

PUBLIC WORKS COMMISSION  
SPECIAL MEETING OF THURSDAY, OCTOBER 16, 2014  
10:00 A.M.

Present: Michael G. Lallier, Chairman  
Lynne B. Greene, Vice Chairman  
Wade R. Fowler, Jr., Secretary  
Darsweil L. Rogers, Treasurer

Others Present: Steven K. Blanchard, CEO/General Manager  
Karen McDonald, City Attorney  
Brian Meyer, Assistant City Attorney  
Kristoff Bauer, Deputy City Manager  
Mitch Colvin, Council Member, District 3  
Chalmers McDougald, Council Member, District 4  
Larry O. Wright, Council Member, District 7  
PWC Staff  
Media

Absent: James Arp, Council Liaison  
Billy King, County Liaison  
John Ellis, Hope Mills Liaison

Chairman Lallier called the Special Meeting of October 16, 2014 to order. Chairman Lallier acknowledged that the Oath of Officer for newly appointed PWC Commissioner Wade Fowler was administered by Mayor Nat Robertson during the Steering Committee Meeting today. Chairman Lallier welcomed Commissioner Fowler to the PWC Board.

Chairman Lallier acknowledged the Council Members attendance at the meeting.

*Election of Officers for Fiscal Year 2014-2015:*

Chairman Lallier opened the floor for nominations for the slate of officers for the Public Works Commission for Fiscal Year 2014-2015.

Commissioner Rogers made a motion to elect the following slate of officers for Fiscal Year 2014-2015 for the Public Works Commission:

- Chairman – Michael G. Lallier
- Vice Chairman – Lynne B. Greene
- Secretary – Wade R. Fowler, Jr.
- Treasurer – Darsweil L. Rogers

Motion was seconded by Commissioner Lynne Greene and unanimously approved.

Approval of Agenda.

Upon motion by Commissioner Rogers, seconded by Commissioner Greene, the agenda was unanimously approved.

Closed session as allowed by NC General Statutes 143-318.11(a)(3)&(6)

Chairman Lallier entertained a motion to go into closed session for legal and personnel matters as allowed under N.C. General Statutes 143-318.11(a)(3)&(6). Chairman Lallier stated the Commission would consider the personnel matter first NCGS 143-318.11(a)(6) and then legal matters NCGS 143-318.11(a)(3).

Upon motion made by Commissioner Rogers, and seconded by Commissioner Greene, the Commission unanimously voted to go into closed session at 10:02 a.m. as allowed under N.C. General Statutes 143-318.11(a)(6) for personnel matters and 143-318.11(a)(3) legal matters.

Following discussion, upon motion made by Commissioner Greene and seconded by Commissioner Fowler, the Commission voted to return to open session at 11:20 a.m.

The following announcements were made by the Commission as a result of the closed session:

Chairman Lallier announced that Steve Blanchard, CEO/General Manager will retire on December 1, 2014. He stated Mr. Blanchard has worked at PWC for 42 years and served as CEO/General Manager for the past 20 years.

Chairman Lallier also announced that during closed session the Commission voted to seek a Declaratory Ruling that clarifies the duties and responsibilities of the PWC. He stated the vote was 3 to 1.

City Attorney Karen McDonald stated under the Open Meetings Law that the vote must be held in open session. Therefore, Chairman Lallier asked the Commission to redo the vote in open session.

A motion was made by Commissioner Greene to authorize the law firms for Styers & Kemerait and Lewis, Deese, Nance, Briggs & Hardin to represent Fayetteville PWC and the Commissioners, Mike Lallier, Lynne Greene and Darsweil Rogers in their official capacity as Commissioners, as special litigation counsel and to instruct them to file a Complaint for Declaratory Rulings in Cumberland County Superior Court, to provide regular reports to the Commission, and to continue such representation as further instructed by the Commission and the PWC General Manager. Motion seconded by Commissioner Rogers and passed on a vote of 3 to 1 with Chairman Lallier, Commissioner Greene and Commissioner Rogers voting aye and Commissioner Fowler voting nay.

Commissioner Fowler commented that he felt it would be inappropriate to vote on a motion on information that he just received today, therefore, it is in the best interest for him to vote no.

There being no further business, upon motion by Commissioner Rogers, seconded by Commissioner Greene and unanimously approved, the meeting was adjourned at 11:29 a.m.