

MINUTES OF THE CALLED MEETING OF THE BOARD OF DIRECTORS FOR CHAMBERS COUNTY PUBLIC HOSPITAL DISTRICT NO. 1 HELD AT THE BAYSIDE COMMUNITY HOSPITAL CONFERENCE ROOM ON FEBRUARY 12, 2024, ANAHUAC, CHAMBERS COUNTY TEXAS BEGINNING AT 5:30 PM.

A called meeting of the Board of Directors of the Chambers County Public Hospital District No. 1 was held at Bayside Community Hospital Conference Room in Anahuac, Texas on Thursday, February 12, 2024, beginning at 5:30 pm with the following Directors present:

Mike Emmons, Chairperson
Andy Legg, Vice Chairperson
Linda Tinnerman, Secretary
Geraldine Brown, Director
Leslie Turner, Director

Pursuant to a Notice under the Open Meetings Act duly filed and posted a full 72 hours prior to the openings of said meeting (a copy being placed amongst the files of the District).

Also present were Robert Pascasio, CEO; Ann Newton, Administrative Assistant; Terri Billiot, HR Director; Craig Carter, Attorney; Chris Jircik, Community Member; Gil Boullion, Board Candidate; Vicki Pascasio; Suzanne Johnson, Lehman Johnson Law, PLLC; Vicente Jalandoni, Director of Physical Therapy; Kim Cooper, CFO; Gloria Roemer, The SeaBreeze Beacon; Janice Jircik, Director of Marketing; Ben Beouui, PA-C; Annette Abernathy, Board Candidate; Sue Hawthorne, The Progress; Brooklynn Clay, Employee

The meeting was called to order at 5:30 pm by Chairperson Emmons, and it was determined that a quorum was present. Secretary Tinnerman gave the invocation. Director Turner led the pledges.

Public Comment – Sue Hawthorne, Kimberly Cooper, and Chris Jircik spoke in favor of Bob Pascasio's continued employment as CEO.

Mr. Pascasio asked Vice Chairperson Legg if he had some communications from some folks? Vice Chairperson Legg said that he did but wanted to read it in Executive Session.

Mr. Pascasio read a letter he had prepared to the Board regarding Employee Complaints/Grievances & CEO Employment Status/Contract.

2. Employee Complaints/Grievances -

Chairman Emmons informed the Board that Craig Carter, Attorney was here to help the Board with the grievances. Mr. Carter recommended bringing in DeDe Church & Associates, LLC as a third party to investigate the grievances. Mr. Carter said they specialize in workplace investigations. The charge would be \$385.00 per hour plus \$95.00 per hour for travel.

Discussion ensued.

A motion was made by Director Turner and seconded by Secretary Tinnerman to hire DeDe Church and Associates to handle all three grievances.

3. CEO Employment Status/Contract –

Chairman Emmons stated we need to discuss an employee grievance. Chairman Emmons asked Mr. Pascasio two times if he wanted it to be discussed in Executive Session and Mr. Pascasio said that he wanted it discussed in open session.

A motion was made by Vice Chairperson Legg to move into executive session with Mr. Pascasio and his attorney. Motion died for lack of second.

Mr. Carter informed the Board that you can't go into executive session under the Personnel exception in the Open Meetings Act if the employee wants the discussion in open session, but the attorney can give legal advice to the Board in executive session under the consultation with attorney exception.

At that time Chairman Emmons read a portion of the grievance stated below:

On December 14th, 2023 @ approximately 11:00 AM, I stopped BY Mr. Pascasio's office to assist with an Outlook Email issue, however he had resolved it by the time I had arrived. We started talking about the issue and before I left, I wanted to discuss some action items I was concerned about for 2024. I started saying "as the new IT Director I want to...." Then I was cut off when Mr. Pascasio got annoyed and then commented; "if I had a gun, I would shoot you right now. Hey blank I know you carry; do you have your gun on you!?" At this point he shoed me away and I was absolutely mortified and after the last few weeks I was still on edge between the previous threat and my looming promotion from him.

Mr. Pascasio said I think this is taken out of context and I want this to be investigated.

Chairman Emmons said that board members and our attorney need to go into executive session.

During discussions Mr. Carter informed the Board that when item #4 comes up he could give the Board legal advice concerning the CEO contract and other legal matters.

Chairperson Emmons said that he would like to address the employee handbook.

Director Brown said that if we're going to talk about the handbook it should be with our attorney. She said that in order to make the best decision I'd rather go the legal route first but that's just me.

EXECUTIVE SESSION

A motion was made by Vice Chairperson Legg and seconded by Director Brown to move into Executive Session at 6:01 pm to have consultation with their attorney. Motion carried unanimously.

A motion was made by Director Brown and seconded by Secretary Tinnerman to exit Executive Session at 6:23 pm. Motion carried unanimously.

Director Brown asked Mr. Pascasio if he recalled the statement.

Mr. Pascasio said I have no recollection of that statement. If I did it was taken out of context. I've even said it when Mike Emmons was here. This is kind of a running joke that we know you carry. You might want to be careful she carried a gun.

Director Turner asked if one of your employees said that would you just blow it off?

Mr. Pascasio said that it would depend on the context. He said that since my return I've locked the education building so you can't enter without a key. We take it very seriously around here to take care of everyone/everything. I think that this is inappropriate.

Director Turner said that you understand as a board that we need to take this seriously.

Mr. Pascasio said I think if this is where you're going as a board based on the limited information it would

be a serious mistake.

Director Brown said am I hearing you say that we should just overlook that statement?

Mr. Pascasio said I think you need to listen to your attorney. I think there are ulterior motives at this time.

Chairperson Emmons said we agree that is why we're going to hire a third party.

Director Brown asked what protection would the employees have while the grievance is being investigated. Director Turner said that a precedent had been set with a previous employee which had been sent home on administrative leave with pay. Mr. Pascasio said he would not go there with them that she was just a clerk and he was the CEO. Mr. Carter stated that the serious allegations deserved serious consideration.

HR Terri Billiot explained the provisions in the employee handbook that are potentially applicable to this matter.

After much discussion a motion was made by Vice Chairperson Legg and seconded by Director Brown pending the outcome of the investigation Mr. Pascasio will work remotely from home with pay and have no contact with any employees involved in the grievance, including the employee that filed the recent grievance, with the exception of Ann Newton or come on the property until the investigation is completed. Investigation will hopefully be expedited. Motion carried 4-1 with Chairperson Emmons opposing.

ADJOURNMENT

A motion was made by Director Brown and seconded by Vice Chairperson Legg to adjourn the meeting at 7:15 pm. Motion carried unanimously.

APPROVED this the 29th day of February, 2024.

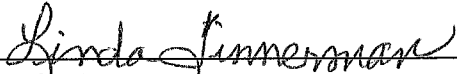
A handwritten signature in black ink, appearing to read "Mike Emmons", is written over a horizontal line.

Mike Emmons, Chairperson
Board of Directors

SECRETARY'S CERTIFICATE

I, Linda Tinnerman do hereby certify that: I am the Secretary of Chambers County Public Hospital District No. 1 d/b/a Chambers Health (hereinafter the "District") that these are true and correct minutes reflecting the discussion and actions of the Board of Directors of the District at a regular or special meeting held on the date shown above and entered in the permanent records of the District.

IN WITNESS WHEREOF I have hereunto set my hand this the 29th day of February, 2024.



Linda Tinnerman, Secretary
Board of Directors