to come forward to present his appeal to the Commission.

Firefighter Reyes Villarreal was not in attendance to present his appeal.

Civil Service Director Gary Wuest directed John Dwyer to continue with his appeals.

Firefighter John Dwyer presented his appeal of question number 13 to the Commission.

Firefighter John Dwyer stated that the street referred to in question 13 is not within the City limits. He goes on to explain that they were instructed to study only streets within the City limits and provided a copy of an email he received with these instructions.

Chairperson Ericksen asked if the street was outside the City limits.

Battalion Chief Darren Brinkkoeter answered that the street is outside the City limits.

Civil Service Director Gary Wuest asked if Firefighters Stuart Toepich and Vance Doege who are also appealing question number 13 if they would like to add any comments.

Both Firefighters Stuart Toepich and Vance Doege answered no.

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

Civil Service Director Gary Wuest asked John Dwyer to continue with his next appeal of question number 22.

Firefighter John Dwyer presented his appeal of question number 22 and stated that the street from this question was not labeled on the study map.

City Attorney Val Acevedo asked Chairperson Ericksen if they may hear remarks from Battalion Chief Darren Brinkkoeter.

Battalion Chief Darren Brinkkoeter explained to the Commission that he reviewed the test prior to the exam and found numerous errors. He further explained that question number 22 did not list the correct answer as N. Academy Avenue, and asked for a revision to add this street. However, he overlooked that this street was not labeled on the study map. He stated to the Commission that he should have asked to have the question removed from the test.

Chairperson Ericksen made a motion to eliminate the test question; Vice-Chairperson Castilleja seconded the motion, which was unanimously approved.

Civil Service Director Gary Wuest informed the Commission that Firefighters Reyes Villarreal and Michael Thibodeaux were not present to appeal question numbers 23 and 35.

No appeals for question numbers 23 and 35, these questions will both stand as is.

Civil Service Director Gary Wuest asked for Firefighter Vance Doege to come forward to present his appeal of question number 36.

Firefighter Vance Doege stated that he had decided to withdraw his appeal of question number 36.

No appeal for question number 36, this question will stand as is.

Civil Service Director Gary Wuest asked for Firefighter John Dwyer to come forward again to present his appeal of question number 106.

Firefighter John Dwyer presented his appeal for question number 106 and stated that he believed that both answer A and C are both correct.

Chairperson Ericksen asked Firefighter John Dwyer what the department policy was.

Firefighter John Dwyer stated that it was the department's policy to leave the lights on or to use the hazards if in a safe location. He further explained that he has been a career Firefighter for over ten years and has never been instructed to turn off emergency lights.

Chairperson Ericksen made a motion to overrule the answer key and allow both answers A and C to be correct; Vice-Chairperson Castilleja seconded the motion, which was unanimously approved.

Civil Service Director Gary Wuest asked for Firefighter Wes Short to come forward to present his appeal of question number 120.

Firefighter Wes Short stated that he had decided to withdraw his appeal of question number 120.

No appeal for question number 120, this question will stand as is.

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

Civil Service Director Gary Wuest explained to the Commission that test booklets will be re-graded, therefore there is no action required on this item.

Civil Service Director Gary Wuest and City Attorney Val Acevedo stated that the item will be postponed to the next meeting.

Vice-Chairperson Castilleja made a motion to postpone Item 3; Commissioner Welsch seconded the motion, which was unanimously approved.

**4. EXECUTIVE SESSION -** The Commission may retire to an Executive Session on any agenda item as provided under Chapter 551.074 (personnel matters) and 551.071 (consultation with attorney concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct) of the Texas Government Code and/or Section 143.053(d) of the Texas Local Government Code, as applicable.

No items for executive session.

**5. FUTURE AGENDA ITEMS**

Civil Service Assistant Lori Stidham distributed an updated list of possible meetings to approve eligibility lists and promotional appeals to the Commission.

**ADJOURNMENT:** Meeting adjourned at 9:30 a.m.

Date Approved: April 26, 2017

Paul Erickson  
Commission Member

A. F. Welsch - J  
Commission Member

Attest:

Gary Wuest  
GARY WUEST, Recording Secretary