



Cape Fear Public Transportation Authority

**MINUTES OF THE
CAPE FEAR PUBLIC TRANSPORTATION AUTHORITY EMERGENCY MEETING
July 1, 2020
Mr. Chris Coudriet, Chairman, Presiding**

MEMBERS PRESENT

Mr. Chris Coudriet, Chairman, New Hanover County Manager
Mr. Sterling Cheatham, Vice Chairman, City of Wilmington Manager
Mr. Kemp Burpeau, New Hanover County, Attorney
Ms. John Joye, City of Wilmington, Attorney
Mr. Paul Lawler, City of Wilmington Appointee
Mr. Mike Kozlosky, WMPO, Executive Director
Ms. Laura Mortell, City of Wilmington, Budget and Research Director

MEMBERS ABSENT

Mr. Woody White, New Hanover County Appointee
Ms. Lisa Wurtzbacher, New Hanover County, Chief Finance Officer

STAFF PRESENT

Ms. Megan Matheny, Deputy Director
Mr. Joe Mininni, Director of Finance & Administration

CONTRACT MANAGEMENT STAFF PRESENT

Ms. Noel Fox, Craige and Fox PLLC, Attorney

GUESTS PRESENT

None

CALL TO ORDER

- Mr. Coudriet called the meeting to order at 3:00 pm

ROLL CALL

- Mr. Cheatham conducted roll call with attendance confirmed by all members except Mr. White and Ms. Wurtzbacher

APPROVAL OF MEETING AGENDA

- Mr. Coudriet presented the July 1, 2020 meeting agenda
- Mr. Cheatham made a motion to approve the agenda as presented
- There was a second by Mr. Lawler and the motion carried

CLOSED SESSION – PURSANT TO NCGS § 143-318.11(a)(5) AND NCGS § 143-318.11(a)(6)

- Mr. Cheatham made a motion to enter into closed session pursuant to NCGS § 143-318.11(a)(5) AND NCGS § 143-318.11(a)(6)
- Mr. Kozlosky seconded the motion and the motion carried
- Ms. Mortell made a motion to return to open session
- There was a second by Mr. Kozlosky and the motion carried
- Mr. Kozlosky stated Mr. Eby has served as the Executive Director for the Authority since 2004 and has done many very good things for public transportation in New Hanover County

CERTIFIED TO BE A TRUE COPY

Secretary - Wave Transit

- Under his leadership, three facilities were constructed and the Authority has acquired a fleet of almost entirely new vehicles
- Mr. Kozlosky stated it is important to acknowledge his many contributions to public transportation
- Mr. Joye made a motion to move comments made by Mr. Kozlosky into the record
- Mr. Lawler seconded the motion and the motion carried
- Mr. Joye made a motion to reject the counteroffers made by Mr. Eby in response to the Board's proposed employment agreement amendment as approved on June 25, 2020 and to declare that there is no agreement on terms to extend Mr. Eby's Employment Agreement beyond June 30, 2020
- There was a second by Ms. Mortell and the motion carried
- A motion was made by Mr. Joye that due to Mr. Eby's actions of clearing out his office and returning his keys and property to the Authority on June 30, 2020 that the Board consider these actions as Mr. Eby's resignation and to accept Mr. Eby's resignation
- Mr. Kozlosky seconded the motion and the motion carried
- Mr. Coudriet announced that the Deputy Director will serve as interim and has the support of the Board
- Mr. Joye made a motion that in the event a court would not find that Mr. Eby resigned through the actions of clearing out his office and returning his keys to Authority properties and assets or that the expiration of his Employment Agreement did not terminate his employment that the Board terminate any at will employment relationship with Mr. Eby.
- Mr. Cheatham seconded the motion and the motion carried

ADJOURN

- Mr. Coudriet made a motion to adjourn the meeting
- There was a second by Mr. Burpeau and the motion carried

Respectfully Submitted,



Megan Matheny
Interim Director
/Noel Fox