

**BAYSHORE GARDENS BOARD OF TRUSTEES MEETING MINUTES OCTOBER 15, 2019**

**Roll Call, Call to Order, Pledge to the Flag** At 7:00 PM Jim began with the pledge to the flag and asked for a roll call. Trustees in attendance were Sharon Denson, Terry Zimmerly, Sandy McCarthy, Dan Rawlinson, Jim Frost and Barbara Susdorf. Jim said all were present and they have a quorum. Others in attendance were Jodie Lawman, District Manager; and residents which included Holly Clouse, Morris Raymer, Kathi Frost, Debbie Korell, John Lindsey, Susan Donaldson, Allan Riga, Barbara Greenberg, Melanie Woodruff, John Woodruff, Richard Nelson, Tammy Melat, Rick Jackerson, Bill Fisher, Joyce Fisher, Susanna Young, and Katey Chmiel.

Chairman Frost stated: I want to welcome everybody. Please bear with me tonight we have a very full schedule. We're trying something new with a recording system for the minutes so speak loud enough for me to hear and state your name so our system can pick you up. Trustee Steve Watkins called me tonight and said he had to work and is resigning as secretary of the Board. Jodie will take our minutes tonight. We will fill in that gap down the road at a workshop.

**Approval of Minutes:**

Minutes were brought forth earlier and you had time to look at them to see if they need to be changed. Terry stated that the minutes of August 20, 2019 did not need to state the meeting verbatim. Future minutes will contain bullet points and highlight the board's motions passed. Terry made a motion to approve the minutes which include: 8/7/19 Workshop; 8/20/19 BOT Meeting; 9/4/19 Workshop; 9/17/19 BOT Meeting. Thom seconded, **MOTION PASSED.**

**Budget & Finance:**

Dan made a motion to approve the financials of September, 2019. Terry seconded, **MOTION PASSED.**

**No reports form any other committees.**

**Portable Restrooms:**

Jodie advised the board that the bill for the portable restrooms has risen by \$10 and \$15 a piece. The monthly cost for three restrooms is now \$705. Sandy made a motion for the district to eliminate one of the portable restrooms in the marina. Sharon seconded, the board authorized Jodie to have one restroom removed to lessen the cost. **MOTION PASSED.**

**Candidates Night:**

Jodie asked the board's permission to have a candidate's night to introduce our residents to the 8 candidates running for the 5 open board seats in the December 3<sup>rd</sup> election to be held at the District. Dan offered the assistance of the HOA. Holly Clouse and Debbie Korell have offered to moderate the event. It will take place the first or second week of November. It will be a question and answer session so the residents

can get to know potential new board members. Jim made a motion to approve the event and have the two volunteer moderators. Sandy seconded, **MOTION PASSED.**

**Certified District Manager Program:**

Jodie advised the board that she is in the final stage of completing her Certified District Manager project and will be submitting it to the FSU professor for review. Upon acceptance, she will receive the CDM designation. Jodie thanked the board for the opportunity to educate herself to better serve the community.

**Motion:**

Trustee Thom Williams made a motion to amend the Meeting Decorum Policy 1025P and add Sergeant of Arms upon board approval of the position. Thom would like to assist the Chairman in keeping order and decorum during meetings. Sandy seconded, **MOTION PASSED.**

**Hall Renovations:**

Jim stated that prior to getting into the hall renovations he would like to recognize our Dockmaster, Robert Hindle and resident Holly Clouse for their dedication and hard work in the marina. Holly and Robert spent three days of their time removing rope and concrete blocks in preparation for the marina dredging. The board thanked them for their hard work and time commitment.

Sandy made a motion for laminate floor in the hall. Dan seconded. Numerous residents came to the podium to speak about their desire to keep the original hardwood floors in the hall. The board trustees and residents viewed the laminate samples and discussed the pros and cons. The board gave significant weight to what the residents wanted for the recreation hall floor. Sandy withdrew her motion. Terry made a motion to keep the hardwood floors. Dan seconded, **MOTION PASSED.** Jim made a motion to sand the existing hardwood floor and put a clearcoat on. Thom seconded, **MOTION PASSED.**

Jim made a motion to vote on the paint color for the walls in the recreation hall. Several paint samples were viewed by the board trustees and residents in attendance at the meeting. Thom seconded to accept cotton knit as the wall color, **MOTION PASSED.**

Jim made a motion to view and select wall lighting sconces for the hall. Residents and board trustees view three selections and chose one design. Thom seconded the chosen design, **MOTION PASSED.**

Jim made a motion to hire Tempus for the audio and visual in the hall with the addition of audio/visual aid for the hearing impaired. Thom seconded, **MOTION PASSED.**

**MARINA:**

Jim is currently working on removal of the marina sludge from the ballfield. Several options have been researched. The goal is to minimize the cost to the District for trucking costs. The county has offered to let us dump at the landfill for no charge. We would need to pay the hauling fee. This is still being reviewed for other possible options.

**Electrical and Boat Lifts:** The board will need to vote on electric for the marina once all the information is received regarding costs, etc. Several residents have expressed interest in having boat lifts at their rented dock. The pilings will be driven into the hardpan to support boat lifts should this addition be desired in the future. The board will need to look further into this option and how it can be accomplished. This will be taken up at a later date.

**Affirm New Committee Members:**

Trustee Sharon Denson asked the board to affirm the appointment of two resident committee members to the policy and procedure committee which she chairs. First resident is Kathi Frost. Kathi was affirmed as a resident and added to the committee. Second member requested was Mary Lou Smith. Jim stated that information was brought to his attention that Mary Lou Smith is not a resident of Bayshore Gardens, nor a registered voter in Manatee County. Her primary residence is noted to be in Michigan, with a Michigan driver's license and a registered voter of this state. The by-laws state committee members must be a Bayshore resident. Jim stated when she becomes a resident of the district she may be appointed to the committee.

**Policy and Procedure Committee Review:**

Trustee Dan Rawlinson brought a motion to the board for review of the Policy and Procedure Committee and possible violations. Per Dan, Committee Chair Denson did not have the proper number of resident members on the committee per the by-laws. Chair Denson stated that she did have two resident members, however Dan stated Lee Kormlick wrote and signed/dated a letter that she was never on this committee as represented by Sharon. Dan stated due to the committee not being properly formed per the by-laws all actions of this committee should be illegal. Chairman Frost stated that there have been continuing problems with this committee from possible ADA violations, to him receiving phone calls every time the Policy & Procedure Committee meets. Chairman Frost stated that he is going to remove Sharon Denson as Chair of the Policy & Procedure Committee. We will start a review committee to review all the policies and procedures passed to date.

Jim stated another issue is that the policy and procedures from the committee are not being given to the office 7 days in advance to place on the website. Our residents are not being given the opportunity to review these proposed policies prior to a board vote. Likewise, changes in the policies occurred and the board did not receive the final version until yesterday which does not give ample time to review prior to voting. Thom stated that he will not vote on any policies that he has not had time to review. Board Chairman stated that none of the policies and procedures would be voted on at this evenings meeting because one day is not adequate time to review all the policies and vote on them. **Chairman Frost tabled all policies due to inadequate time of board members to review prior to a vote. (P & P Committee proposed/revised polices included: Agenda Policy, Banner Submission Policy, Public Records Policy and Club Recognition Policy).**

The hall contract 1004 HC has been revised with recommendations from those on the front lines who deal with this on a daily basis. The main reason is because our insurance company suggested that we should not be subletting the hall because our insurance does not cover this and it presents a lot of liability issues. This contract is more user friendly to John Q. Public and replaces lessor and lessee with owner and renter. Much easier to understand and removes the redundancy in the other contract. We do not need to charge hall renters a security deposit for a FOB because the doors can be automatically programmed for access and closing from the security system computer. This contract also has one signature line for the renter versus 5 print and sign areas on the last two pages of the other contract. The security deposit will be withheld pending a final inspection of the hall and security system. Sandy made a motion to approve the new hall contract pending legal review. Dan seconded, **MOTION PASSED.**

The issue was also raised by Jodie about clubs occupying the hall two nights for a one day event. We do not permit renters of the hall to come in and set up for their event the night before when they pay for a one day event. This should also apply to club events. We have a situation now where a club is having a Saturday event however is coming in Friday night to set up. A non-resident renter would like to rent the hall on Friday for a wedding and pay extra hours at a cost of \$1,100, income to the District. The office cannot rent it due to the clubs occupancy on Friday night. Jim stated that if subletting is not permitted as stated in the new hall contract, then this should not be an issue. Jim made a motion that clubs should not have the hall for two nights for a one day event and that subletting per the new contract is not permitted. Dan seconded, **MOTION PASSED.**

#### **Club/Organization Recognition by the District:**

Jim stated that there is confusion as to how a club is officially recognized by the District. Policy 1020 P states that the clubs shall notify the office on February 1sts of each year of their officers and complete a facility use form to schedule use of the facilities. Jodie advised the board that she did not have a completed reservation form from CERT in the office however they had rented the recreation hall. The office needs clarification on club recognition. Trailer Estates was contacted and they advised that CERT is a recognized club at in their District. CERT is a very worthwhile organization and would offer assistance to the residents of the District in the event of a catastrophic event. The board determined that this matter should be addressed at a workshop.

#### **Proposed Public Records Policy:**

Trustee Denson stated that she would like to make a comment on the public records policy. She stated that she thought the board should address the Public Records Policy because it is important and we do not have one. Jodie asked to address the board regarding this matter. Jodie stated that she is the state registered Custodian of Records and the statute gives her the authority to make many of the decisions that are in this policy. Much of the policy just reiterates the statute and even goes above and beyond statutory authority by mandating time frames in which the office must complete a records request. The statute states requests must be complied with in a "reasonable time" and does not give a time frame. For a board policy to mandate time frames for a

response does not seem reasonable. The office has never had a problem with a request and we do have a tracking system in place with the average time for a response being 4 to 7 days, depending on the complexity of the request. If there is a delay in providing documents requests, the requestor is advised as to the status of the request and when the office can reasonable comply. Creating a policy because "we do not have one" is not a good enough reason to create one. Generally, policies are created to remedy a problem, which there is no problem. Jim made a motion to adjourn the meeting, Dan seconded, meeting adjourned at 9:14 p.m.

*Daniel Rawlinson 1st chair*