



ING 06-103

July 24, 2006

Aletheia Jackson
22230 S.W. 114th Avenue
Goulds, FL 33170

Dear Ms. Jackson:

Thank you for your letter of July 20th and I will do my best to the questions you present in your letter.

- 1) Under state law, spouses are allowed to sit on the same board. If it can be proven that they are discussing public business outside of a public meeting, then such conversations would be in violation of the Sunshine Law. This is the identical standard that applies to any two board members who serve on the same board.
- 2) Generally speaking, voting on funding to benefit one's agency or a relative's agency might be a violation of the county's Conflict of Interest and Code of Ethics Ordinance. It really depends on the specific facts of the case.
- 3) It isn't within the Ethics Commission's jurisdiction to give advice about preparing agendas, the role of the chair and the board members in this process. If a rule is in place for agenda setting, it ought to be followed or amended, if you aren't satisfied with the current rule. If you are not getting your agendas in advance of the meeting, you ought to point out that receiving the agenda the day of meeting creates a whole host of problems for the board members.

I am sorry I can't be more helpful, but most of your questions are not within my purview to answer.

Sincerely,

Robert Meyers
Executive Director

July 20th 2006

Ref: Clarification of conflicting relationship between C.A.A./ OCE.D. members
Clarification of Recursion from voting / meetings and Agenda items.
From: Aletheia Jackson

To: Robert Thompson & Robert Meyer
or whom it may concern,

I, Aletheia Jackson, am a resident, homeowner taxpayer and a member of the Goulds CAA board. I have questions concerning the following:

In our special called meeting Feb. 13th 2006 our chairman, Mr. Demps, passed out to all board members a copy of a faxed he sent to your office, a letter seeking an opinion dated 2-13-2006. (see attached exhibit). In the handout Mr. Demps stated

"I am the chair of a CDC which receive funding from OCED and I am President of an Optimist club that also receive funding from various County Grant Programs. My wife serve as Executive Director/Consultant of the Optimist Club and is a non- board member. Neither my wife nor I receive salaries from the grant monies, Keep in mind that my wife is not a board member of the Optimist Club nor the CDC and she does not receive a salary from grants funds from CAA or OCED". Mr. Demps did recue himself however Mrs Demps refused to recue herself and voted for the Goulds CDC to get the \$100.00.00 for 2005.

Concern #1:

Question of Favoritism and Bias resulting from a husband and wife on the same board.

Question of "Pillow Talk" discussion of items that will be addressed on agendas before hand between husband and wife, or voting to favor the spouse or family member. Our board has the wife, uncle and sister-in-law of the chair voting when his agency applies for funding.

Concern #2a:

I'm requesting clarification on the rule of who and how the agenda is prepared and implemented. Dose the chair have the right to go out and speak to agencies/individuals on behalf of the CAA board without the boards approval?

In our regular meeting, the board members vote to invite a person or organization to be placed on the agenda for our next meeting. At the next meeting we have prepared our question and concerns for the agenda items voted on, only to find the voted items have been changed by the chair. When we question why, the agenda change and when did we vote to invite the new agenda guest? The chair stated, "As chair he has the right to invite whom ever he wants without the ok of the board, that's his privilege as the chair." "In order to invite these agencies or individuals to speak at our CAA meeting the chair is going as a spokesperson for the CAA board in the capacity as chair. The speaker state that they have met with the chair or received calls from the chair and he asked them to come to present before the board.

Guidelines state: No Advisory Committee member will have the authority to change actions as voted upon by the Advisory Committee as a whole. No Advisory Committee member may represent themselves as a spokesperson for the Community Advisory Committee on ideas, issues or proposals, unwell it has been pre-approved and authorized by the whole committee.

1. Dose this apply to the chair also? 2. Is his statement correct?

According to Citizen Participation Plan and Guidelines the staff is to make the agenda with the assistance of the chair and provide agenda (5) days in advance of the next meeting. When I questioned the staff person as to why the agenda wasn't mailed he stated " the chair hadn't given it to him yet". We get our agenda at the meeting a lot.

3. Is the chair to make the agenda alone without input from the board or staff person?

Aletheia Jackson 786-259-4337
22230 SW 114th Ave
Goulds FL. 33170

FAX to Robert A. THOMPSON

305-579-0273

Follow up to your phone call,
July 21, 2006. Copy of letter sent
on June 24, 2006.

Please fast reply to sending
info.

Looking forward to our next
meeting. (soon)!!

William J. Lison
786-259-4337

FAX # Robert A. THOMPSON
305-579-0273

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