

Minutes of Special Board Meeting
of the
Gun Barrel City Economic Development Corporation

The Gun Barrel City Economic Development Corporation met in a Special Board meeting in the Gun Barrel City Council Chamber located at 1716 West Main Street, Gun Barrel City, Texas, 75156, Thursday, January 8, 2015 at 5:00 p.m. Skains called the meeting to order at 5:00 p.m. with the following directors present: Lyons, Butler, Damiano, Rea and Black. A quorum was established. Jim Osborne was absent.

Citizens Comments: None

Item #1. Discuss and/or take action to approve the special meeting minutes from December 8, 2014.

Black: I've gone over the minutes and they are fine as far as I'm concerned. Just because I say they are good, I am not speaking for everyone.

Skains: Right, we all should review the minutes and make sure we agree with them.

Black: With that said, I reviewed the minutes.

Skains: I did too Patsy and I didn't see any issues that I felt like needed to be changed. Do I hear a motion concerning the minutes of December 8 or further discussion?

Rea: Patsy has gone over the minutes and they have been done properly.

[Board Member - Rob Rea: Motion to accept the minutes as written.](#)

[Board Member - Gary Damiano: 2nd](#)

[Board Member - Gary Damiano: Approve](#)

[Board Member - Cheyenne Lyons: Approve](#)

[Board Member - Keith Butler: Approve](#)

[Board Member - Patsy Black: Approve](#)

[Board Member - Rob Rea: Approve](#)

[Board Member - David Skains: Approve](#)

Item #2. Discuss and/or take action on Façade Improvement Performance Agreement for Hector's.

Skains: The performance agreement was drawn up by the EDC Attorney. Is there any discussion?

[Board Member - Rob Rea: Motion to approve the Façade Improvement Performance Agreement.](#)

[Board Member - Keith Butler: 2nd](#)

[Board Member - Gary Damiano: Approve](#)

[Board Member - Cheyenne Lyons: Approve](#)

[Board Member - Keith Butler: Approve](#)

[Board Member - Patsy Black: Approve](#)

[Board Member - Rob Rea: Approve](#)

[Board Member - David Skains: Approve](#)

Item #3. Discuss and/or take action on Façade Improvement Performance Agreement for Reliant Gasket.

Black: I would like to throw this out. I don't have anything against this arrangement, but if it's at all possible I would like to readdress these façade agreements to see if they can't be tweaked a

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little to fit what is necessary. I think there is wording in there that can't be enforced. Why have them if they can't be enforced.

Skains: Not to put words in your mouth, but are you speaking about the wording 'where they stay in business one year'?

Black: That is one of them, yes.

Skains: I totally agree with you Patsy; however that is what the attorney gave us. I do think we need to address it. Are you saying in the future façade agreements?

Black: Yes.

Skains: I agree there. I think it's in our best interest to have a standard performance agreement for the façade program that doesn't deviate; it just stays the same for each one. That's what I would like us to work toward.

Black: The amount of employees, it's that a part of this as well?

Skains: The number of employees for the façade agreement shouldn't be a factor that I am aware of. I think it is in the performance agreement that they not hire any illegal aliens. According to documentation that I've read, that is a requirement.

Rea: Patsy are you concerned about the length of time the business would stay in business after they acquire the funds?

Patsy: No, no one knows that, you can die the next day. No one knows that. I'm concerned that words, just for the sake of counting words is unnecessary. If it's not applicable, why is it in there?

Skains: I agree with you Patsy and I think we need to take that up as an agenda item in a future meeting. This agenda item here is-

Black: Right. I wanted to just bring this us.

Skains: I do appreciate your comments and they are duly noted.

Board Member - Patsy Black: Motion to accept this performance agreement.

Board Member - Rob Rea: 2nd

Board Member - Gary Damiano: Approve

Board Member - Butler: Approve

Board Member - Lyons Approve

Board Member - Patsy Black: Approve

Board Member - Rob Rea: Approve

Board Member - David Skains: Approve

Item #4. Discuss and/or take action on GBC EDC Video opportunity.

Skains: This is an organization that contacted me. They do marketing video for EDC's. I notified the gentleman a little late for him to attend the meeting. He couldn't make the meeting tonight.

We are going to table this item until our January 20th meeting and he will be here to answer all of our questions and concerns. It's just another marketing tool to market the city

Board Member - David Skains: Motion to table Item 4 until the gentleman that runs this business is here to talk to us.

Board Member - Rob Rea: 2nd

Board Member - Gary Damiano: Approve

Board Member - Cheyenne Lyons: Approve

Board Member - Keith Butler: Approve

Board Member - Patsy Black: Approve

Board Member - Rob Rea: Approve

Board Member - David Skains: Approve

Item #5. Update and discussion on Crappie Anglers of Texas.

Damiano: We have a second meeting scheduled for next week, January 13 @ 5 o'clock. We are in the process of expanding the room rate that they've got at the LaQuinta hotel to include the pre fishing and the junior angler tournament which will be held earlier in the year.

Item #6. Discuss and/or take action to classify the Executive Administrative Assistant position as salary non-exempt or salary exempt.

Skains: I thought that we had covered this in our executive session and the last meeting. I feel like we did, but I didn't get it in the motion when the motion was made. So basically it's opening it up for discussion. See if we can get a motion and put this thing to bed. We've been messing with this since October I think.

Damiano: What is the reason behind changing it?

Skains: The main reason I would like to, let me clarify that a little bit. I'm asking for discussion on whether we want to go salary exempt or salary non-exempt. I'll go ahead and open that door in answering your question. I would like to basically return the position back to salary exempt from all the information that I've been able to gather. That's what the position had been for fourteen years. In my first meeting we changed that. I think we inadvertently changed it when we were putting Rita on the same schedule as city employees where she would be paid every two weeks. Up to that point she had been paid twice a month for the previous fourteen, thirteen years, whatever it had been. So we kind of messed that up. I got to looking into it and looking at the position responsibilities are. It certainly lends itself to be a salary type position. She is responsible for keeping the doors open if here are no volunteers for the EDC board, which has happened in the past. She works with our budget and makes a lot of the executive level decisions. So I would like to go ahead and put her back to salary exempt.

Rea: I have a couple of comments. As far as salary to exempt under the jobs covered by the FLSA, contrary to popular perception, I actually do read things. Part of the designation as exempt 'under Mere Supervision' it dictates planning the work, determining types of equipment to be used in performing work, or materials needed; monitoring work for legal or regulatory compliance, providing for safety and security in the workplace. I think Rita in her capacity does all four of those which qualify her for exempt. In addition, the Exempt Administrative job duties require office or nonmanual work, which she qualifies for, directly related to management or general business operations of the employer or the employer's customers. She certainly does that. And finally the administrative exemption is to keep the business running from "operational to production". I don't think there is anybody on this board would disagree that this is what Rita does, therefore she is exempt. Anybody have a problem.

Skains: Any further discussion?

Damiano: Yes, I guess I do now. One of the questions bothering me about doing this is, I'm wondering what the relationship is to the existing job, it has nothing to do with the person in the job-.

Skains: Right.

Damiano: If an ED is hired, because you will have two exempt salary level people on this side of the house? If I read the FLSA, much of what Rob says is true, but my big stumbling block is we will end up having two salary level people running the daily operations of the EDC. What will happen, I believe, I don't know, I'm asking the question-once an ED shows up then some of the components of what the current administrative assistant does on a day to day basis changes.

Skains: Not necessarily, from my understanding what the city council members have informed me on the expectations of an ED will be. That level of expectation that's just been communicated to me will be tasked with going out and selling the city to potential business to move to the city and existing businesses to help them where they can and improve the life of the

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citizens. That doesn't really conflict with anything that I'm aware of with what Rita is doing currently. I get what you're saying and I appreciate your comments but I really don't think those two are going to cross.

Damiano: I'm not arguing with you whether the job was exempt or non-exempt, I believe it's always been a non-exempt job. The pay cycle it does not dictate whether a job is exempt or non-exempt. It's driven by content, by independent action, it's driven by decision making, by a bunch of things; it's job content. I just wanted to point that out.

Skains: OK. I appreciate that. Any further comments?

Board Member - David Skains: Motion made a motion that we change the executive administrative assistant position or make it. I don't know that's it's ever actually been made exempt or non-exempt, that we make the executive administrative assistant position a salaried exempt position, paid twice a month-on the first and fifteen.

Board Member - Rob Rea: 2nd

Board Member - Gary Damiano: Disapprove

Board Member - Cheyenne Lyons: Approve

Board Member - Keith Butler: Approve

Board Member - Patsy Black: Approve

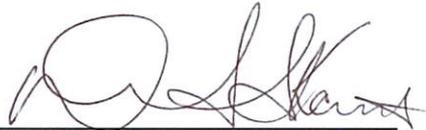
Board Member - Rob Rea: Approve

Board Member - David Skains: Approve

Black made a motion to adjourn; Rea seconded. All directors approved.

Adjournment: 5:16

Approved by:



David Skains, President

Attest by:



Patsy Black, Secretary