

**From:** [Dylan Reingold](#)  
**To:** "Celeste Center"; [Jason Brown](#); [helenec@indianrivered.com](mailto:helenec@indianrivered.com); [Kathy Charest](#)  
**Cc:** [Kristin Daniels](#); [Phil Matson](#); [Tina Cournoyer](#)  
**Subject:** RE: Small Biz Grant application - Deborah Cooney  
**Date:** Tuesday, March 22, 2022 1:02:35 PM  
**Attachments:** [image002.png](#)

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Ms. Cooney,

Please accept this email as an acknowledgment of the filing of your appeal of the decision of the County Administrator concerning your application for a small business grant. Per section 100.06 of the Indian River County Code, the Board of County Commissioners has 20 working days to make a decision on your appeal. Thus, we will schedule your appeal for the April 5<sup>th</sup> Indian River County Board of County Commissioners meeting.

Please be aware that Commissioner Flescher, like all of the commissioners, is required to vote on the matter unless the matter would inure to his special private gain or loss; inure to the special private gain or loss of any principal by whom he is retained or to the parent organization or subsidiary of a corporate principal by which he is retained, other than an agency as defined in section 112.312(2), Florida Statutes; or inure to the special private gain or loss of a relative or business associate of the public officer. I am unaware of any such conflict of interest and thus expect Commissioner Flescher to vote on the matter.

Have a wonderful day!

Dylan Reingold  
County Attorney

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**From:** Celeste Center <celestecan@hotmail.com>  
**Sent:** Thursday, March 17, 2022 7:37 PM  
**To:** Jason Brown <jbrown@ircgov.com>; [helenec@indianrivered.com](mailto:helenec@indianrivered.com); [Kathy Charest <kcharest@ircgov.com>](mailto:kcharest@ircgov.com)  
**Cc:** [Dylan Reingold <dreingold@ircgov.com>](mailto:dreingold@ircgov.com); [Kristin Daniels <kdaniels@ircgov.com>](mailto:kdaniels@ircgov.com); [Phil Matson <pmatson@ircgov.com>](mailto:pmatson@ircgov.com)  
**Subject:** Re: Small Biz Grant application - Deborah Cooney

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I hereby appeal the wrongful denial which was based upon Jason Brown's false belief that my business losses from 2019 to 2020 were not caused by COVID. I have submitted substantial evidence proving that the losses were caused by COVID, including a sworn statement in the application, a separate notarized affidavit, the Governor's Order prohibiting me from operating my music performance business, three (3) email chains from venues cancelling all 2020 shows due to COVID, and one email chain showing a private St. Patrick's Day party which was cancelled verbally. Brown has not produced any evidence to contradict or disprove this.

Brown maintains his false belief despite the evidence proving otherwise. The denial was arbitrary and capricious or worse, malicious. It must be corrected on appeal.

Joe Flescher must recuse himself due to a conflict of interest. He has committed or participated in committing crimes against me in the past. This creates an impermissible conflict of interest. Any other commissioner with any kind of conflict of interest must also recuse.

Do I need to do anything else? Did everyone receive my emails showing the COVID cancellations at various venues and the Governor's Order prohibiting live performance gatherings? If so, why has this evidence not been considered? Please be sure to forward all of the evidence with the appeal.

Second request: Please forward the denial letter stating the reason(s) for denial and the reasons for ignoring all of the evidence that I submitted.

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**From:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Sent:** Tuesday, March 15, 2022 12:31 PM  
**To:** 'Celeste Center' <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Cc:** Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>  
**Subject:** RE: Small Biz Grant application - Deborah Cooney

Ms. Cooney,

There is not a form. Please submit your appeal to me via this email address along with any additional information that you would like to provide. I will then have this placed on the next available BCC meeting for their consideration of the appeal. April 5<sup>th</sup> is the next BCC meeting.

Jason E. Brown  
County Administrator  
Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960  
772-226-1408  
[jbrown@ircgov.com](mailto:jbrown@ircgov.com)

---

**From:** Celeste Center <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Sent:** Friday, March 11, 2022 4:51 PM  
**To:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Cc:** Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>

**Subject:** Re: Small Biz Grant application - Deborah Cooney

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Yes, I would like to appeal to the Board. Is there a form for this? Please forward the document stating the final determination. The decision is in error if, as you say, the denial was based on your false belief that the losses were not due to COVID, when the evidence proves that the losses were due to COVID. I can provide more evidence, as well, such as cancellation notices that clearly state the reason is COVID and the Governor's Order shutting down the venues where I was scheduled to perform. Thanks.

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**From:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>

**Sent:** Friday, March 11, 2022 1:25 PM

**To:** 'Celeste Center' <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>

**Cc:** Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>

**Subject:** RE: Small Biz Grant application - Deborah Cooney

Ms. Cooney,

As stated previously, my final determination is to deny this application due to the need for business losses to be COVID-related. Furthermore, the program deadline has passed. Please the relevant portion of Section 100.06 of the Indian River County Code below, which pertains to appeals of a decision of a county officer below:

Section 100.06. - Appeals generally.

Unless specific appeal procedures from rulings of certain employees, boards, or commissions are provided or prohibited elsewhere, there shall be a right to appeal as set forth below by delivering to the person or body responsible for hearing the appeal a written statement with facts and details showing why the decision should be reversed or modified, with a copy to the person or body from which the appeal is being taken, within the time limits as follows:

1. From a decision of a department head. Any person aggrieved by a final decision of a department head may appeal to the county administrator within ten (10) working days of the final decision. The county administrator shall respond within ten (10) working days.
2. From a decision of a county officer. Any person aggrieved by a final decision of a county officer may appeal to the board of county commissioners within ten (10) working days of the final decision. The board shall respond within twenty (20) working days.
3. From a decision of a board or commission. Any person aggrieved by a final decision of a board or commission may appeal to the board of county commissioners within twenty (20) working days of the final decision. The board of county commissioners shall respond within twenty (20) working days.
4. From a decision of the board of county commissioners. There is no right of appeal from a final decision of the board of county commissioners.
5. Failure to comply. Failure on the part of the appellant to comply with the procedures as set forth in paragraphs 1. through 4. above shall constitute a waiver of the right to appeal.

Failure on the part of the appellee to comply with these same procedures shall be deemed a denial of the appeal.

IF you would like to appeal this decision to the Board of County Commissioners, please submit your appeal to the Board along with a copy to this office within ten (10) working days and the matter will be placed on the next available BCC Agenda for a decision. If you have any questions about this process or would like to discuss further, please let me know.

Jason E. Brown  
County Administrator  
Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960  
772-226-1408  
[jbrown@ircgov.com](mailto:jbrown@ircgov.com)

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**From:** Celeste Center <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Sent:** Thursday, March 10, 2022 7:43 PM  
**To:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Cc:** Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; 'helenec@indianrivered.com' <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>  
**Subject:** Re: Small Biz Grant application - Deborah Cooney

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My application was timely. Please provide the reasons for denial. Please explain how I can appeal. Thanks.

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**From:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Sent:** Thursday, March 10, 2022 6:17 AM  
**To:** 'Celeste Center' <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Cc:** Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; 'helenec@indianrivered.com' <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>  
**Subject:** RE: Small Biz Grant application - Deborah Cooney

Ms. Cooney,

My final determination is that your application is not eligible for this program which was closed last

month.

Jason E. Brown  
County Administrator  
Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960  
772-226-1408  
[jbrown@ircgov.com](mailto:jbrown@ircgov.com)

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**From:** Celeste Center <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Sent:** Wednesday, March 9, 2022 10:10 PM  
**To:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Cc:** Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; 'helenec@indianrivered.com' <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>  
**Subject:** Re: Small Biz Grant application - Deborah Cooney

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Please explain. Is there another issue? Thanks.

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**From:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Sent:** Wednesday, March 9, 2022 12:34 PM  
**To:** 'Celeste Center' <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Cc:** Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; 'helenec@indianrivered.com' <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>  
**Subject:** RE: Small Biz Grant application - Deborah Cooney

Ms. Cooney,

Thank you for the additional information submittal. Unfortunately, this does not change the determination for grant eligibility. Thank you.

Jason E. Brown  
County Administrator  
Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960  
772-226-1408  
[jbrown@ircgov.com](mailto:jbrown@ircgov.com)

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**From:** Celeste Center <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Sent:** Tuesday, March 8, 2022 5:13 PM  
**To:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Cc:** Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; 'helenec@indianrivered.com' <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>  
**Subject:** Re: Small Biz Grant application - Deborah Cooney

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I hand-delivered the original signed and notarized document. (See attached.) Please confirm that you have received it and that you are reconsidering my application in light of this new evidence. Thanks.

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**From:** Celeste Center <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>  
**Sent:** Sunday, March 6, 2022 2:40 PM  
**To:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Cc:** Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; 'helenec@indianrivered.com' <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>  
**Subject:** Re: Small Biz Grant application - Deborah Cooney

Dear Jason,

Please resubmit my application with the correct information: that the business losses in question were caused by the COVID-19 pandemic, namely the drop in business income from 2019 to 2020. This was already stated in the application, but apparently, you misunderstood. I am also preparing a sworn Affidavit to document this fact specifically and resolve this issue.

My pre-COVID income in 2019 was \$26,475, as shown on the income statement. My post-COVID income in 2020 was \$9,075, as shown on the income statement and the tax return. The \$17,400 drop in income was caused entirely by the COVID pandemic. This qualified my business for the grant.

The lawsuit is not related to my application, nor was it submitted with my application. Therefore, the lawsuit cannot be cited as a reason to deny the application. Nothing in the lawsuit contradicts or disproves the facts stated in the application. The lawsuit documents damages, including loss of earnings from 2008-present and future losses, from various crimes committed against me. The most damaging crimes were committed against me in 2008,

2011-12, and 2014-17, although some of the criminal activity is ongoing.

The damage losses result from a 2008 recording project that was shelved and do not include my regular performance income listed in the application. The 2008 recording project would have provided continuing royalties and better performance opportunities, as well as product sales (CDs and downloads) totaling a conservatively estimated \$1,000,000 for 2008-2021 and \$2,000,000 for post-2021. Since the recording was never finished, it was not part of my income in 2019. Nor did the unfinished recording cause my 2020 income to drop by \$17,400. The drop in performance income between 2019 and 2020 was solely attributable to COVID.

Indian River County cannot lawfully deny my application for a federally-funded program because I have exercised my First Amendment right to file a lawsuit. Likewise, the County cannot deny the application by falsely asserting (without any evidence) that the income loss was not due to COVID, when the application certifies that the income loss was due to COVID. The County must approve the application. Please comply with law.

Thank you for your anticipated cooperation and compliance with law.

Deborah Cooney

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**From:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>

**Sent:** Friday, March 4, 2022 11:48 AM

**To:** 'celestecan@hotmail.com' <[celestecan@hotmail.com](mailto:celestecan@hotmail.com)>

**Cc:** Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; 'helenec@indianrivered.com' <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>

**Subject:** FW: Small Biz Grant application - Deborah Cooney

Ms. Cooney,

Please forgive the email response to your small business assistance applications as I do not have access to your phone number. I find that your application for assistance under the small business assistance program is not eligible due to the program requirement for business losses to be COVID related. Please see the attached complaint, filed by the applicant alleging \$1 million for loss of earnings and \$2 million for estimated future earnings losses due to the actions of the numerous defendants named. Thus it appears that you have alleged these defendants (including Indian River County and several dozen other defendants) have caused losses well in excess of the amount submitted in the applications. Therefore, my determination is that this application is not eligible for funding. If you have any questions about this determinations, please let me know.

Jason E. Brown  
County Administrator

Indian River County  
1801 27<sup>th</sup> Street  
Vero Beach, FL 32960  
772-226-1408  
[jbrown@ircgov.com](mailto:jbrown@ircgov.com)

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**From:** Kristin Daniels  
**Sent:** Thursday, February 24, 2022 10:56 AM  
**To:** Jason Brown <[jbrown@ircgov.com](mailto:jbrown@ircgov.com)>  
**Cc:** Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>; Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>  
**Subject:** FW: Small Biz Grant application - Deborah Cooney  
**Importance:** High

Jason,

Attached is another small business grant application from the Chamber, and Helene indicates below they have one more to send over. I'm not sure why we are just finding out about these now. Just wanted to get your thoughts before we proceed, since these applicants were not included in the number we provided to the Board.

**Kristin Daniels, CGFO**

Director - Office of Management & Budget  
Indian River County  
772-226-1214  
[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)

---

**From:** [helenec@indianrivered.com](mailto:helenec@indianrivered.com) <[helenec@indianrivered.com](mailto:helenec@indianrivered.com)>  
**Sent:** Thursday, February 24, 2022 10:50 AM  
**To:** Phil Matson <[pmatson@ircgov.com](mailto:pmatson@ircgov.com)>; Kristin Daniels <[kdaniels@ircgov.com](mailto:kdaniels@ircgov.com)>; Dylan Reingold <[dreingold@ircgov.com](mailto:dreingold@ircgov.com)>  
**Cc:** Kathy Charest <[kcharest@ircgov.com](mailto:kcharest@ircgov.com)>; Andi Smith <[andis@indianrivered.com](mailto:andis@indianrivered.com)>  
**Subject:** Small Biz Grant application - Deborah Cooney  
**Importance:** High

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Good Morning

I've attached a completed Small Biz Recovery Grant application for Deborah Cooney, listed as an "entertainer". She initially submitted her application on 11/17/21, but it has taken all this time for her to access her activated SAM.gov number. The last several pages of Deborah's application reflect the musical performances in 2019 and



2020 for which she was paid, to give examples of her business activities.  
Please let me know if you have any questions regarding this application.

We have one more to send over, that was originally submitted to us in Oct 2021. The owner is dropping off her remaining docs today or tomorrow, including her SAM.gov info. I will send this along as soon as it is complete.

Thanks!

Helene Caseltine, CEcD  
Economic Development Director  
Indian River County Chamber of Commerce  
1216 21<sup>st</sup> Street, Vero Beach, FL 32960  
Office: 772-567-3491  
[www.indianrivered.com](http://www.indianrivered.com)

