

MINUTES
SPECIAL MEETING
LAWTON PERSONNEL BOARD
AUGUST 12, 2013 AT 9:30 A.M.

The meeting was called to order by Tom Rheinlander, Acting Chairman, at 9:30 a.m. in the Council Chambers/Auditorium, New City Hall. Meeting notice and agenda were posted on the City Hall notice board as required by State Law.

ROLL CALL:

Members Present: Tom Rheinlander, Ray Polk

Members Absent: Ernest Godlove

Also Present: Frank Jensen, City Attorney; Kelea Fisher, Assistant City Attorney, Thomas Walters, appellant; Traci Hushbeck, City Clerk, Donna Flook, Certified Court Reporter.

BUSINESS ITEMS:

2. Consider approving the minutes of November 9, 2012 Special Personnel Board Meeting.

MOTION by Polk, SECOND by Rheinlander, to approve the minutes of November 9, 2012 Special Personnel Board Meeting. AYE: Polk, Rheinlander. NAY: None. MOTION CARRIED.

3. Consider prehearing motions regarding appeal of THOMAS J. WALTERS.

There were no prehearing motions.

4. Consider the appeal of THOMAS J. WALTERS regarding a termination in employment with the City of Lawton, SOLID WASTE COLLECTIONS DIVISION.

The following witness was called on behalf of the appellant: Thomas J. Walters

The following witness was called on behalf of the City: Jerry Ihler, Public Works Director.

The witnesses were excused after testifying.

The following City Exhibits were submitted and accepted:

EXHIBIT NO. 1: Personnel Board Rules of Procedure

EXHIBIT NO. 2: City Code – Article C-8
(Officers and Employees Generally)

EXHIBIT NO. 3: City Code – Personnel Board
Chapter 17, Article 17-1, Division 17-1-8

- EXHIBIT NO. 4: City Code – Discipline and Grievances
Chapter 17, Article 17-1, Division 17-1-7
- EXHIBIT NO. 5: Notice of Predetermination Hearing/Meeting (07/02/13)
- EXHIBIT NO. 6: Notice of Discharge (07/11/13)
- EXHIBIT NO. 7: Personnel Action Form Discharging Thomas Walters (07/11/13)
- EXHIBIT NO. 8: Thomas Walters’ Personnel Board Appeal Form (07/15/13)
- EXHIBIT NO. 9: Letter from Jayson Powell to Jerry Ihler (06/27/13)
- EXHIBIT NO. 10: Thomas Walters’ Prior Disciplinary Actions:
- a. Written Reprimand (05/31/13)
 - b. Notice of Discharge (05/22/13)
 - c. Notice of Suspension (05/31/12)
 - d. Written Warning (07/06/11)
 - e. Written Reprimand (10/22/10)
 - f. Notice of Suspension (01/04/10)
 - g. Written Reprimand (01/04/10)
 - h. Written Reprimand (01/18/10)
 - i. Notice of Suspension (12/15/08)
 - j. Written Reprimand (12/15/08)
 - k. Written Warning (04/11/08)
 - l. Written Warning (07/11/07)

5. Pursuant to Section 307.B.1, Title 25, Oklahoma Statutes, consider convening in executive session to review and discuss evidence relating to the employment of THOMAS J. WALTERS and consider action on the appeal in open session.

MOTION by Polk, SECOND by Rheinlander, to convene in executive session to review and discuss evidence relating to the appeal of Thomas J. Walters. AYE: Polk, Rheinlander. NAY: None. MOTION CARRIED.

The Board convened in executive session at approximately 10:24 a.m. and reconvened in regular open session at approximately 10:34 a.m. with all those present who were present prior to executive session.

MOTION by Polk, SECOND by Rheinlander, to uphold the decision of the City Manger. AYE: Polk, Rheinlander. NAY: None. MOTION CARRIED.

There was no further business to consider and upon motion, second and roll call the hearing adjourned at 10:36 a.m.

Tom Rheinlander, Acting Chairman

