



AGENDA

COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
TOWN HALL (COUNCIL CHAMBERS)
JUNE 21, 2022
5:30 p.m.

1. CALL TO ORDER AND VERIFICATION OF QUORUM

Chairwoman Gardner: It is currently about 5:31 p.m. I think if we give one more minute for any other directors that will be coming tonight that would be fair with them, and then we're going to get started. All right, so it's probably 5:33. We call the Community Redevelopment Agency Regular Meeting to order, and we want to make sure that we have a quorum. We have Council, I mean, Director Randolph, Director Henderson, Director Marlin Daniels, and Director Rodney Wise [PH], Chair Ronnie Daniels [PH] and Chairwoman Gardner. So we do have a quorum. If we can stand for a moment of silence and followed by Pledge of Allegiance.

11. INVOCATION & PLEDGE OF ALLEGIANCE

Members: Amen. We pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

Male: Mayor, we'll get started. I would like to acknowledge that I am on the board, you remember on our last meeting on June 7th the new chairman of the CRA Board. Now we have read your email, and - and Attorney Mosely [PH] have returned my email as well? So, now that we are in this state this Board, this Town Council Board, Advisory Board, the Town Council Board have spoken and they have made me chair and I am not relinquishing my rights of

December. You take that, one should take section right here in of Board Member Gardner, when the chairman, I'm sorry, Board Member Washington became Chairman in the month of December. So what she did was you follow Resolution 2012 that 20 days, and then you stay active involved that the council had to follow. And you realize it wasn't any opposition. It was, you call for the vote, the vote with a majority vote and Board Member Washington --- Board Member Washington ---

Chairwoman Gardner: In 2012?

Male: It was initially 12. Now Board Member Washington was made the Chair of the CRA. [CROSSTALK] So what --- so you probably --- you probably know because this was done by you, I'm sorry, by this Board before these bylaws were adopted back. So what I'm saying here Board Member Gardner is that I'm not negotiating with the Town Council making me the Chairman of the CRA Board..

Chairwoman Gardner: So we are.

Male: Because of Mr. Shepard.

Chairwoman Gardner: Attorney Shepard.

Male: I'm sorry, Attorney Mr. Shepard, I would need your legal opinion on this rule that the Town Council of the Town of Eatonville, according to our bylaws, can direct or appoint a chairman. Now though, the June segment be sir, that happened. We got a new change of the CRA Board.

Chairwoman Gardner: You've violated the bylaws.

Male: It was your opinion that he violated the bylaws because we had Attorney Mosley [PH] here that [CROSSTALK] it was --- he did not say and we have - account on what happened, you know, a motion to put on the floor, the chair would not pass the motion. I asked the attorney, they said okay, you being the vice-mayor, that I'm able to pass the motion, and I'm not saying he said yes because the mayor wouldn't and by majority vote, the chairman was made Ron Daniels. Now here we are now, there's not an impasse because this --- this act --- this act was done before to make Board Member Washington which was not here the chairman, to which if I'm not mistaken, I think Board Member Gardner, did you vote for that as well? Did you vote for Chairman Washington, I mean Board Member Washington being Chair of the CRA?

Attorney Shepard: It says that the no official action may be taken by the Board on any Action Item unless it appears on the CRA Agenda. So that's problem number one.

Male: Sir, I'm sorry.

Attorney Shepard: I'll be happy to keep talking. I got more answers. But ---

Male: No, no, no. Sir, I want you to -- what's the --- can you say that again?

Attorney Shepard: 4, 5.6.4. It says Agenda Rule.

Male: Agenda Rule, got you.

Attorney Shepard: Correct.

Male: You can go ahead.

Attorney Shepard: Okay, and so that's problem number one. This isn't on the agenda so we can't do anything about it. Secondly, I'm happy to look at this issue of who can and can't be chairman and what the procedure is, but if I assume and I'm looking at the right set of bylaws, which is the only thing that matters. In other words, if you assume something was done wrong, which I'm not really sure what you were saying regarding Mr. Williams, or whoever that was, but if you were saying that it shouldn't happen that way, then therefore, it shouldn't happen this way now, or I don't know. That part I don't understand. You'll have to kind of explain that to me, which is better done, when we can talk about it without something that's not on the agenda. But what I do know is a couple of things, that past mistakes don't justify future mistakes, and I also know that as you --- you clearly said to the rest of the Board, it says here that your chairman gets appointed in December, and that would have happened, I suppose, in or around December. I don't know who got that appointment, and if you're saying that was Mr. Williams, I don't know. That's the problem. I don't have the history. But --- But I do know that if, up until recently, the mayor was the chair based on whatever action took place in June would seem to be absent additional information out of order. And that until December when you can elect another chair, that would seem to be what I have based upon just these bylaws which you've told me are the right bylaws.

Attorney Shepard: I'm asking you. Do you think that rule, same thing, you'd have to amend the charter, you'd have to amend the bylaws. It's the same thing. This is not a hard concept.

Male: No, it's not.

Attorney Shepard: You adopt the bylaws. If you have a problem with the bylaws, you amend the bylaws. You don't get to violate the bylaws because you have a rule that says you can make rules. Those things are not consistent.

Male: Okay, Attorney --- Attorney Shepard, with all due respect, Town Council has spoken and the chairman of this particular Board. Now I know you were --- I know you were appointed by Board Member Gardner, but this Board has spoken, the Town Council Board has spoken.

Attorney Shepard: Sir, you asked for the opinion. You're welcome to get a second one, it will be wrong if it disagrees with I'm telling you. My job at CRA is all over the State of Florida, which is why I'm the General Counsel for the Florida Redevelopment Association, which covers all CRAs all over the state is to get it right. If you amend the bylaws, you can fix it. Until you do, you can't. It's that simple. If you do anything else, you're wrong, and it's not on the agenda.

Male: Okay, Town Council bylaws or charters who proceeds.

Attorney Shepard: How many members are on your council? How many are on your Board here?

Female: Seven.

Attorney Shepard: Did the Board here vote on it?

Male: Vote on what?

Attorney Shepard: On amending these bylaws.

Male: We're not --- we're not talking about ---

Attorney Shepard: We are because until you do, you're violating your bylaws.

Male: Bylaws have been violated or maybe, not maybe, but violated before.

Attorney Shepard: I spoke to Mr. Mosley today.

Male: He hasn't ---

Attorney Shepard: I spoke to Mr. Mosley today. He said he would be here, but the reason I spoke to him is because I wanted to know if he concurred with the Mayor/Chairman's ability to appoint me in the interim. He said he did. And the reason I asked him rather than applying myself is because it's built in conflict of interest, which oh, by the way, people have engaged in conflicts of interest before, it doesn't make it right when they do it again. That's the same problem. You cannot do what you're trying to do here tonight or before. You can amend the bylaws, and then do whatever you like, but not until.

Male: Board Member Gardner, I've emailed Attorney Mosley on this issue, and he has, I guess apparently intentionally not responded. I don't know why he is looking to give something. We had talked before, he and I get an invite. But Town Council I understand have spoken and I'm going to stand on that. And if we want to take us to court with Mr. Sherpad, you can't. Hence you're re-violated and it's not okay to violate again.

Attorney Shepard: That would not be okay because I do not represent any individual on this body, period.

Male: [CROSSTALK] she came.

Attorney Shepard: Would not matter, it'd be a conflict of interest because I don't violate the rules. I don't do what you're suggesting this Board do.

Male: Ms. Board --- Attorney Shepard, thank you so much. Ms. Board, can I get any feedback on what has happened preferably from Town Council please?

Male: Look, I wasn't. So Attorney Shepard, you said it has to show up on the agenda to discuss tonight?

Attorney Shepard: That's correct.

Male: In dealing with CRA, who has power? Is it the Board chair? Is that the Regulatory Board?

Attorney Shepard: It depends on the issue and the bylaws. So for example, if you --- if you said how do you amend the bylaws? I looked for that provision

Attorney Shepard: I did --- I just asked him, was that his opinion and would he be here to voice it because I can't do that because I would have a conflict of interest, and he said he would be here. Now I don't know if he's running late. I don't know the issue. But I hope he can answer the question because ---

Male: So if you've complications of ---

Attorney Shepard: Because if I were to tell you yes, she has the right that benefits to me. If I tell you no, she hasn't the right, what am I sitting here? That's why Mr. Mosley is the one who opined on it, not me.

Male: Okay with that I will leave -.

Director Randolph: Based upon this situation, if these bylaws were suspended, where are we, at this point?

Attorney Shepard: They're suspended how? I mean, you could vote to do away with the bylaws altogether, but right now that hasn't happened and it's not on the agenda to happen.

Director Randolph: If the bylaws were suspended to do away with all together, where are --- where will we be at this moment?

Attorney Shepard: You can be --- you default in terms of how meetings are conducted to state procedure. You'd have to then ask me what procedure and/or some version of Robert's rules about how to conduct a meeting, things like quorums and so forth, and there's a lot of specifics in here. So while I wouldn't recommend you to do it, there's no legal requirement that I'm aware of that you have to have bylaws. It's just that every other CRA in the state does, so that it can answer questions like what's a quorum, how things get on an agenda, how members are added or taken away, and so forth and so on, all of which, for the most part is covered here.

Male: So Attorney can you tell us what's there.

Attorney Shepard: Sure.

Male: If we wanted to, if this set body wanted to amend the bylaws, and send those same items in to the chair and the chair with us put it on. How can we amend the bylaws then?

different discussion. I don't generally get involved in the policy. But I --- I'll say this. I understand why you might want to change.

Director Randolph: But the procedure is by the 20th of the following month. So the 21st it was sent to me, yes.

Attorney Shepard: Yeah, the 10 days before, so is the rule.

Male: For May.

Attorney Shepard: 10 days before --- 10 days before the meeting, whenever --- whenever that would have been.

Male: No, I think are you referring to bank statements I got today?

Director Randolph: Yes, the bank statements, they just begun May 31st whatever, however many days remain. And then by the 20th of the next month, you want to get the financials. That's how it's in the procedures.

Male: Who put procedures in?

Director Randolph: They're in the procurement. I --- they may have procedures.

Male: When were they put in?

Director Randolph: I don't know the date. I mean, there's there.

Male: Do we have a copy of it?

Director Randolph: Yes, it's there.

Male: As directors, we should have copies of all these said policies and procedures. I've actually checked. So what I'm standing right now is to me something that's maintained, time's ample. Attorney, this is a 39-page document from on May 17th email supposed to take place that did not take place because said individual decided to change Items from being Action Items to be discussions. Now, if we go on to 163.3, I have CRAs run by Boards, not individuals.

Attorney Shepard: You're not incorrect, which is one of the reasons why I've mentioned several times that the Board made the action versus the council. So you're right. But you need to tell that to the Vice Chair.

Male: The Board --- the Board did on both sides, I made the decision on it.

Male: The controversy sir is then the other items that's been there at the time I wasn't glad to see you step me down. I'm going to ask you this question, up under what authority did the chair have to appoint Mr. Shepard as interim council for CRA? Of the chairs the executive of the town and there's a vacancy in order to run the town so you can temporarily what folks fill positions until --- until the directors get together to decide when they want to take that job.

Male: I'll be quiet for a second.

Male: Mr. Mosley you said you had called because I know that you are a man of the word and you can get that attention to email to provide the situation and this is the first time we talk about --- about the appointment of the Town Council making the chair of the CRA Board. You need to see that email.

Male: Did you send last week?

Male: Right.

Male: Yeah, I was out in the bush, with no computers or anything so that's why I didn't get that.

Male: Well, it can't handle, right because -, right?

Male: To be honest with you, I haven't read it today. So I got back. I was so intimidated and everything. So I haven't seen it yet. So just tell -- - just ask him what you ask to me.

Male: I know when you were here, we made the motion. Ronnie Daniels is the Chairman of the CRA Board. The Town Council did that. We were under the assumption, not the assumption, we know that we have the power to appoint the Chairman for CRAs, I mean, from the town side or from the CRA side, am I correct?

Male: Yes, I mean to help me, see, the Town Council has to do Town Council business, correct? And the Board of Director to do the CRA business. And the first question I got that came in was whether the chief executive officer could appoint someone to fill a vacancy. The answer to that is yes, it's just kept on a temporary basis.

Male: Now is he saying that one?

Director Randolph: [CROSSTALK] not use them and I'm using it.

Male: He did not use them because it was -- this was the majority vote. But he could have --- he could have, but this is what the Board wants. This is what the Board wants.

Attorney Shepard: Let me ask you, Sir.

Male: Yes, Sir, So what does a charter say about the situation? That's why I want you all about. What go charter [CROSSTALK] and your Board and your bylaws.

Male: Let me respond. The Town Council - and demand appointment will move in town, administrator office or employee. The mayor and Board is empowered to appoint. The mayor doesn't have the capacity to appoint general counsel, correct?

Male: The mayor have the power to appoint general counsel, you're saying?

Male: Yes, who appoints general counsel?

Male: To the CRA?

Male: Yes.

Male: I would imagine a Board.

Male: Okay. So that's a Board. That's not an individual, correct?

Male: Do you have, one second, with all due respect, one second, get on it, one second. Well, look at Article 3 of your bylaws 3.1 that states the chair shall be elected by the Town Council during the month of December. The chair shall preside to all CRA meetings, appoint committees with approval by the Board and perform all other duties required by the Board. That's what --- that's what your bylaws say.

Male: That's what we went by Mayor Cole being challenged by Board Member Washington. But of course, you weren't here at that time the Town Council took the - and said they want.

Male: [CROSSTALK] you on that. But see this --- this is what I'm asking you all to do is if we don't ever get past what people did wrong, we will continue to do wrong all the way down the line. At some point

Male: How long have I had stuff on the agenda for council and different things for the CRA? How long has it been on there? And you haven't yet seen on the agenda?

Male: We'll see this, now.

Male: Well, I'm going to give straightforward answer. I'm not happy about some of the things I see. I will be honest with you and I agree that sometimes we need to let the democracy take place. We need just let things happen. But I don't want to mix apples and oranges. Now I just --- what I'm talking about now is that the executive has a right to feel temporary positions until you are ready to fill them. Now, again, I encourage you all again, please. Yes, just follow us charters. Like I'm like, Look, I can read the charter there, read the charter, follow charters, and if we can just get away from happened in the past, we're going to be all right.

Male: Yes. Yes. I'm sorry. Go ahead, sir.

Male: So my question is what is considered temporary?

Male: I tell you already. I would imagine you all to decide how long it's going to take you all to feel physician.

Male: Sorry, Sir. So let's state the question if I may in the --- in the states of if it's said to the chair, executive director, to be put on the agenda. It is not. So if the Board feels as though they're ready, but it's not being put on the agenda. That means that the council that is there stays there. We'll see this the thing somebody. I mean, we've heard Mr. Shepard's interpretation, you know. I mean, we as --- he said we can have different sets of opinion. So we're asking your opinion.

Attorney Shepard: Well, it's my understanding that Chapter 163 creates its agency through legislature. It is kind of part of town, but it's kind of run independently. So the Board of Directors for the agency chooses or should choose, no, they are part of the council. I don't know when you're going to be ready to do that I was going to advertise for council. I don't know what --- how long it's going to be. But I think the more should determine the test question, Mr. Henderson, if the Board is to determine how long it's going to take, if we all look for the person y'all want, set a time certain that we want to buy temporary for 90 days, 60 days, and at that point, you know we want to bring in and bring it. And I'm going to say this to everybody, shouldn't block the process, you shouldn't inhibit the

going to take for us to get through these bylaws, or maybe just make a change.

Male: Absolutely.

Female: To get us to where we need to go. So, I'm just opening this up.

Male: Let me see.

Female: Because I'm ready to move on.

Male: Yes, Ma'am. Council if I may say, I do believe your Board of Directors is going to be controlled by the statute based on --.

Female: That's fine.

Male: I think that's going to be controlled. But me who can be Chairman's like that? That's, that's going to be --.

Female: That's up to us. We have the majority vote.

Male: The bylaws say, yes but right now the bylaw is saying Chief Executive is your Chair.

Male: Well, my question is, again, we can put forth these changes all day long. In the current dismiss Chair, whatever, does not put it on the agenda. How can you move forward?

Male: Well [CROSSTALK] prime example of why we are having issues with this. I feel like and it is my opinion that some things have been going on. For me to find out \$71,000 check that was written without this Board, without this body approving it. I have an issue with it. \$71,000.

Female: It makes you want to hit the Board, does it?

Male: Yeah, it makes you want to hear according to procurement, procurement anything over \$2,000 was supposed to have what? It was supposed to have the Board approved. So for a \$71,000 check the go out, and then we don't get copies of checks and all that. We have some major issues going on.

Female: So, that could definitely be a CRA discussion item.

Male: No you're not going to visit that.

the CRA is an agency in this town, and I will protect it. And whatever you need to do you do it, but I'm not going to relinquish the Chair. The bylaws do say that I will consider -- I did consider, you can tell by the May 17 agenda how messy it is that I considered everything that you wanted to put on that agenda. But the agenda is done by the Chair, I will stand by the bylaws. I will stand by the bylaws.

Male: Mr. Shepard, do you say you are the general counsel?

Male: I am.

Male: So if, because of the way this is going. It's the one that this Board decides to remove some of items, there is a hearing that needs to be called and it has been 10 days the Hearing is determined and the person can be removed from the CRA, is that correct?

Male: Well, that's going to -- Now, if you ask me of removing like a director?

Male: Yes.

Male: I don't know. But I will, I will get you that answer. But what I will tell you is, and this is the thing, and I think this is where Mr. Mosely and I are in lockstep. There's a whole lot of people who would benefit by seeing what goes on here in live streaming. That's agenda item one. There's a whole lot of people who would like to know when your future meeting dates are, that's agenda item two, there's a whole lot of people who would like to see what an audit will bear and you can't do that till you hire the auditors. That. And only that is what we're here for. So for the last almost hour, we've talked about stuff we're not here for, they're having to listen to it and get no progress. So I will cut to the chase and tell you there's a way to get where you want to go legally. And they're in the same bylaws. It's called special meetings, read it, do it. But otherwise, get this agenda done.

Male: Say that again, it says, call a special meeting?

Male: Yeah.

Male: Okay. Special meetings that may call and I'm not here to do this no way.

Male: Are you prepared for this particular.

Male: I was prepared with the bylaws so I know if I got questions how to answer them but that's it.

Male: So the Chairman bylaws wasn't presented to you?

Male: The what I'm sorry.

Male: The Chairman situation wasn't presented to you?

Male: No I got the bylaws, and this agenda.

Male: Okay. So we can't bring anything from the Board, Attorney Mosley?

Male: I thought we have the Board.

Male: I don't know about the CRA. Like I said before that resolution relates to the Council, so I don't know about the CRA.

Male: Mr. Shepard, are you available this Saturday?

Male: Hang on, I think I have a meeting. But hang on one second. Let me look. It's not on my calendar. I'm going to say yes. Only because I, but somehow in my brain. I've got a meeting Thursday, and I can clarify for sure tomorrow, but it's not on my calendar. So at least according to my calendar I'm available.

Male: Are you available Friday?

Male: No, Friday I have a doctor's appointment and then I'm leaving town for about a week.

Male: On Thursday, are you available for a special meeting.

Male: Yes. Which if I recall, I gave Mr. Mosley my only copy of the bylaws but I think it requires 72 hours -- Hang on, let me read it real quick.

The special 72 hours notice so if there's sufficient time, under your bylaws, the answer is you could call a special meeting and this is the way it reads called by the Board Members, the Chair or the Executive Director has to be at least three. And by the way, I'll tell you how to do that without violating sunshine because you can't talk to each other.

it's limited to that item. The agenda is prepared in accordance with this, but on a request for a special meeting for the agenda item is set by the request, it would be my opinion that the Chair or anyone else who might if there was an Executive Director would not have the authority to say, Well, I'm not doing that. That's the special meeting, following your bylaws.

Male: So other board members can say well --Yeah, I support that. But I want to add this, then that will be [CROSSTALK]

Male: Then they'd have to get, go back around.

Male: And then they go back around.

Male: But critically important is that there's no communication between whoever the person in the circle is, whether it's the clerk, a secretary or whomever, they cannot communicate. I spoke to Mr. Daniels, or I spoke to Mr. Randolph or I spoke to Mr. Henderson. I can't read that for him. Sorry, Mr. Henderson. Because that constitutes being a conduit. So all they can know is what the request was? And do they support it? Aye or nay? And if they get to the three, they'll have to be able to identify later in case someone calls a question did you get three. But that would happen in the public setting. If you get to three then that item is on the agenda. That doesn't make it a legal item. It doesn't make it an appropriate item, for example, you wouldn't put on the CRA agenda, the impeachment of the Mayor, you could get it but you couldn't do anything with it as an example.

So there are things that even if you requested them, and they got put on the agenda, you couldn't act on it. But assuming it's something that you could act on, like an amendment to the bylaws or something that's within the realm of the authority of the CRA. Yeah, that's how you do it.

Male: So it's 72 hours, Thursday will not give us 72 hours. So the earliest would be would be Monday then, right?

Male: Right,

Male: Because you're not able on Friday?

Male: I'm out for the entire week for a vacation. But I have people in my office who are also Board certified and do this work all the time. So if you needed to do it next week, I could get somebody here.

Male: I understand that.

Male: To run the town efficiently, how are we supposed to.

Male: I understand.

Male: I don't --in a sense we respect what he said, You know, I respect that. But counsel has spoken.

Male: Can I, can I suggest one thing then Councilman, Vice Mayor, Counsel and Director [CROSSTALK] now.

Male: Yes, sir.

Male: Is the bylaws say what they are, they have not been changed. And they and you're all supposed to follow this bylaws. Right? And it does have a clear date in here, December.

Male: Yes, sir. And you have to say that wasn't followed before.

Male: No, it was not followed.

Male: And then you have to say --

Male: Then you have to say, you have get the citizens to realize that, that when it benefited. Someone else was bending it, probably it was okay. It was cool. Because the Town Council has spoken, now its Oh I'm in power now, I'm not going to relinquish that. Although they did it before. You know don't want to do it again wrong. Now, now it does not belong on paper right now. But when that happened before, because you have a goal in mind you have you have purpose, which according to this, you had a means to an end, then it was okay. That were an expedient means you were doing something not necessarily immoral, but it was improper. And probably one is that is Resolution 2012 of 28.

Male: Okay. All I'm saying Vice Mayor and Director Daniels, is I wouldn't want to stand here and let you knowingly violate the bylaws, because it's in print. And it's you know, it says December, I mean, to say, yeah, go ahead, then I'm also - you violated the bylaws. I don't want you to do that. I'm asking you not to do that because it is in print. I do want to say your frustration, I'm telling you this for, if you were doing things wrong in the past shouldn't have done in the past. I was asking you all to be better than that.

next CRA meeting. So when I sent it in, again, to request it by email it is not on here. So that's the problem that we need to face. We say we want to work together. But I don't see that. I don't see it, I have to really see it. And I have to feel it. I have neither. Because when it came back to me, it's not here, just three items. And I'm going to give the attorney give you, both of you all a copy. So you can see exactly, it's [CROSSTALK] it's pretty lengthy. But those are items that are very important that that I'm not talking about. Now, it is important now. But at that particular time, because we had a termination of the Executive Director, we had other issues dealing with mismanagement of funds, and all of the issues not abide contractually, according to how things supposed to be run as far as the administration of the CRA. This was not to be a nitpicky situation against the Director, the Executive Director, but what it was, it was the holding us accountable to the agency to make sure that the agency is run effectively and efficiently, and lawfully.

So these are the items that derive out of this situation that we're in. And the only thing we're asking is that we need to -- we are the trustees of Eatonville, Florida. Okay, and we need to address these items. We have a citizen whose, we own the property, the town of the Eatonville that has to be addressed, this property right now has been, it's up for -- already has tax certificates already been purchased on this man's house, we need to -- we brought this up before I was even on the council, that the town needs to give Mr. Dixon his property back or find ways that we can contact a family member or get involved, we should not be on his property, all the that's just a few things here. But these items here are very, very important. So we need to move ahead and get this done. We're not going to get this done, I saw with three items, which is very simple, which can go ahead and just get this done in five minutes. So we need to move forward with those items that's important.

We don't have an attorney, we have a temporary attorney, we met to have an attorney that I felt that was favorable, or someone had presented favorable. We had all this prepared, the resolutions and everything. And everything just fell through the cracks. And for some reason, I feel that it's just been a stumbling block. So we have to get through this and call a special meeting for each one of those items to make sure it happens. That's what we're going to do.

Male: Can we agree to have this special meeting with all these items on there when Mr. Shepard can be here.

Female: No, sir.

Male: I'm just – I'm asking for clarity.

Male: Yes.

Male: Because I know Attorney Mosley just put, suggested out there and the Chair said absolutely not, even if it was polled, as a special meeting. I'm just asking for a meeting.

Male: I heard something different than you did. And that's probably what I heard was. And I don't really know what this means. And I'm not going to speak for the Mayor, the nonsense. So I don't know what the nonsense is. She's not going to put the nonsense on the agenda, Amending the bylaws, I would respectfully suggest if that's what you choose to try to do. That's not the nonsense. That's something that would become for the agency, and things of that nature. For example, amending your redevelopment plan, things, and other things, some of the other things we talked about, yes. It would be limited to whatever that item is, and it should be one as opposed to a 100. But depending on what item you pick first, for example, if it was amendment of the bylaws that may lead to other things you want to do. I don't know. But that's my opinion. I will not change it just because you asked for it.

Male: I have one question. Listen, I know what's, right? I know no side, I am always right.

Male: Me too.

Male: What I heard was, you say if it is done in and the proper way. We, as an individual, in my opinion, can't say what is nonsense or what is not nonsense? If you're asking everybody to get along? That I don't know. I'm just -- I'm, that's just my opinion. So if you're saying from a legal perspective, that if it's done the proper way, I mean, that has to happen.

Male: The only way I ever come in is on the law, the policy is up to you. But the law is the area you bring me here ostensibly, or whoever feels as if it's Mr. Jackson, whoever, that's where their box is and that's the same box I'm in, I'm trying to keep you from violating the law. If a proper -- if a meeting is asked for properly, which tells you how to do that. Its agenda'd, its limited to the item and that's what's discussed just like this meeting, supposed to be limited to these items. That's how you go. So if the most important thing to go forward is bylaw amendments. Okay. If the most important forward

Male: Okay.

Female: That was due again on -- [CROSSTALK]

Male: Where does it tell me on here? Because I'm just referring to look at what I got. Where does it tell me on here that what's on here will be on here?

Female: She didn't put it on there, Sir. That's what I'm trying to tell you.

Male: Well these sets the agenda from the 17th.

Female: Yes the 17th agenda supposed to be on this agenda.

Female: Is there's something that would have told me that I mean, in other words or minutes or something that says --

Female: I've been telling you this since you've been here.

Male: So let me explain, this is what I've tried to explain before we've had in the sunshine law validation. You see, these meanings are not necessarily for you guys, these meetings are for the public, you haven't noticed the public enough time, so they need apparently at these meetings to show up. So if you don't publish it, that's why you can't add in the last minute because the citizens won't know it's going to be on.

Female: I want to correct you. I did not add that at the last meeting.

Male: No, no -- I know you didn't.

Female: This was already in place at the May 17th meeting, which we didn't have.

Male: No.

Female: And, I've asked twice to put this on the next agenda, including last week. And you see what we got. So it was not intended to be put, to be heard tonight. And here's the problem with it.

Male: Let me -- I'm just trying to understand counsel. What I'm saying though, to just answer your question that why can't it be done at night? Is that because it wasn't published. Now, and what counsel just said earlier is that once you legitimately call the people for what's going to be in a special meeting or an agenda. It should go

Male: Those are legitimate items as I see it, I was just saying that was legitimate items as I see it. [CROSSTALK] So I don't know.

Female: Firing them, are you firing someone you've already fired? Is --

Male: No, let me say this. Let me say this. [CROSSTALK] Okay, so let me say that Mr. Johnson [PH] was terminated, correct.

Female: Right, but lets --.

Male: I don't want to really discuss those things. But I will say he was terminated. There should have been probably some more language in the resolution to terminate him to clarify what happened, and I don't know why I didn't draft that resolution. But these other issues here -- No, these are these are things that you won't get discussed as a Board. And if a person is already terminated, you can't re-terminate them. Firstly, there's need for discussion. I don't know why we couldn't discuss.

Male: But at the time we need a discussion is paying out \$71,000 of taxpayer dollars without the public or this Board being aware that it can pay it out.

Female: Yeah we'll discuss --

Male: Hold on, hold on, I'm talking to the tourney. Also the issue of not getting documentation and all of the things, the issue of having one signature Mr. Shepard, one signature on checks that's going out, that's been going on for over four or five months. We can't get claims on because we can't have meetings.

Male: Do you have a purchasing policy for the city?

Male: We do have resolution that says two signature there's been one signature been on checks.

Male: Okay. The CRA has to follow by state law, the purchasing policy of the city.

Male: Thank you.

Male: Whatever that is, I don't know what it is, but whatever it is they're supposed to follow it.

Female: For the CRA.

- Female: But, you're not the Chair.
- Male: Attorney can I motion for the moment.
- Female: So, are we going to do, are we going to vote on items one, two, and three?
- Male: May I make a suggestion, Madam Chair. Since we are at this unusual place, and these items are non-controversial, I would suggest seeing, making a motion if you have anybody who will make a motion approval of one, two and three, and if it dies, for lack of a second it does. If it doesn't, then there's a vote. That's how this agenda should have been handled, should be handled. It's not just we don't like it, therefore, we're going to adjourn. Right now. It's a lawfully published agenda. People came here ostensibly to see it acted upon. If the body votes them down, that's fine. If it dies for lack of a second, that's fine. What's not fine, is you're saying we're not going forward. And if you lose a quorum, well, that's a different story. But here's where we are.
- Female: All right, I move that we approve items one, two and three.
- Male: They need to be separate.
- Female: Separate. Okay, so I move that the Approval of Resolution #2022-10.
- Female: I second.
- Female: It has been moved and seconded. All in favor say Aye.
- Members: Aye.
- Female: Can we do a roll call? I didn't hear them all.
- Male: They all oppose, [CROSSTALK]
- Female: All who oppose, sorry?
- Male: Nay.
2. Approval of Resolution #2022-13, setting dates of CRA Meeting for the third Tuesday of the month at 5:30 p.m.

Female: Okay, so if it changes in the future we will go ahead and vote, because either up or down. So it has been moved and seconded that the meetings are the third Tuesday of the month until such time that we change it in the future. All in favor say aye?

Female: I'll second it.

Members: Aye.

Female: All opposed?

Male: The ayes have it, for now it will be the third Tuesday Mr. Henderson? Second.

3. Approval of Resolution #2022-14, engaging Carr, Riggs, & Ingram LLC CPAs and Advisors to complete TOECRA audit for fiscal year ending September 2021 (FY2021).

Female: Item number three Approval of Resolution #2022-14 Engaging Carr, Riggs, & Ingram LLC to complete the audit for the fiscal year ending September 2021. Is there a motion?

Female: So are we not going to get an audit for the CRA.

Male: Hold on, hold on I've got a question. Is this the same audit that's going to Town Hall?

Male: Yes it is.

Female: I am trying to find your question, trying to find my sheet here. Where it says I've kind of read it through today, I must have lost it. There must be something about \$8,000. What does that cover? The agency on this particular resolution? What does it cover?

Female: Well, it covers the CRA on \$8,000 has been pretty much what it's been with every auditor, if I remember correctly.

Female: Is that for the whole year, just to do the audit, just that one audit, for that time period.

Female: It's just the 2021 fiscal year ending 2021 audit.

Female: Okay.

or their attorney, so whose supposed to do it. So who's going to call us or poll us, since it's the way it's been done in the past?

Male: I'm happy to do it. If that's -- if you don't have anybody else. If you want me to be the person who's in between I'm usually not, but I know how to not violate the law.

Male: Yes, sir.

Male: Can we designate a town clerk.

Male: Again, that's for y'all to decide. I wouldn't even know if there's a policy against it. So if there is that's kind of -- that's either Mr. Mosley's material or somebody else's.

Male: Of course the town clerk has been doing this for years, with or without any counsel?

Male: I just don't know.

Male: So we think it is our clerk, that's the person we call.

Male: I don't know the reason why that's not so. But I don't know.

Male: Okay. Thank you. Mr. Shepard.

Female: Attorney Shepard in the bylaws. It does state that the town staff can do it through an Interlocal agreement. In all fairness, the second thing is you did state for special meetings that whatever they want, and I say they -- I'm sorry, the Director of the Board wants on that agenda can automatically be placed there. However the bylaws state will be considered by the Chair. And I'm not -- and I'm really not doing this difficult, but and I will consider it, but at some point, the items need to be items that move us forward, if that's the direction of that Board.

Male: Let me pull out those bylaws because it does say consider. But here, here's exactly how it reads. So everybody's on the same page.

Male: Which one?

Male: This is 5.6. And if you look at the special meeting section, it says agendas shall be prepared in accordance with sections 5.6.1 and 5.6.4. 5.6.1 says the agenda shall be prepared by the Chair and of these, it doesn't say that there's a veto. So 5.6.1 doesn't stop the

V. ADJOURNMENT

Female: So we're going to go ahead and we're going to adjourn this CRA meeting, and will enter our workshop.

Male: Thank you all for however long they get to be.

Any person wishing to appeal any decision made by Community Redevelopment Agency with respect to any matter considered at such meetings or hearings will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made which record included the testimony and the evidence upon which the appeal is made. The above notice is required by State Law (F.S. 189.417). Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense to arrange for the presence of a certified court reporter at the hearing. For further information regarding the Community Redevelopment Agency, call (407) 623-8900.

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Acknowledged:
Cindy Gardner
J. W. King, clerk