

TOWN COUNCIL  
COMMUNITY REDEVELOPMENT SPECIAL BOARD MEETING  
MINUTES  
December 6, 2022

**PRESENT:** Chair Angie Gardner, Vice Chair Rodney Daniels, Director Wanda Randolph, Director Marlin Daniels, Director Ruthie Critton, Director Theo Washington. **STAFF:** Greg Jackson, **CRA Attorney**, Clifford Shepard, **Town Attorney** Nicole Bonds, **CRA Executive Director**, Randy Singh, **Chief Administrative Officer**, Veronica King, **Town Clerk**, Joseph Jenkins, **Deputy Chief** (*Absent: Director Leviticus Henderson*)

**CALL TO ORDER & VERIFICATION OF QUORUM**

Chair Gardner called to order the CRA meeting for 5:31 pm and confirmed a quorum through Mrs. King.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Chair Gardner led the Prayer of Invocation through a Moment of Silence, followed by the Pledge of Allegiance.

**BOARD DISCUSSION:**

1. **Invoices for the TOECRA Counsel** – Director Randolph reported that all invoices have been paid to date (No further discussion).
2. **Special Investigation regarding the former Executive Director of the TOECRA** – Director Randolph introduced the item to be discussed concerning the \$71,000 pay out authorized by the Chair of the Board/Mayor Gardner, signature cards being processed in a timely manner, consensus for an analysis and computer forensic investigation of equipment, ensure former Executive Director and former Fiscal Coordinator cease and desist all work on behalf of the CRA including communicating with contractors, agencies, and businesses on behalf of the CRA. Vice Chair R. Daniels request that the Tommy Dixon property is included in the investigation. Investigation is expected to be handled by an outside entity. If approved by the board, how will the board go about hiring an outside investigator; Attorney Jackson recommends providing recommendations; four potential individuals have been identified should the board choose to consider. Attorney Shepard weighed in on the process stating that neither he nor Attorney Jackson should be involved with the investigation. The board can hire an independent attorney or investigator to conduct the investigation. For the hiring process, recommend receiving and reviewing the recommended individuals identified, look at the proposals and rates and make a decision. Consider adding a “not to exceed” amount; the investigation can become costly. Chair Gardner addressed Attorney Jackson about providing a response to previous requested emails and the concern of Attorney Jackson creating the resolution to terminate the former Executive Director prior to becoming the CRA Attorney. Attorney Jackson responds: A reply was provided to email request; no emails exist. The resolution was not reviewed before it was acted upon. There were no communications with anyone on this board or any resolution drafted. After leaving the board in 2019, I went on to other things and was not interested in what was happening here (within CRA); did not advocate for nor cared about who was hired or fired. There have been no communications to, from, or by me in drafting any resolution or terminating anyone on the dates prescribed. Chair Gardner, why pay for an attorney when the investigation can be handled through the Attorney General’s office or through law enforcement. Attorney Jackson responds: A law broken was never stated, the transcript referenced states my concerns as a representing counsel whose job is to protect the agency; the concerns were confirmed and does not mean there is a disdain for anyone. My relationship with Mr. Johnson is out of respect with no pass issues. I came to this board because of Mr. Johnson. My concerns outlined the things that were not appropriate; it was made known as a part of responsibility to the board. There are several documented writings to support the concerns to include a phone

communication with the Comptroller. Now is the time to move forward. Director M. Daniels, the issue at hand is the special investigation. If there is nothing to hide, then there should be no issue with the investigation. There is no debate; both attorneys have stated the need to get an outside investigator. To Attorney Shepard, what do you think is a fair process and should an RFP be sent out? Attorney Shepard, an RFP is an option; whoever is chosen should have free reign to speak to whomever they need to speak to including acquiring information in a timely manner. The estimated hours are based on the scope of the investigation. The investigation could be \$50,000 or less without including the Mr. Dixon property. The Tommy Dixon matter may cost \$50,000 or triple the amount due to the complexities. A timeline could possibly be 90 days with extended time as needed. The resolution speaks to 180 days. The items such as Tommy Dixon, the business lien on the Chambers of Commerce, and other matters could be added to the investigation. Attorney Shepard suggest focusing on the items we already know about, the check payout and the Tommy Dixon property. Vice Chair R. Daniels questions which attorney is representing the CRA; Shepard is happy to turn everything over to Attorney Jackson, the CRA Attorney. Director M. Daniels recommended to move forward as the resolution is written. Chair Gardner, Attorney Jackson does the board have the right to fire the CRA Director; in response, the legal opinion per the Bylaws, the board has the right to appoint and terminate the CRA Director; every CRA Director has been hired and one fired by the board. The bylaws would overshadow a contractual provision. Director Randolph states once terminated it should be indicated in the personnel manual that no one is to return to work after such termination. It is important that information subject to investigation which cannot be found is a criminal act.

3. **Motion for approval Resolution CRA-R-2022-24 authorizing TOECRA General Counsel to engage and retain outside legal counsel for a special investigation and render opinions and guidance as to matters related to the former TOECRA Executive Director;** moved by Vice Chair R. Daniels; second by Director Randolph; **AYE: Vice Chair Rodney Daniels, Director Wanda Randolph, Director Marlin Daniels, Director Ruthie Critton; NAYE: Chair Angie Gardner, Director Theo Washington, MOTION PASSES. Comments:** To determine Counsel for investigation at the next meeting on December 20, 2022. Vice Chair R. Daniels request for the recommended names identified by Attorney Jackson. Attorney Shepard, a RFQ does not require pricing only why they would be good for the job. Director Randolph prepared the resolution and had it reviewed by Counsel.
4. **Motion for approval Resolution CRA-R-2022-2 passing of the FY2021 Audit Report;** Heather Mosier, partner at Carr Riggs, and Ingram Auditing Firm provided through zoom an overview of the CRA audit for September 30, 2021; The audit is an unqualified opinion with several audit adjustments specific to journal entries posted; payment of the CRA from the county, a true up was made (agreement of revenue), capital uses (debts/assets), prepaid insurances, balance due from the town (recommendation to pay or reclassify as a transfer; to be determined between the town and the CRA). Florida statue non-compliance and other recommendations: must provide to orange county 10 days after the adoption of the budget, to ensure books and accounting records are prepared and reconciled on a full basis **Comments:** The \$322,000 carry over amount of balance due from the town has been on the books for years; Vice Chair R. Daniels stated that the carry over amount of \$322,000 was forgiven according to the Finance Director. Director Washington believes the town should pay the CRA (Where did the funds go?). What was the year of the funds; in order to investigate a date must be known/indicated. **Amended Motion adding statement that the board will look further into the \$322,280.00 balance due from the town to the CRA;** moved by Vice Chair R. Daniels; second by Director M. Daniels; **AYE: Vice Chair Rodney Daniels, Director Wanda Randolph, Director Marlin Daniels, Director Ruthie Critton, Chair Angie Gardner; NAYE: Director Theo Washington, MOTION PASSES.**

**ADJOURNMENT:** Motion to adjourn meeting, the motion was moved by Director Washington; second by Vice Chair R. Daniels **MEETING ADJOURNED** at: 6:36PM.

**Respectfully Submitted by:**

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**Veronica L King, Town Clerk**

**APPROVED**

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**Angie Gardner, Chair**