

## ETHICS COMMISSION MEETING MINUTES

The Ethics Commission of the City of Kyle, Texas met on October 9, 2020 and due to COVID-19, members attended virtually at Spectrum10 OR <https://www.cityofkyle.com/kyletv/kyle-10-live> with the following persons present:

Chairman Mike Rubsam  
Vice Chairman, Brad Growt  
Commissioner, Scott Bowman  
Commissioner, Michelle Cohen  
Commissioner, Nancy Fahy  
Commissioner, Blair McMurray  
Commissioner, Margaret Somma  
Mayor, Travis Mitchell  
Mayor Pro Tem, Rick Koch  
Council Member Alex Villalobos  
Council Member Scheel  
Council Member Dex Ellison  
Council Member Robert Rizo  
Monte Akers, Ethics Compliance Officer  
Scott Sellers, City Manager  
Jennifer Holm, City Secretary

### **I. Call Meeting to Order**

Vice Chairman Growt called the meeting to order at 6:11 p.m.

Present were Vice Chairman Growt, Commissioners Bowman, Fahy, McMurray, and Somma. A quorum was present. Chairman Rubsam and Commissioner Cohen were absent.

### **II. Citizen Comment Period with the Ethics Commission**

1. Members of the public that wish to provide citizen comment must submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign> to attend virtually. Registration must be received by 12 p.m. on the day of the meeting.

Vice Chairman Growt opened citizen comments at 6:12 p.m.

Glen Hurlston addressed the Commission regarding his complaint against Chief Jeff Barnett. He mentioned contacting the Ethics Commission board members and read two emails aloud concerning members responses to his complaint against Chief Barnett. He said he would like for members who submitted a bias response to remove themselves from the committee. He requested an outside independent ethics review regarding the matter of his complaint against Chief Barnett.

With no one else wishing to speak, Vice Chairman Growt closed citizen comments at 6:16 p.m.

### **III. Approval of Minutes**

Vice Chairman Growt brought forward the minutes for discussion. Mr. Akers stated that we had a training session on April 11, 2018 and probably should have brought the minutes sooner, but they ended up on this agenda. Chairman Rubsam arrived at 6:18 p.m.

2. Approval of the minutes of the April 11, 2018 Ethics Commission Meeting. ~ *Jennifer Holm, City Secretary*

Vice Chairman Growt moved to approve the April 11, 2018 Ethics meeting minutes with the knowledge that some members were not present at that meeting. Chairman Rubsam seconded the motion. All votes aye; motion carried 6-0.

3. Approval of the minutes of the August 12, 2020 Ethics Commission Meeting. ~ *Jennifer Holm, City Secretary*

Vice Chairman Growt moved to approve the August 12, 2020 Ethics Commission meeting minutes. Chairman Rubsam seconded the motion. All votes aye; motion carried 6-0.

City Secretary Jennifer Holm stated for the record, Commissioner Somma had a delay replay feedback and was muted. She stated if Commissioner Somma wanted to speak, she would need to unmute herself. The Commissioner's collectively acknowledged Ms. Holm's statement and continued with meeting items.

#### **IV. Executive Session**

4. To seek the advice of the Commission's attorney (Ethics Compliance Officer) pursuant to Section 551.071.

Consultation regarding pending ethics complaints by Glen Hurlston and procedures for their resolution, it being the duty of the attorney to the Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to consult with the Commission in closed session.

Chairman Rubsam announced the Ethics Commission would go into Executive Session to seek the advice of the Commission's attorney (Ethics Compliance Officer) pursuant to Section 551.071. Consultation regarding pending ethics complaints by Glen Hurlston and procedures for their resolution, it being the duty of the attorney to the Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to consult with the Commission in closed session.

The Ethics Commission convened into executive session at 6:24. Commissioner Cohen arrived at 6:25 p.m.

5. Take action on items discussed in Executive Session.

The Ethics Commission reconvened into open session at 6:39 p.m. Chairman Rubsam announced the meeting was back in session and would proceed with motions.

Due to feedback, Chairman Rubsam requested Vice Chairman Growt to call meeting back to order and proceed with any motions.

Vice Chairman Growt called the meeting back to open session at 6:42 p.m. Vice Chairman Growt announced no action was taken in Executive Session but he would like to make a motion for consideration by the commission.

Vice Chairman Growt moved to dismiss based on a two-year lack of jurisdiction, on the complaint against Mr. Earp. Chairman Rubsam seconded the motion. All votes aye; motion carried 7-0.

Vice Chairman Growt moved to dismiss based on, not a violation of items covered by the thics committee. Commissioner Bowman seconded the motion. All votes aye; motion carried 7-0.

**V. Consider and Possible Action**

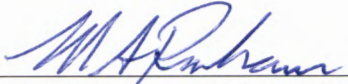
6. Future meetings and agenda items.

Vice Chairman Growt brought forward Item No. 6 for discussion. No action was taken.

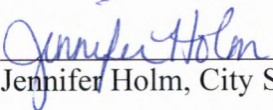
**VI. Adjourn**

Chairman Rubsam moved to adjourn. Commissioner Bowman seconded the motion. All votes aye; motion carried 7-0.

With no further business to discuss, the Ethics Commission adjourned at 6:46 p.m.

  
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Mike Rubsam, Chairman

Attest:

  
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Jennifer Holm, City Secretary