

November 2020 Executive Committee Meeting

Minutes

November 20th, 2020

1:30 – 2:30PM EDT



1. Opening

Ms. Paul Tobin opened the meeting. No member presented an issue with being recorded. The meeting was called to order at 1:30 PM.

Members Present: Mr. Paul Tobin, Mr. Eddie Hall, Ms. Kailey Medlock, Ms. Janet Good, Ms. Brande Shelton, Mr. Brian Nerland, Ms. Liz Kern

Staff Present: Ms. Whitney Harris

Members of the Public: Ms. Julie Kates

2. Approval of Agenda

No members of the public commented. Ms. Whitney Harris added the discussion of the UCF contract to the agenda after the financial statements. The agenda was approved with no objection.

3. Approval of Minutes

Ms. Liz Kern made the motion to accept the minutes. Ms. Janet Good seconded the motion. The October 2020 Executive Committee Minutes were approved without any objection.

4. Financial Statements

Mr. Tobin and Ms. Brande Shelton presented the October 2020 Financial Statements to the Executive Committee. The Balance Sheet has an error of \$2,000. Ms. Shelton made the motion to approve the October 2020 Financial Statements. Mr. Eddie Hall seconded the motion.

The October 2020 Financial Report is approved without any objection.

5. The Atlantic RDC Contract Discussion

Ms. Harris explained that FAAST has been in contract negotiation with the University of Central Florida (UCF) since early October 2020. UCF would like to be the entity that would declare a Force Majeure for their RDC. Currently, the contract states a Force Majeure with governmental declaration to excuse not

meeting deliverables. Ms. Harris has asked UCF on two separate occasions to name an entity that can declare a Force Majeure that is not their university. UCF named the “Subrecipient” and “State University System Board of Governors” in their Force Majeure responses. If UCF were not meet their deliverable and use the Force Majeure clause as they propose, FFAST would be potentially penalized because VR may not recognize the Force Majeure. If UCF does not sign the contract, Ms. Harris would like to split the contract funds and deliverables between the other five RDC’s. She is asking the committee on how to proceed.

Ms. Kern has asked the committee for understanding. She states that UCF is the size of a small city and does not think that giving them the power to declare a Force Majeure will be used maliciously to get out of reaching deliverables.

Mr. Tobin states that allowing UCF to declare a Force Majeure is a risk to FFAST.

Ms. Kern asked that FFAST consider the relationship and the consumer base that will be lost if FFAST loses UCF as an RDC.

Mr. Tobin motioned that UCF sign the contract with the original language within two weeks, December 4th, 2020, or FFAST will find another contractor. Mr. Hall seconded the motion.

Ms. Kern would like to discuss this with the full board. Mr. Tobin noted that the Executive Committee has the authority of the full board between quarterly board meetings.

A roll call vote was taken for Mr. Tobin’s motion:

Ms. Janet Good: Yes

Mr. Brian Nerland: No

Ms. Liz Kern: No

Ms. Kailey Medlock: Yes

Ms. Brande Shelton: No

Mr. Eddie Hall: Yes

Mr. Paul Tobin: Yes

The motion carries.

6. Bylaw Updates

Mr. Tobin briefly discusses the combination of the bylaws and he would like to approve them with the understanding that members will bring any comments or

concerns to Ms. Harris. Ms. Kern comments that the revisions say that FFAST is a “pass-through” organization and would like to address that. Ms. Kern will send the “pass-through” language to Ms. Harris to be removed from the bylaw draft.

7. ATAC Member Reappointment

Mr. Tobin would like to be reappointed to the FFAST Board by the Commissioner of Education. Mr. Nerland made the motion, and Ms. Shelton seconded the motion. The motion carries without any objection.

8. Action Items

Mr. Tobin and Ms. Kern will have Mr. Eric Reed’s evaluation ready for the Executive Committee before the December 18th meeting.

9. Closing

Next meeting- December 18th, 2020, at 1:30 PM. No Public Comment was made.

The meeting was adjourned at 2:30 PM.