

Policy and Procedure Committee Meeting Minutes
September 11, 2019

The Committee Meeting was called to order at 7:00 PM by Sharon Denson, Chairperson. Those Trustees and Committee Members in attendance included Sharon Denson, Steve Watkins, Dan Rawlinson, Belle Baxter and Gwen Norris (scribe). Guests included Kathi Frost, Allan Riga, and Barbara Greenberg.

Item 1. Review any policies presented for discussion at the BOT Works Session on 4th of September. Make any needed corrections of additions).

1004HC Hall Contract and Rules. Sharon Denson said the Board has sent Hall Contract to eliminate the subcontractors coming in but we have no reason to do that right this minutes (as the hall closed for renovation). She said we need to think about it and talk about it but not go into it and deal with it tonight.

Item 2. Discuss Trespassing policy and 1005C Marina Contract. Sharon said we need to look at trespassing because there was an issue of a guy living on a boat. She said Jody wanted the Board to give the dock master power do something but we can't convey something that we don't have and we have no enforcement authority. She said we could adopt a trespassing policy. She said right now we can call the police if there is someone trespassing and have them removed. She said she has asked for the Manatee County's trespassing policy be printed and given to Trustees. Sharon said we are protected as long as we are following our own rules. Sharon said a government functions by law and order and ours are policies, laws, all the same thing. Sharon said she and the attorney has gone through the Marina Contract and he has said we are 'covered' and there is no reason to get into it any deeper than we have. She said we have everything in there that we need but we can look at it again. She said we won't get into it until January. She offered to send the County's Trespassing Procedure to Gwen and Kathi.

Item 3. Breach and compromise of public records. 1034 PR Public Record Policy. Sharon said we will do this last.

Item 4. Other agenda items not available when this agenda was published.

10002P Agenda Policy. Sharon said that she didn't make it clear in the 1002P policy that Committees do not fall under FS 286 for the ADA and the record. She said it is Board Meetings and Workshops do fall under 286. She passed out a proposed amended 1002P policy which has strikeouts and underlined additions that she will clean up before taking it forward (to the Board). She said that it spells out that the Board of Trustee meeting agenda, including Workshops will have the clause at the bottom; and adds that Trustee Committee Meetings are not subject to FS 286.105.

1002 PR Agenda Procedure. She passed out a proposed amended procedure 1002PR that now quotes FS189.069 (1) showing what is required to be posted on the website 7 days prior and how long it stays and now clarifies (in 2.) the cut-off for the agenda forms received in the office. She said it explains what the cut off is for an agenda submittal from what we talked about last meeting. The 1002 PR procedure's proposed changes also states (in 5.) that the agenda shall remain as posted and additional items shall be added with a separate attachment to the agenda and the attachment provide to all of the Trustees. The proposed policy change closes with 'FS 286.26 and 286.0105 do not apply to Committee meetings.'

It says that the Committees do not fall under the requirement for the disclaimer (for appeal). She said if a Committee wants to put it on the agenda there is nothing wrong with it. Belle said she thought that, when going through the Statutes, when more than one Committee Member is on the Board then the disclaimer is needed. Sharon said that is not, and she has AG opinions on it. She said that what that said is if there is more than one member, it has to be noticed and you have to take the minutes but it does not make it a Board Meeting. She continued that a Board Meeting is where decisions can be made. Sharon said we cannot make a decision here no matter what we did. She said FS 189 is the only one that really addresses an agenda and all it says is we have to have on the website 7 days before the meeting for Workshops and regular Meetings. She said we make sure all of our meetings are noticed because we end up with more than one Trustee in attendance and we don't want to violate anything.

Sharon said she received an email from Jodie showing how to do an agenda and what is required. She said the email had a legal definition of 'agenda', and there is no such thing. She read "An agenda is a list of meeting activities in the order in which they are to be taken up beginning with the 'call to order' and end with 'adjournment'. It usually includes one or more specific items of business to be acted upon." Sharon said that it is straight from Robert's Rules of Order and not the law. She said there is no legal definition of an agenda and the reason is from the courts. She said she has a number of court decisions here if we want to go into them. She said if there are certain things on the agenda that precludes the public from being able to add something or address the agenda, so they (court) won't do it and the courts have thrown it out. Sharon said it said we use Robert's Rules of Order if our Bylaws do not address an issue. She said our Bylaws address how we do Committee agenda and how we do Board agenda so Robert's Rule to Order do not apply to us at all in this instance. Steve asked why the email was sent. Sharon said Jodie said that her (Sharon's) agenda (for the Committee Meeting) was incorrect and to have it resubmitted in 'proper format'. Sharon said nothing was wrong with it and nothing changed. She said the Committee Chair determines what the proper format is and added that the office does not determine what the Board does.

Sharon shared a chart that showed the priority of the Laws (Statutes, Charter, bylaws, etc. and the Robert's Rules if Order were at the bottom (least) authority. She said it is Parliamentary Procedure and for businesses. She said that there are many things in Robert's Rules of Order that if we did it we would be in violation of the law. Sharon said we are covered by the Bylaw and there is no legal definition for 'agenda'. She said our Charter and Bylaws surpass (the Robert's Rule of Order). Steve suggested a training class in this. She said that they are complicated and the object of our meetings is conduct business not to see how well we can jump through hoops. She said our Bylaws cover our agendas. Dan said the Bylaws are mentioned in our Charter. She said the email is now part of our Public Record but incorrect. Kathi said it is not a big deal, and we don't need to take a long time on it. Sharon said it is when they don't understand and putting out false information (email) which become 'record'.

Sharon said she found in the office an unofficial list of Committees members that was gone over the other night (meeting). She said we don't know where it came from and it is not a 'Public Record' and needs to be removed from the 'Records'. Kathi asked who did it. Sharon said she does not know. Kathi said it was found in the 'book' and asked if we have to have to prove it is false. Sharon said if we could find who did it... that is falsifying a public record but she doesn't think it is worth the trouble. She said to be a Public Record you would have to tie it to something, minutes, etc., and it can't be tied to anything because most of it is wrong anyway. Gwen said the listed people may be attendees. Sharon said the Custodian of the Record is responsible for the records and keeping them clean and something like that



should have been brought to our attention. Kathi asked how they would know it was not a record. Sharon said they should have known to look at it. She said everything that we do is dated and signed.

Sharon shared another record that had been altered with notes to answer some questions. She said she (Jodie) answered questions (on the document) and shouldn't have. Sharon said if you have a Public Records Request you make a copy of the document requested and if you don't have it, then you don't. She said you can't give someone something you don't have. She read a note 'Board of Trustee Meeting minutes do not reveal any official Board action' and stated that someone sat down and read the minutes and created a public record, they are not supposed to do that, it is not their job, their job is to copy what is requested. Sharon said we need to write procedures so we don't have this happening. She hopes that official public records are copied and not written on and given out as public records. She said you cannot alter or debase a public record. Steve said our minutes, policies, etc. documents are dated and signed and asked why all documents can't be done that way. Sharon said things that come in are supposed to be stamped in. Dan asked if the copy has to say 'copy'. Sharon said you can do it but it is not necessary. Steve said the Custodian of Records should know the regulations and apply them. Sharon said she sees the need for us to put the procedures down so there isn't any misunderstanding. She said she doesn't think it has been deliberate and stated 838.22 states it is a felon to alter that document and hand it out. She said a Public Record speaks for itself. She said if she makes a change to a policy and initials it and dates it and it goes into the 'record' then if anyone sees she wrote on it and go to the minutes and see that is what they did, but that is a poor way to do it.

She continued that a record that has been created, as an attorney bill with the note 'I talked to attorney and chairman was the one that made all these calls.' She said that was not true as she received the calls, but not initiated the calls. She said it was about the questions for the attorney and upcoming meeting. She said there were other times she received calls from the attorney, but did not initiate them and it looks like she racked up a \$3,000 legal bill. She said that is why you don't write that 'crap' on there (the record). She said it looks like we need to write some procedures but later. She said she went through the whole file and found things that shouldn't be in there. She said our goal is not to beat anybody up, it is to fix it.

1010 P Swimming Pool Policy Residents. Sharon said we decided that the pool hours would be set by the District Office. She said that the other change to the policy says "Two lifeguards (or one lifeguard and pool attendant), shall be on duty when the pool is open to the public." She said the bold and underlined are new and the strikeout to be removed before going to the Board. She said we need to look at this policy again before next spring. She said if we find anything wrong with the proposed policy she will fix it and get it ready for the Board Meeting to be approved. Sharon said because of school and the shortage of people around they don't need to keep the pool open. Sharon said we are looking at the hours and redo the policy (again) before spring. Belle said it doesn't make sense to her. She said if there isn't anything now, it will be taken forward. She said somehow we ended up with two lifeguards and a pool attendant on duty (at the same time). Sharon said the lifeguards would like an attendant to clean the bathrooms and sweep but we can't afford that. Kathi asked why the maintenance people aren't doing the bathrooms. Steve he was told that it was because maintenance left at 4 and the pool closes at 7. Sharon added also on the weekends. She said it has got to be done and if the health department checks and they are dirty they will shut us down. She has not heard of any real mess and the maintenance guys go in there when they are there. Dan noted that only one shower worked (in the men's bathroom). Gwen asked if the statement 'The pool shall be closed 8:00AM until noon' will be kept. Sharon confirmed this. Sharon said the public pool hours will be set by the District Office. Sharon said Jim Frost brought up open swimming without somebody (lifeguard or pool attendant). She said we have to have



somebody and she doesn't see why we would want somebody that doesn't know anything to supervise the pool. She said she would rather have a lifeguard, we trained them, and we have them. She said we don't have to have two lifeguards on duty but the lifeguards would like two. Sharon said she would rather have a lifeguard because the lifeguard by statute can enforce the rules and a pool attendant cannot. Sharon said she did not know what the problem was. Kathi said she thinks the problem was paying five lifeguards. Kathi said they talked about not having lifeguards during the day because there weren't any kids anyway. Sharon said women bring their little kids and we are responsible. Kathi said someone has to be there to make sure things are going well and it doesn't have to be lifeguards. Sharon said the difference in pay between a lifeguard and pool attendant is only \$1 or \$2 an hour. Sharon said we could have just one lifeguard and he ought to be able to go three hours without going to the bathroom. Sharon said certain times of the day we could have just one person, a lifeguard, maybe noon to 3PM when there is hardly anybody there. Sharon said we put more money in the pool for next year and she doesn't know why as a district we would put the district in jeopardy over three hours a day with no supervision at the pool for three hours. She said the law is very plain as it says the owner, the manager, the lifeguard, they are responsible and they must supervise. She said that it does not mean that you can set in the office and watch a monitor. Dan said that the conversation was that one lifeguard was \$36 and five came to \$60, but he doesn't know because he was not in the conversation. Dan said that it was before she (Jodie) took over, and since then, he does not pay attention on what is happening. HE said in the morning there are enough strong swimmers that could save somebody. Sharon said the district runs on policy and if there were five out there then someone should be written up. She said since the policy was not followed now some say we don't need anyone and to her that makes no sense. She said if we have someone then we need someone that has authority to run swimmers out. She said we can't, Jodie can't, but the lifeguard can. She said in the afternoons, when it is slow, there is no reason to have but one there. Steve asked what pool in the county does not have a lifeguard. Sharon said none. Steve said that it is stupid to even bring this up. Steve said we never had a budget over on employee pay with the old manager. Sharon said if we don't have proper scheduling we need to address our policy. Dan said we have enough in the budget to follow the law. Sharon said the law says we are responsible, we have to supervise and not from a monitor. Steve asked if the insurance company requires this. Sharon said that they can't require it but they recommend it and we have told them we have them. Sharon explained with an example "We have 1407 homes, roughly, in here" "let's say we got 100 people that want to come up here whenever they feel like it. Do they override the other 1300 homes?" She said if we get a majority of people that want the pool open more hours, we can put it in the budget, have a budget hearing and ask them to approve more money in the budget for a pool attendant and if they say 'no', then we don't have it. Kathi said she thinks it came up because people did want the pool open and it says it is closed from 8 until noon every day and it was closed noon to 3. Sharon said it wasn't closed (noon to 3). Kathi said when school is open it is closed from noon to 3. Sharon said it was not supposed to be, we had money allocated. She said she did not know it was not open. She said we have plenty of lifeguards. Belle asked if we had lifeguards available to work noon to 3 and if that was the case she was right to close it. Belle asked who from the Board was overseeing to make sure the policy was being followed. Sharon says Dan is Personnel and Salary. Steve said Dan doesn't get into the office business. Sharon said if there is a problem the office manager should be bringing it to the Board and say 'I don't have anybody 12-3, what do I do'. Dan said that several time in the 1-3 period there was a storm and there is a rule that if there is lightening in the area you have to wait 30 minutes to reopen. Sharon said that is state law. He side that if it happened at 2:00 and then a shower and it would be 3 to open. Belle asked if Sharon is saying that we should not have 5 lifeguards on at the same time. Sharon said our policy says two. Gwen said it doesn't say (said) only two. Belle said she is saying that two lifeguards is good enough and we don't need five. Sharon said if that happens we should write it up since it does not follow the policy. Gwen said the policy had no limit of lifeguards without the proposed changes. Belle

asked if the conversation is that there should not be that many lifeguards on at one time or we should not have hired that many lifeguards, as there is a difference. Sharon said we can have 25 on staff with two on duty. Belle said that we need to reinforce that it is a maximum of two. Sharon said that is the change in the sentence, and she felt the office knew the intent. Sharon said the office is responsible for watching the budget and making sure we are not going over. Kathi suggested that we look into lifeguards that we don't have to pay so much. Sharon said we had to raise the wages and offer training to get the lifeguards. Steve explained the advertisement in the Banner with a scaled pay for attendants based on their training. Kathi asked if we can start out lower next year. Sharon said we pay them to come here instead of somewhere else and paid their training because Florida, last year and this year, had a shortage of lifeguards. Dan noted that kids don't want summer jobs. Sharon agreed. Gwen said it is too hot. Kathi said they don't need money. Gwen said the (proposed) change to the policy cleared it up, it says two lifeguards, not 'at least'. Steve said we need two to have one in the chair all the time. Sharon said in a 3 to 4 hour shift they do not have to have a break that is up to us. She said that our job is to have the pool open for the residents so if we have to schedule one lifeguard during slow times, so be it. She said she thinks we added \$20,000 to the budget. She said the pool is an amenity and she personally does not use the pool but is willing to 'up' her assessment to make sure we have security here to make people safe in the pool. She said we need to review the policy and give the discretion in the office on how many people are scheduled at a given time, but the pool needs to stay open. Gwen said that there is no discretion in the proposal, as it says 'two lifeguards' or one plus one (lifeguard and pool attendant). Sharon said we haven't changed this yet. Sharon said later on we can address the 'one lifeguard on duty'. She said there is no law that says we have to have more than one lifeguard and we have done it as a convenience so they can have a break. Kathi said that 15 minute breaks per hour is excessive and not normal. Sharon said they can get in the pool if they get hot and have an umbrella to sit under. Sharon said there is no reason to have more than two at a time. She said she knows it is busy in the summer and weekends but she has not heard anyone say that they are overloaded or they need more lifeguards. Sharon said the American Red Cross is one that recommend a lifeguard for so many people, but there is not state law requirement, and no county requirement. Steve said he thinks we did pretty good getting all of the lifeguards we have. Sharon agreed. She said all we are doing is giving the office authority to schedule the pool from now to the pool closing. She asked if everyone was ok with the changes. There was no more input. Sharon said she will make the changes (cleanup the policy) and bring it forward to the Board

1017 P Banner Submission Policy. Sharon said another thing that was brought up was putting the approved minutes in the Banner. She thinks all we need to do is add to the Banner Policy 'Approved minutes may be published in the Banner'. Sharon said we are getting rid of the Banner, basically, and wondering as the minutes will be on-line, why have them in the Banner as it is redundant. Kathi agreed. Steve said the minutes should not be put in the Banner. Kathi said nobody wants to read that. Gwen asked why the on-line site does not read to us. Sharon said that you have to have the ADA program. Sharon said if we say 'may be published in the Banner' then if we decide we don't have to, it doesn't have to be. Kathi said publishing approved minutes is better than publishing unapproved minutes as we do corrections all the time. Sharon agreed and wanted approved minutes all along. Steve said three of the minutes had to go back for approval. Sharon said the approved minutes are on the website. She said she would like to add that (Approved minutes may be published in the Banner') in the policy. Gwen noted a typo in the fourth paragraph that Sharon said she found and marked.

Kathi asked if we will change the number to be printed because we won't print so much when it is digital. Kathi said the policy says there will be a minimum of 1400 and maximum of 2000. Kathi said she



did not think we had to put a number to it. Sharon said it says the chairman or his designee will notify the publisher of the number and we can change it. Sharon said if you want it delivered, you can still have it delivered. Gwen suggested removing the second sentence (of the paragraph) and not have any numbers. Sharon said we need a minimum because the chairman is not always thinking ahead and planning. Dan suggested 400 for a minimum. He thinks there may be 50 people wanting it delivered. Sharon suggested we put a minimum of 400 and leave the maximum out. She said then if everybody is busy the office can go ahead and order the prints. Kathi asked why we need the number. Sharon said so they don't have to wait to get hold the chairman to set the number and if they need more they can get permission to get more. Kathi said then we may have to revise this if there are still 300 setting on the ground. Dan said he will put 100 Banners in each box and in the office. Dan said some of the places we used to deliver to may come by to pick them up too. Belle said that she thinks the way the Banner will be digital, people will be able to download it and print it to read. Sharon said she tried and she can't read it. Belle said it won't look like it is now. Kathi said it will be like a pdf file. Sharon said for her \$367/year, they can deliver her one. Sharon said a lot of people still do not have computers.

Sharon recapped that the maximum will be removed, the minimum be changed and add the change Steve asked for - to add the 'Board of Trustee Chairman' where it says chairman. Sharon said that we don't have a chairman for the Banner anymore, Jim has to appoint one, and the Chairman of the Board can make that determination. Steve asked about delivery outside Bayshore. Sharon said that it was not going to be done anymore to her understanding. Dan said they can come pick some up here. Others agreed.

1019 A Gate Key Card Acceptance and Fob & Gated parking agreement.

Sharon said Dan has on the agenda to up the key fob price that is also a policy change. Dan asked if it is for the boat ramp. Sharon said yes. She said we will increase it but now there is nobody to increase it for. She asked that we review it. She said it also puts in the disclaimer in and changes the name to "Gated Parking Agreement" and replaces the word 'key cards' to 'fob'. Sharon read the added disclaimer "I understand that violation of any of the rules of Bayshore Gardens can result in the deactivation of the FOB." which would be a contractual agreement. Kathi said she objects because when someone moves in in September they would have to pay again in October. Sharon said we prorate it. Kathi said that we shouldn't have 1400 residents coming in October 1st. Sharon said we have to because of the fiscal for our auditors to balance our books and it is prorated if they don't come in October 1st. She said there was a huge problem in another district because they were doing whenever people came in and giving them a year and the auditors could not balance the books. Belle said she thinks it would drive anyone that had to keep track of it bonkers. Kathi said other places have a computer system that can do it. Sharon said we are using tax money and we have to balance our books and auditors will not go through it all to figure it out.

Dan said it shows \$80 cost for a lost fob. Sharon said we can make it less. Belle asked what the difference for a fob you pay \$10 for the pool and the one for the marina. She said she understands we want to up the rate for the boat ramp but why for a lost fob. Sharon said we can put anything we want and had to put something to get ready for tonight. Dan said the location of the ramp is worth \$80, but \$80 for a lost one seems... Kathi asked what a fob cost us. Sharon said \$7 plus. Kathi suggested \$25 so they don't lose it. Sharon said that is the only money we collect for the ramp. Dan said \$80 for a year is good. Belle agreed \$80 for an annual fee is fine, but the replacement fob cost is high. Sharon asked for suggested replacement fees. Dan said that it is \$25 if he loses his fob to the spa. There was discussion about \$40 like it had been. Sharon said we have to fix it on another contract. Gwen asked of you didn't lose your fob and renew for the week would it be \$40. Sharon said that would be \$80 for the year.



Sharon said we will put \$40 for a replacement fob. Several people said it is still a deal. Sharon said so everybody is in agreement to use \$40 for the fob replacement and \$80 for the renewal.

1026 FOB C Fob Contract Sharon said the pool fob contract needs changed which has the marina. She said this is in addition to the pool waiver they already sign. She said the proposed changes include an agreement that their fob can be turned off if they misbehave, not just in the pool, anywhere. Belle said the charge for the fob to entrance to the marina/boat ramp will be \$80 plus tax, she did not remember that. Sharon said that is what they said. Gwen said that when Belle leased her slip she did not pay for a fob. Belle said exactly. Sharon said the contract tells you what you are going to do and this is in addition to the waiver. Belle asked when she comes back into the marina in January will she have to pay \$80 to renew her fob. Sharon said she won't pay anything and she gets it with her slip. Gwen asked if the slip owners lose their right to the ramp (while the marina is closed). Sharon said they won't and the rate will be prorated.

Belle said she reads that she will have to pay \$80. Sharon said if she wants to launch her boat while the marina is closed, yes. Belle asked if the word marina be crossed out in the contract. Sharon asked if we want to charge the \$80 for the extra fobs for the marina or boat ramp. Gwen said we always charge for extra fobs. She said the people that get a fob with their boat slip only get one fob that does not cost them anything. Belle asked why people buy an extra fob. Sharon said the (designated) emergency person, or a wife. Sharon said if we are 'up-ing' the fob for the boat ramp, she understood we would for the extra fobs for the marina. Kathi said the boat slip gets a fob and if you want another fob you pay \$80. Belle read "The Pool FOB may be activated for the Marina for an additional charge of \$80 plus tax to be paid annually." She said the word marina implies boat slips. She said we need to clarify some of the stuff. Sharon said if we need a different price, just tell her. Kathi asked if Belle saying to clarify so when you read it says 'other than, in addition to your fob if you already have a boat slip in the marina'. Sharon said that is in the boat slip contract. Kathi asked why the pool fob and marina fob is on the same contract. Sharon said we need to address what is here now and not go into all of the other contracts and changing everything. Sharon said this is the disclaimer where you can have your fob turned off. Sharon said the Pool Fob is a one-time fee. Steve said he can see somebody abusing it. Belle asked again if she will get her fob reactivated for \$80 when she renews her slip. Sharon said no, that is in the marina slip contract and it was not redone. Belle said it would be clearer if in the sentence if we removed the word marina and just say boat ramp. Sharon said we still need the disclaimer. Belle said she has no problem with that. Belle read 'The Pool FOB may be activated for the Marina for an additional charge'. Steve asked if they have a fob for the Pool and marina and say they lost the Pool fob, can they pay \$10 for a new fob and have access to the Marina too. Sharon said no, it is shown on the computer screen. Belle said that some have one fob for both pool and marina. Sharon suggested she make another sentence and say 'the marina', 'the boat ramp', because it is just a disclaimer. She asked what we want to charge for the marina fob. Dan said it also has access for the boat ramp. Sharon said the 'lost' fob' is not in this contract; it is for shutting off the fob. Kathi said we could say it is for the marina or boat ramp and separate it. Sharon said 'excluding one free fob with slip'. Kathi said it would be for the additional fob, also. Belle said she doesn't have a problem with an additional fob, it is just the way it is worded. Sharon said we have to have this by October 1st and approve it next week. Kathi said if we are not understanding it then others won't. Gwen read the paragraph "The Pool FOB may be activated for the Marina for an additional charge.... FOB purchase must be with a contract for boat ramp or marina." and asked where is the trailer space rental and all that. Sharon said we have a separate one for that that already has the disclaimer on it. Kathi suggested the first sentence be taken out because the marina is mentioned later. Sharon said if you don't have a Pool FOB, you have to have the sentence. Sharon asked if we are going to charge \$80 or \$40 for the marina. Dan said \$80 with replacement fobs for \$40. Gwen



said \$80 for the year. There was no other comments. Sharon said she will leave the \$80 on the proposed contract and add 'Excluding the free fob with the boat slip'. Dan suggested adding 'replacement fobs for \$40 for the marina.' Dan said you are already paying \$1000 for the slip and could cover the replacement fob and additional fob \$80. Sharon said the 'lost fob' is not in the contract, this is a language for shutting off fobs.

Sharon said she found out last week that the estimates for adding enforcement to the Charter are less than half of the estimates we had. She said instead of \$25,000, it will be \$12,000 to \$13,000.

Steve asked again if they lose their fob to the marina and pay \$10 and say they lost access to the boat ramp they will get it without paying. Gwen said they only get access for what they pay for. Steve said he thinks there will be abuse. Sharon said the contract is to have the person understand if they screw up the fob will be turned off and it is also in there that they have recourse. Steve said this says the fob is not transferable and in the contract it says you can't load the fob out, and felt it should be the same language. Sharon said you can't loan or transfer it, but it allows the residents to bring their guests.

Sharon said we are going to take forward out Agenda Policy (1002P), Agenda Procedure (1002 PR), Banner Submission Policy (1017 P), the two on the boat ramp access (1019A Gated Parking Agreement) (1026 FOBC FOB Contract) and if Dan will make the motion then the copies will be there for the motion. Sharon said the problem is when there is a motion and you want to know something, you have to go to the book so she will make copies available.

1034 PR procedures for Public Records Policy. Sharon distributed the proposed changes to attendees and said she is ready for comments. She asked 'When someone comes in and wants a public record, what do we do?' Belle said she believes currently there is some kind of record data to look at. Sharon said that it is an option but it is not necessary. Kathi said they don't have to give their name. Sharon said if they come we are required to get them what they want. Kathi said if you want to keep a log you don't have to know who the person is. Sharon said you can assign them a number. Kathi said it is an account of what they gave them. Sharon said that the office is making copies and putting them in the file which she doesn't mind. Sharon said the 'log' is a public record. Sharon said when you write a receipt for copies it does not have to have a name. Dan asked how the county does it. Sharon said the same way. Dan asked what kind of timeline they are using. Sharon said normally the county gets back in a day or two. She said about ten business days is what the districts are using. Dan said he has a list of charges from another place and he didn't think you could do that. Sharon said she has the marina fee chart for Jim to look at. Sharon continued with the records request example. She said the person comes and you find out what the person wants and if it is something you have at your figure tips, get it and copy it for them. Sharon said the policy says if you can't do it in 10 business days then you send them a letter and let them know why not and when they can expect to have it. She said that satisfies the requirements, there is no statutory amount of time. Kathi said 10 days is a long time to wait. Sharon said most things will be 15 minutes. Belle asked if she goes into the office and wants minutes from a workshop but doesn't know which one, she can look at the book and then decide what she wants, or she could say 'I want the minutes from the Workshop on September 4th and make a copy. Sharon said yes. Sharon said the office cannot read the minutes for you, because they are creating records, and they cannot do that. Steve asked why they would do that. Sharon said that is why we need the procedure so they quit doing it. Sharon said it is not an information booth, it is a public record place.



Sharon said if you want a record, you get a copy of a document, and if she doesn't have it, she can't give you something she doesn't have it. Dan said it is like the newspaper, they give you the files and you find the one you want copied. Sharon said when you look through the book it is done at the counter and there is a stool to set on. She said the book has to stay where the office can see it. She said if you want to look a bunch of stuff and you want to come into the board room, then after a certain amount of time we can charge for the office person to be there too, and the charge will be for the lowest paid person, but normally that will not happen. Steve wondered if the office was charging for records. Sharon said that there is no reason to not charge. Sharon said most things are free on the web now. She said the agenda need to be there a year, the audit report forever.

Sharon told Belle that we need to make a motion to hire Moulin and Jenkins to do the audit this year. The price was good and the contract can be extended this year as it is a five year extendable contract, renewing one year at a time.

Sharon recapped that the files have to be front of them, they cannot create reports. She said we have to be more descriptive than that because if someone is sending them questions they cannot be setting thee answering them. She said if you want a document, you get a document. Kathi said they can respond by saying 'if you want to stop in I can have that, or if you want to give me the specific dates I can send you a copy.' Sharon agreed and said they can't be answering, because they are giving the wrong answers. Kathi said even if they have the right answer they can sent the whole thing to them. Sharon said you have a right to inspect and get copies of the public record, but you don't have the right to have someone explain what it means, it says what it says. She added if you want to know what it means, make an appointment with a Trustee or come to a Board Meeting for explanation. She said the office cannot explain records. Sharon said that the office can't alter a document and if you get a document it has to be clean. Kathi agreed that it has to be exactly as it was received by the files.

Sharon said we haven't passed a Public Records policy yet. Sharon said it is FS 838.22 and she may incorporate that on the policy.

Sharon said the office wanted the BOT Meeting Agenda but we are working on them now. Sharon said that FS 189 says 'if an attachment is available.'

Sharon said she will not take the Public Record Policy forward until we get all of this done. Dan asked if the 10 days was in stone. Sharon said if we can't fulfill a request in 10 days there is something wrong, but we send a letter and let them know why and when it will be available. She said that lets say someone comes in on September 30th and we have lines of people at the office, the request information will be taken and be addressed later. She said she thinks that is the only time that could be a problem.

Dan said in a couple of months most everything will be on the internet. Sharon said she met with Jim and Jodie the other day for administrative reasons and not a vote-able issue, they met because the website was a disaster. She said some wrong information shouldn't have been on there and policies, procedures and forms in different places and they need combined. She had suggested the index they have be put on-line and make it easy for the general public to find what they want. Dan said the one in the book makes it easy it find things. Sharon said the general public doesn't know policy from procedure from rules; that is why ours tells you what it is, and if people want to know something they can find it.

Dan said people place errors on Nextdoor Bayshore and a lot of the things, they should know better. Dan said he found someone to pull weeds for \$10/hour on Nextdoor that do a wonderful job.

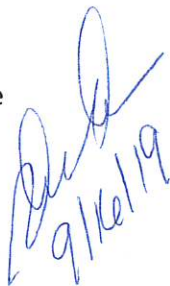


Sharon asked what else we need for the policy. Belle said there are 41 pages that the State has produced for Public policy Records. Sharon said that most are exemptions that we don't qualify under. Sharon said the Statute tells you what you have to do. Kathi said if they don't have an answer they don't think of an answer and can say 'I don't know where it is, I can get back to you'. Sharon said they aren't supposed to give answers, they are supposed to give records. Kathi said they can go to the Board and say 'I had a request for this and I need to get back, I don't know what it is or where it is'. Sharon said the person requesting has to know what they want. She said they can say 'It was a letter written about something' and a box can be gone through by them one thing at a time until they find what they want but it has to be in the office's view all of the time. Gwen said if we are not gathering names it is hard to send a letter. Sharon said we have to tell them that if they don't want to use their name they need to check back. Kathi said hopefully that will not ever happen. Dan asked if we still have 'general delivery'. No one thought so. Gwen said the proposed policy restricts the Records Custodian to sending a letter. Sharon said they don't have to send a letter unless they cannot send a letter within 10 days. Gwen said they don't have to give a name and therefore why do we require to send a letter with no other arrangements. Kathi said the person will have to stop back at the office anyway if you don't have it immediately. Sharon said that is what they will be told because you can't send a letter to nobody. Sharon said it will be in the procedures.

Sharon said there has been a lot of chit chat on disposal of public records. She said by law we have to dispose of items, it's not an option. She said they have a schedule and it is not a voting issue. She said the office had not gone through the records legally in years. She said we threw away duplicates. She said we got rid of 26 ½ boxes of records that were expired per state law. She said we categorized them, put them in order, and we had a company come that disposes of them lawfully and they signed off on it and they shredded them while she watched. She said everything was done by the law. She said no one got rid of anything that wasn't supposed to be gotten rid of. She said Gwen and she kept anything that was found to be historical, like pictures, 4th of July stuff, activities, and they were put in boxes for the future. She said we kept all of the grant information because we are still within the period of time (25 years). She said there was nothing disposed of unlawfully. Steve said the point is Nextdoor with all the nonsense talked about. Gwen said she doesn't keep track of that as they are not correct half of the time. Kathi said Nextdoor is a version of talking to the neighbor over the fence and it doesn't matter. Gwen agreed. Sharon said we don't need to be on Nextdoor discussing anything about our committee business. Kathi said unless it is in here and a filed formal complaint you really don't have to address it. Steve said the Sheriff's Department uses Nextdoor to get information out to the public and they recommend to go there for posted training. Sharon said she reads the 9@9 report.

Sharon said she thinks we know what we are taking forward. She said she has an appointment in the morning and will do her best to get them (proposed documents) done and get them to the office so we can get them out.

Steve said on the (1017 P) Banner Submission Policy a lot of the information is no longer required. He said that the 300 DPI will not be required. Sharon said the better the resolution the better the picture on-line. Kathi said we can look at it later. Sharon said the problem she has is there is no other communication to our residents. Kathi said it is still available in a different form, it will be mailed to you or on-line. Sharon said she has trouble (reading) on-line and have to print everything. Gwen agreed. Kathi said it will still be available. Sharon said she wants in the policy (1017 P) that we may put in the minutes, but thinks it is redundant because it will be on-line. Kathi said it doesn't need to be in the Banner because it is on the website already. She said if they would like a copy they can call the office and pick one up. Sharon said that it makes the Banner that much bigger. Kathi said the Banner should be



A handwritten signature in blue ink, followed by the date '9/16/19' written vertically below it.

district news, what is happening, important information, how the marina is going. Sharon added club activities. The calendar. Gwen added what houses sold for. Sharon said the selling price of property was a real good item. Steve said crossword puzzle are gone. Dan said nobody likes change. Sharon agreed. Sharon said if it doesn't work, it can all change back. Gwen said if it is not there, we can add it, and say 'see how nice it is'. Sharon said if something comes up we have no way to communicate to the residents without going to the website, like for the budget meeting. She said other districts have means of communications that we don't have. Belle said at some point maybe we need a real banner to go across the front of the building. Sharon said that a lot of people don't know that this is here. She said the realtors don't promote it.

Sharon said we will take up the 'trespassing policy' at the meeting at the end of the month and give us a chance to read the county's procedure. She said she likes taking their stuff because it has already gone through the county attorney. She said it gives a lot more coverage/protection for the employees for doing things. She said we have somebody on a boat that doesn't have a lease then we should call 911 but a lot of our employees don't want to do that. She said we need the policy.

With nothing else for the Policy Procedure Committee Meeting we adjourned at 8:48 PM.


9/16/19