



COMMUNITY REDEVELOPMENT AGENCY
SPECIAL SESSION MINUTES
MARCH 8, 2022

PRESENT: Chairman Eddie Cole, Director Rodney Daniels, Director, Marlin Daniels, and Director, Leviticus Henderson. **ABSENT:** Vice Chairman Theo Washington and Director, Angie Gardner.

Also, in attendance: Cathlene Williams, Town Clerk, and Town Attorney, Dean Mosley.

Chairman Cole called the Special Session CRA Meeting to order at 5:04 PM, followed by Prayer and the Pledge of Allegiance.

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. CRA DECISION(S)

1. **Review of the steps in transferring ownership of property located at 225 West Kennedy Blvd back to the Tommy Dixon Estate.** Chairman Cole stated that we are here tonight, to right a wrong. Tonight, I hope this board would consider coming to a solution, I hope we can do a quit claim deed the house back to Mr. Dixon. After that, there is some money owed to the Town for the work they have done to put in probate, this way we can approve 6-12 months for Mr. Dixon to be able to pay those taxes. I believe within the Community of Eatonville, people will come and help Mr. Dixon pay that off, and then come up with a solution to make sure this does not happen again. Chairman Cole asked Attorney Mosley to explain the Guardianship process. **Attorney Mosley:** I will reluctantly say something because I am not supposed to be here on this Board, it supposed to be Attorney Perry. But I will explain to you the Guardianship process: the process is when a person is engaged in a legal matter may not have the capacity. What generally happens is you petition the court to have a guardian and lawyer appointed for that person. If they are engaged in any legal transactions, the courts are assured the people representing him are protecting his/her interests, typically that happens. In this situation, there was some video that we saw, people were expressing their concerns about Mr. Dixon's capacity. There's no doubt that someone should have pursued some guardianship, or at least a lawyer there to represent him in these transactions. Chairman Cole: just for the record, it has been

common practice, when the CRA attorney can't preside, the Attorney of the Town represents; in years that has been a common practice. Director Marlin Daniels: I think the transfer, and since it's money, and it matters; we don't know the financial standing of Mr. Dixon, as far as him paying the money back; I do agree in the transfer of the property back; and that he has representation and guardian, and then we can come up with a way of paying that money back. As I stated in the last workshop, its one thing to do right by Mr. Dixon, but we also want to do right by citizens of the Historic Town of Eatonville. If it was done illegally, we need to go after the perpetrators that did the wrong to the Historic Town of Eatonville; that's my take on this right now. Director Rodney Daniels: asked the Attorney and staff, Director Washington and Gardner are not here tonight, did we get any response from these two? Town Clerk responded, she only received a response from Councilwoman Gardner, she had a previous engagement. Director Rodney Daniels asked Attorney Mosley is Attorney Perry back in Town? Attorney Mosley replied Yes, he is back in Town. Chairman Cole asked Attorney Mosley has he spoken with the Attorney, Attorney Mosley replied, Yes, he has spoken to the Attorney. Attorney Mosley stated that Mayor Cole asked him to be at this meeting, in case Attorney Perry did not show-up, as you can see, he is not here. Director Marlin asked, if we do give the property back to Mr. Dixon, who will be his guardian? Chairman Cole stated he hopes we can get this property back to Mr. Dixon, with a guardian in place, Attorney make sure we have the language, that this boards intention is to quit claim the property back to the Tommy Dixon estate, pending that there is a guardian in place and, put another part in place, and to ensure that the repayment will be part of the guardians responsibility on how that would be done, again, I think within our community of the historic Town of Eatonville and within the community of Central Florida. Attorney Mosley stated for correction and for the record, that he did receive an email from Attorney Perry at 3:44, he stated: in two (2) of our past meetings, Board member Washington stated that only the Executive Director can call a meeting: Article 5, Section 2.2; clearly states special meetings maybe called by the Chairman and/or the Executive Director; just an email for the record. I still believe our objective here tonight is to transfer the ownership back to Mr. Tommy Dixon. Director Henderson, only concerns are what things are put in place to get the property back to Mr. Dixon, what things are put in place to make sure this doesn't happen again, we can give it back to him, but if we are not doing our due diligence. Chairman Cole, stated, if the Town would have done anything with a guardian, we would have purchased the front part after appraisal. Attorney Mosley stated the motion should be to allow CRA Board of Directors to draft and have Council petition for guardianship of Mr. Tommy Dixon which will allow the court to determine he does not have the capacity, and if he doesn't have capacity, the guardian would act as his representative in closing this transaction according to terms allowed by the courts. Chairman Cole stated, since we ratified with the Town Council and it was coming to us, are we the board to make that decision coming from a CRA standpoint or is that a Town Council. So, will this be a Town Council or CRA Decision? Attorney Mosley replied, I think it is a CRA decision, what Town Council did was; according to what Director Marlin Daniels said was, because the CRA did not have the authority to acquire property, we just created a step which was missed, it should have come to Town Council. It's this Board obligation to correct it. Director Marlin: I think the initial should be that we approve to quit claim the deed back to Mr. Tommy Dixon. We don't know the timeframe of his caregiver. I want to make sure we do this right because this property is under the helm of

the CRA and historic Town of Eatonville. Right now, we are liable if anything happens, and there is no documentation nowhere protecting the Historic Town of Eatonville. Attorney Mosley stated, Mr. Dixon should be evaluated first to see if he is competent. You all can vote and determine what needs to be done with Mr. Dixon's matter. Director Marlin Daniels stated that five (5) members of the CRA Board must be present, anything they voted on without five (5) members is invalid. Chairman Cole put a motion on the floor that we quit claim the deed back to Mr. Tommy Dixon; motion was moved by Director Rodney Daniels and seconded by Director Marlin Daniels; Quit Claim deed back to Tommy Dixon. **AYE: ALL, MOTION PASSES.**

2. Follow-up of the Investigation into the acquisition of the property at 225 West Kennedy Blvd with voting recommendations. Since that money is apart of Orange County, that we move this investigation to Orange County vs. our local police department. We can reach out to their Attorney to reach out to Mayor Demings. This is not a criminal matter, but it's an ethics situation that should be looked at, as stated by Attorney Mosley. Chairman Cole put a motion on the floor to have an investigation of the condition of the property by both agencies; motion seconded by Director Marlin Daniels; **AYE: ALL, MOTION PASSES.**

3. Request to receive a copy of the TD Bank statements for January and February 2022. **TABLED.**

4. Review status of the property that was in storage. Director Cole: items have been in storage, with a monthly bill of \$109.00 for the past two (2) years, after Orange County decided to hold the funds back; the Code Enforcement truck was seen backed up at the Denton Johnson Center at the dumpster and unload furniture. Unfortunately, I have not received this information. **NO ACTION TAKEN.**

5. Review the terms of the contract of the Executive Director. We are at a time now where we need to review the contract, however, I think it's a standard contract, it was geared to what he wanted, in the contract is the language 5% retirement for all of the Town work; another part is health insurance, he receives a stipend for his insurance in addition to his salary; there are a number of things I have concerns with this contract as stated by Chairman Cole. Attorney Mosley asked was this contract approved by a Board? Chairman Cole replied Yes. Whatever is legal in the contract, you must follow it, what's not legal you can strike it. Director Marlin Daniels asked attorney Mosley, who negotiated this contract? Director Henderson stated this contract was not in the best interest of the Town, personal financial interest. Director Marlin stated he has been asking for information and not receiving it from the Executive Director. According to the statute all records should be in the custody of the Town as custodian of records. Ms. Williams has been good at sending back the response from the Executive Director to me that is disrespect. This board is not ran by the executive director, according to this he is supervised by the Chair. Chairman Cole stated he saw the frustration today with Ms. Williams, she can only request the records from the CRA. Director Daniels stated, he is not accepting that the Executive Director is not here tonight. I am going to put a motion on the floor that we terminate the contract of the Executive Director effective immediately with cause for insubordination. Attorney Mosley stated before the board does this, make sure you understand what I said earlier,

things that are not permissible, you can strike; but what is negotiated and approved you must live with it. Director Marlin Daniels requested a clause to be added: Executive Director has a no-rehire clause added by the CRA. You must invite him here to speak, before you terminate him with cause as stated by Attorney Mosley according to his contract, and a Resolution is passed by the Board at a meeting of the board, called and held for the purpose of determining if the employee conduct violated for the provisions set forth; this agenda does not have anything for termination. Director Marlin Daniels stated he would like to have suspension without pay, I have been asking for documents, and during that time, the executive director should not be allowed to do any work; no emails, no work to be done, locks should also be changed at the CRA Building, since we are doing an investigation, I want to ensure nothing is going on. Motion that the Executive Director will be suspended without pay, for (7) days; during that time, no emails, and no work is being done of the CRA. Chairman Cole put a motion on the floor that the Executive Director be suspended without pay with all activity with the CRA and banned from the facility of the CRA for (7) days, or until this board reconvene; motion seconded by Director Marlin Daniels. Director Marlin Daniels asked how will he be notified? Chairman Cole stated that he will get all the information that he has gathered. **AYE: All, MOTION PASSES.** CRA Resolution until board reconvene.

6. **Review the contract of Code Enforcement. NO ACTION!**
7. **Review contracts of the CRA Office employees. NO ACTION!**

MainStreet checks are going to be important as stated by Chairman Cole.

7. **ADJOURNMENT- Meeting adjourned at 7:01 PM.**

RESPECTFULLY SUBMITTED BY


Cathlene Williams, Town Clerk