

Village Fire Department
Regular Board of Commissioners Meeting
Wednesday, November 30, 2022
Minutes

**Amended VILLAGE FIRE DEPARTMENT
REGULAR BOARD OF COMMISSIONERS MEETING
MINUTES
Wednesday, November 30, 2022, 6:03 P.M.**

Present & Voting Were:

City of Hilshire Village	Commissioner Mayor Robert (Bob) Buesinger, Chair
City of Bunker Hill Village	Commissioner Keith Brown, Treasurer
City of Piney Point Village	Commissioner Zebulun Nash, Secretary
City of Spring Valley Village	Commissioner Allen Carpenter, Member
City of Hunters Creek	Commissioner Rob Adams, Member

Present Were:

City of Hilshire Village	Alternate John Cooper
City of Hedwig Village	Alternate Mayor Tom Jinks
City of Spring Valley	Alternate Bo Bothe
City of Bunker Hill Village	Alternate Clara Towsley
City of Piney Point Village	Alternate Aliza Dutt
City of Hunters Creek	Alternate Pat McClellan
Village Fire Department	David Foster, Fire Chief
Village Fire Department	Marlo Longoria, Administrator
Randle Law Firm	Brandon Morris and Grady Randle, Attorney

Not Present:

City of Hedwig Village	Commissioner Matt Woodruff, Vice-Chair
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2. COMMENTS FROM THE PUBLIC –

Fire Chief, David Foster

Appreciate you letting me speak, good evening, commissioner, first I thank you for allowing the subject of my employment to be discussed in Open Access. I have nothing to hide. To the best of my knowledge. Everything I've done is approved by the Fire Commission on public record. I want to set the record straight and address the false allegations against me so I may continue to serve. I am a firefighter. Every day I put on a firefighter uniform and I've been doing so for over 43 years since I became the village Fire Chief 12 years ago. With the help of a number of dedicated and excellent firemen and women. Our department upgraded to Class 1 fire department the highest rating awarded by the Insurance Service Office. 1979 as a 17-year-old firefighter for the United States Air Force, I received the Air Force Commendation Medal. This one. For actions taken during the horrific crash of an Air Force naval jet. Years later, I was given the Department Medal of Valor and recognized by the state of Georgia for pulling a police officer out of the line of fire and bringing him to waiting paramedics after he was shot in the head. I mentioned these honors only because they tell you a little about who I am. Several weeks ago. I learned of certain complaints against me. The most malicious of which was a defamatory document. Entitled "personnel issues", it was sent to village fire department staff from an official. City of Hillshire e-mail. It was obviously written intended to garner support among the other villages to terminate. Upon learning of the unsigned documents and after a request by one of the village mayors, I personally refuted many of the allegations in an e-mail. Since then, many people have stepped forward to attest to the falsity of those allegations. The documents' allegations are absolutely baseless, however. Despite the obvious falsity of the allegations, the defamatory document got to be serious professional harm and has hurt not only me but also my family. I am a 60-year-old Fire Chief with a firefighting-related medical condition worsened by a structural fire in Piney Point Village. There is now a publicly disseminated document, falsely accusing me of stealing \$20,000. That falls into the amatory allegation will make it extremely difficult for me to name another Fire Chief position. If I am unfairly terminated. This allegation of stealing \$20,000 is easily reviewed. Witnesses and audio recordings of the truth are readily available. In addition, complaints related to the development and approval of increasing budgets are inconsistent with the beliefs of knowledgeable witnesses. Audio recordings and the Interlocal agreement. The Fire Chief has no authority to raise or approve the fire department budget. Lastly, there ended multiple statements that I staff an additional ambulance. During the COVID pandemic without proper authorization which caused a budget shortfall. However, staffing the second ambulance was done out of necessity based on the data I provided the fire Commissioners during the summer of 2021, the hospitals were inundated with patients during that difficult time. And we are unable to attend properly. To patients arriving in the ER. Therefore, causing our ambulances to be out of service for unacceptable time periods, the villages have traditionally relied on Houston when our ambulance was out of service. But Houston was unable to assist since it was experiencing the same pandemic-related problems. My recommendation to staff the second ambulance, which was unanimously approved by the Fire Commission, was based on the critical necessity of saving lives. Finally, I've never dreamed my reputation and ability to finish my career with respect would ever be in jeopardy. Despite this, I stand before you today to refute the

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claims and thank the citizens or the villages for the opportunity to serve. And I also want to thank my fellow firefighters that are here tonight.

I'll be pleased. To answer any questions. Or any concerns the Commission might have?

For all other comments from the public, please refer to recordings posted on the website.

- 3. CONSENT AGENDA** – All Consent Agenda items listed are considered to be routine by the Board of Commissioners and will be enacted by one motion. There will be no separate discussion of these items unless a Board Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

None

- 4. REPORTS**

None

- 5. CONSIDERATION OF AND POSSIBLE ACTION ON THE FOLLOWING** – The Board will discuss and consider any actions:

None

- 6. EXECUTIVE SESSION** – The Board of Commissioners will retire into Executive Session as authorized by Chapter 551; Texas Government Code, to discuss the following matters:

Mr. Morris stated the chief did request the executive session to be an open session, so everything that pertains to Chief Foster will be in an open session

6A. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Fire Chief.

Commissioner Buesinger stated the chief executive session takes place in an open session, so any discussion that to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Fire Chief

Open to the commission for discussion...

Mayor Jink made a motion for the immediate termination of David Foster as an employee and chief of the Village Fire Department. Seconded by Commissioner Adams.

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No previous discussion has taken place about the dismissal of the fire chief

Mr. Morris stated that Chief Foster hired a council but has not threatened litigation.

After further discussion, Commissioner Buesinger requested a call for a vote to the immediate termination of Chief Foster as fire department chief

Commissioner(s) Buesinger, Adams, and Alternate Jinks voted "Aye."
Commissioner(s) Carpenter, Nash, and Brown voted "No."

Motion Fails.

7. **ACTION – CLOSED SESSION** – The Board of Directors will discuss and consider any actions necessary on items discussed in Executive Session

8. **FUTURE TOPICS**

6A- To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Fire Chief.

9. **NEXT MEETING DATE**

December 1, 2022

10. **ADJOURNMENT**

Alternate Jinks moved to adjourn at 7:30 p.m. seconded by Commissioner Adams.

MOTION CARRIED UNANIMOUSLY

Respectfully submitted.

Commissioner Robert (Bob) Buesinger, Chair

Attest:

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Commissioner Zeb Nash, Secretary