

MINUTES  
VAN ALSTYNE ECONOMIC DEVELOPMENT CORPORATION  
SPECIAL CALLED MEETING  
Monday, October 15, 2018, 6:00 PM  
VAN ALSTYNE CITY HALL  
152 N Main Drive  
Van Alstyne, Texas

Members: Ryan Neal, Marla Butler, Steve Riley and Robert Jaska.

*Ryan Neal called the meeting to order at 6:00pm.*

1. Consider and take any action necessary to hire an attorney to represent the VAEDC. *Steve Riley made a motion to hire Hayes Berry White Vanzant to represent the VAEDC. Robert Jaska seconded the motion and the motion passed unanimously.*
2. Consider and take any action necessary to appoint a board chair. *Robert Jaska made a motion to appoint Ryan Neal as board chair. Steve Riley seconded the motion and the motion passed with Robert Jaska, Steve Riley, and Marla Butler in favor and Ryan Neal abstaining.*
3. Consider and take any action necessary to appoint a board vice-chair. *No action taken.*
4. Consider and take any action necessary to appoint a board secretary. *No action taken.*
5. Consider and take any action necessary to appoint a board treasurer. *No action taken.*
6. Consider and take any action necessary to change the designated registered agent with the Secretary of State. *Attorney Lance Vanzant suggested having the City Clerk serve as the Registered Agent. Marla Butler made a motion to change the designated registered agent with the Secretary of State to City Clerk Jennifer Gould. Robert Jaska seconded the motion and the motion passed unanimously.*
7. Consider and take any action necessary on a request from the City that the VAEDC acknowledge that the City has returned to the VAEDC the \$4,500 and \$30,000 VAEDC checks payable to the City (the City wants the VAEDC to be able to appropriately document its financial records). *Steve Riley advised that he received the \$30,000 check payable to the City back from Lane Jones on October 15, 2018. The \$4,500 check was returned to the VAEDC on October 1, 2018. Ryan Neal made a motion to acknowledge return of the checks identified. Robert Jaska seconded the motion and the motion passed unanimously.*
8. Consider and take any action necessary regarding a notice from the City that the City is conducting an investigation/audit of the transactions and financial accounts of the VAEDC, acknowledging the City's right of access to the VAEDC's records, including under Local Government Code Section 501.073(b), and granting the City access to all of the VAEDC's books, records and electronic devices. *Lane Jones advised that CPA Eddie Peacock and auditors LaFollett and Abbott, PLLC are ready to get started. Ryan Neal made a motion to acknowledge and grant right of access to all*

*of VAEDC's books, records and electronic devices to the City. Marla Butler seconded the motion and the motion passed unanimously.*

9. Executive Session:

*Attorney Lance Vanzant asked if there were any objections to discussion regarding personnel matters in executive session. Hearing and having received none, the board entered into executive session at 6:09pm.*

Pursuant to the following designated sections of Texas Government Code, Annotated, Subchapter 551, the Council will enter into executive session to discuss the following items:

- a) Section 551.071 [Consultation with Attorney] on contemplated or threatened litigation or on a matter in which the duty of the attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act regarding (i) all items listed on the agenda for open session, and (ii) a letter received by the City from Ron Huff.
- b) Section 551.074 [Personnel Matters] to deliberate the employment, evaluation, reassignment, duties, discipline, compensation, resignation or dismissal of the Executive Director.

*The Board reconvened into open session at 6:31pm.*

10. Consider and take any action necessary regarding a document entitled "Employment Agreement" dated September 16, 2018 between the VAEDC and its Executive Director. *Robert Jaska made a motion to find that the document entitled "Employment Agreement" dated September 16, 2018 between the VAEDC and its Executive Director is void in that it violates public policy. Marla Butler seconded the motion and the motion passed unanimously.*
11. Consider and take any action regarding the employment, evaluation, reassignment, duties, discipline, compensation, resignation or dismissal of Executive Director. *No action taken.*
12. Consider and take any action as a result of each item listed for Executive Session. *No action taken.*
13. Adjournment. *Ryan Neal adjourned the meeting at 6:33pm.*

ATTEST:

---

Ryan Neal, Board Chair