

Policy and Procedure Committee Meeting Minutes
October 9, 2019

The Committee Meeting was called to order at 7:02 PM by Sharon Denson, Chairperson. Those Committee Members and Trustees in attendance were Sharon Denson, Kathi Frost, Gwen Norris (scribe), Sandy McCarthy, Steve Watkins, and Barbara Susdorf. Other residents attending were Allan Riga and Barbara Greenberg.

Steve Watkins requested to speak on an issue that just came up. Steve said that the Trustee received a copy of a petition from Terry of people in the community that want to keep the wood floors. He said there was a priority list of district and hall projects for the hall He said that Jim proposed an audio/video system for \$20K to \$30K and Steve wants the TV reinstalled. He said we can't afford to get the proposed system. He said that there may not be enough money to get the kitchen refurnished, which is a major goal for him.

Item 1. Issues brought forward from Oct 2nd Work Session. See Clubs and Organizations Policy 1020P below Item 2.

Item 2. Review Public Records Policy 1034 P and Public Records Procedures 1034 PR. Sharon said that anybody can record a meeting, that's the law. She said that by Statute, and a number of Attorney General Opinions, the only recording that is official for the Public Record is the one that Gwen does here, the district has to do the recording. She said the district can decide to not record a meeting, but we have to keep minutes. She said if we do record the meeting it is a Public Record and people are entitled to it.

1034P Policy. Sharon said it is standard and includes State Statutes.

1034PR Procedures. Sharon said in her review there is confusion on what are 'records' and what aren't and how we handle it. She said the procedure starts with what is an official record and then the procedures to give them out. Sharon said we have not had this procedure approved before, but should. There was discussion on a record that was found deemed not official and the current status of it. Sandy said the Minutes Book has a lot of things in it and a lot are correct. Sharon said we have to make sure it doesn't happen again. Sandy asked if the office the office is doing the correct things most of the time on public record. Sharon said if you request a public record you should get a copy of an official record, with no additional writing, highlights, etc. She said the document speaks for itself. She said when you give it out, basically you are certifying that it is an exact copy of the document. Gwen said it would have to have a vote to remove an unofficial document from the 'book'. Sharon said no it would not, it has to be an accurate record of 'something', and it would be removed when it couldn't be authorized. She said if it is not a Public Record we have a responsibility not to leave it (in the 'book'). Sharon said she asked Jim Frost to take care of a found 'unofficial document'. Sharon said the proposed policy addresses submitting signed/date stamped documents for the Public Records. Kathi noted that there are some documents on the website that don't have signatures on them. Gwen agreed. Sharon said everyone that is 'official' in the book does have a date and signature. She said in court we would have to have the date it was approved and the discussions. Sharon said the Chairman signs and dates the policies and the minutes. Barbara said we have rehashed this many times. Sharon said once it has gone through the Committee it can go to the Board. Steve said if you have a document with an approval date, you can go back to the Board Minutes and see what was said. She said if something comes into the office with no identifier on it this policy says to send it to every Trustee for identification. Sandy said there is a lot of pushback from the office that this feels like micro managing the office and it is really constricting to put



so much detail into a policy. She said she would agree if they were taking care of the 'requests' as they should. Sharon said she doesn't see any problem with taking care of the requests, they just are doing things they shouldn't, as in altering a public record, as found in the public record file. She said she didn't think they would do that if they knew better. She said our job is to make sure that they are doing it correctly. Sharon said that there is not that much detail in the policy/procedure. Gwen said the procedure says that when we find a possible unofficial document, we put it in another book and have it reviewed and authenticated by the Trustees. She asked if it stays in that book indefinitely if it is not authenticate. Sharon said if we can't authenticate it we would throw it away. Sharon said the Chairman can go into the office and say 'this is not a public record, get rid of it'.

Sharon said she has not had any suggestions on the policy/procedures from the office in a while and asked Sandy what they have relayed to her. Sandy said that there hasn't been a problem and they are following some kind of procedure. Sandy said she thinks it would be fair to ask them on which part is too specific and which part they think is too much of a burden on them. Sharon said that we have to set the fees, the office can't do that. Sharon asked what is a reasonable time to fill a 'request'. Sandy said the office did not have a problem with the 10 (business) days on filling the public request.

Steve suggested that the last two sentences of the third paragraph be combined. He suggested 'if identification is not achieved, the document shall be kept in a separate notebook until the document can be brought to the Board of Trustees for identification.'

Sharon said she took the description out of the policy and put it in the procedure because that is where it is needed. Sharon said that Jodie said she has been using the procedure that was adopted for the courts which doesn't apply to us because the exemptions are not for us. She said the Sealed Bids are treated differently since they are sealed, not a public record, and their retention is treated different. She said that no one should add something to a Public Record and it should be able to authenticate it by date and initial. Barbara said that everything in the 'book' should have Jim's signature. Sandy said if we adopt this procedure now there can be a bunch of things in there... Sharon said if things come in the mail the receiver date stamps and initials it so we know how we got it. Barbara said if the office has the date and signature the office is protected and so is the Board. Sharon said if the office finds something, they know what to do to get it fixed. Steve said the Statute says that the Custodian is responsible. Sharon said that they are responsible to say 'I am the Custodian of the Records and this is copy of an official record'. Sharon said it is like the tape recordings, there is the official recording and others are not official. She said she doesn't want to cause problems for residents or the office by doing things wrong. Barbara said it was too bad the office didn't express what they did not want in the policy/procedure so it could be addressed. Sharon said she has done a lot of research on this policy on Attorney Opinions and more that she offered to share.

Steve asked if we can add the signature of the Chairman of the Policy and Procedure Committee at the bottom. Sharon said the procedure (first line) says that 'Every document from a Trustee must have the original document signed by the Trustee and dated before being included 'n the Public Record'. Sharon said she signs the minutes from the Committee Meeting and it goes in. Sharon gave an example of a document, an attorney's bill marked as hers as result of others contacting him.

With no other suggestions, Sharon said she will change the sentence (third paragraph) and bring it to the Board. Sandy said she will speak with the office again specifically and show them this documented. Kathi said she had nothing else at this time.



up and fill out a facility use sheet. She said we can ask if they are resident but not get a membership list. Kathi said if she knew that she could rent the hall for free, why not have a club event for a wedding. Sharon said it has never been an issue. Sharon said the more clubs we have the more participation we have with our residents and the easier it is to get our assessments through and things of that nature. Sharon said the policy restricts the club submittal has to be by residents, these are old clubs. She said she submitted CERT to the office correctly. She said if they have to come before the Board they have to have some guidelines. Kathi said we should verify with an attorney what kind of restrictions are allowed so someone can't start a club just to use the facility free. Sharon said we are trying to get some structure so we know who the clubs are and we can contact them.

Sharon said the policy is still in review. She said a rule that there is no way to monitor will not work. She said that a government can require a permit to picket or parade, and we can set reasonable rules for the use of the hall that would apply to all of the clubs, and not pick and choose rules for different clubs.

Gwen asked about the last sentence of the policy about volunteering. Sharon said Terry asked for the sentence to encourage volunteering.

Sharon said that Jim Dye prefers that we write our policy and then send it to him for review. Kathi said she has only a question. Sharon said if a club wants to tie up the hall every Saturday night it will come to the Board and it will be halted. She said no club has abused the use of the hall so far. Sharon said she asked the insurance company for the CERT event and they can get a policy for \$100 to cover. She stated that the insurance requirement is added to the policy. Steve suggested adding the waiver option because of his discussion with the insurance company. Sharon said we can add the waiver with the insurance requirement. Sandy asked if we are still allowing subletting of the hall with insurance. Sharon confirmed this and said if it becomes a problem, then we can deal with it. We discussed liability of cooking in the kitchen and if someone got sick. Sandy said she has trouble defining abuse when it is providing recreation for residents. Sharon said she doesn't like making rules when we have no way of enforcing them. Sharon said she can send an email to ask the question and will cc everyone when she gets the answer.

Sharon said the policy will be brought up again at the next Committee Meeting.

Item 3. Review Banner Policy. See below Item 6.

Item 4. Review and finish Agenda policy 1002 P (and procedure 1002PR). Revisions are shown as strikeouts or underlines. Sharon directed us to items 5 and 6 of the Procedure that addressed the timelines. She said we have a process that works pretty well, we go through a Committee Meeting, a Work Shop and then by the time it went to the Board it was ready, because we had done our homework before we got there. She said the Board Meeting is not the place to blindsides with a new item, like the attorney list issue. She discussed the motion to hire the attorneys that had passed. There was discussion on that issue and what has transpired since then.

Sharon said if we have late agenda submissions Jim wants us to vote on whether they are agenda items or not. Sharon said she thinks it should be all or nothing and not pick and choose in the vote. Barbara Susdorf said we should be able to meet, discuss, vote and not discuss it for an hour to talk about an issue. Steve said the purpose of the Board Meeting is an up or down vote on the thing that had been discussed at the Committee or Workshop. Sharon said there may be things that happen that need attention but we should get the issues in on time. Sharon said once the agenda is posted it has to stay



there for a year. She said the added (late) agenda submittals don't have to be posted on the website and could be added to the agenda distributed to the Trustees at the last minute.

Sharon said the agenda item attachments are posted if they are available, but they may not be because of the timeline.

Gwen asked about 5 where it refers to vote being 'after roll call, agenda item 2' and asked where 'item 2' is. Sharon said it is in the Bylaws Article VI. She said she can change it to 'item 3 pledge to the flag, Bylaws, Article VI'.

Sharon said agendas for Special or Emergency Meetings will not have added items. She said an agenda for a Special Meeting should be basically one item. She said the Budget Hearing is not supposed to have other items on the agenda. Sharon said if something comes in for a BOT Meeting it will be emailed to each Trustee so they can review it. Kathi asked about voting to accept the agenda. Sharon said we don't have to make a motion to accept the agenda as it is under Administrative Procedure Act (we do not fall under) and we are prohibited by law, the Supreme Court said in 1973 passed a law that said we cannot cut off our agenda.

Gwen asked that the new statement 'The following statement/s will...' be moved to just above the clauses it refers to (not above the Committee Minutes paragraph). Sharon said she thought she had, and it will be done. Sharon asked for more input and said if all of the Trustees did their due diligence the agenda wouldn't be a problem. She said the number of agenda items is not as important as the organization of getting it there.

Steve asked about the supporting documents not being on the website anymore (7. on the subject is struck) and how do they review the motion. Sharon said the late agenda/attachments will be emailed to Trustees. Gwen said the Trustees get the information submitted after the deadline and the public doesn't see it. There was discussion on the proposal to add a spot on the website to place the additional (late) items not in the originally posted agenda submittal. Kathi said that is something we can add later.

Kathi said it would be nice to have all of the minutes in one place on the website. Sharon agreed.

Item 5. Review Public Hearing Policy (1030 PH) to include Pool rule violations. Sharon said we don't need to do this one and she added the hearing clause to the Pool Contract (1010C) that describes the 1,2,3 and the Fob cut off and hearing with the Board. She said you can't shut off a fob for a year - you better have your policy ready and an attorney because that is a property right.

Item 6, Hall contract and rules (1004 HC and HR). Proposed additions are underlined and removals struck in 1004 HC. Sharon said there are only a couple of changes. She said refundable fob costs were added for renter in 9 and in the 'Fee Schedule Hall'. She said she did not have guidance on the fob deposit so she used \$40/\$80. Barbara Susdorf asked if there was another deposit for the hall. Yes. Sharon said the fob can be activated for limited hours. Sharon said we took out the Hall monitor and provided contact information for assistance. Gwen said that if we remove the monitor from the contract then we don't have an option of having one. There was discussion on a monitor being an intrusion. Barbara Susdorf said that she thought someone would let them in, walk through the facility, and then when time to close at 10 PM the walk through again. Kathi asked if it can be checked the next day and asked who you would hire to do that. Sharon said that it would be a contractual agreement and a flat fee for the evening. Barbara Susdorf said the person would have to be tech savvy on the equipment.

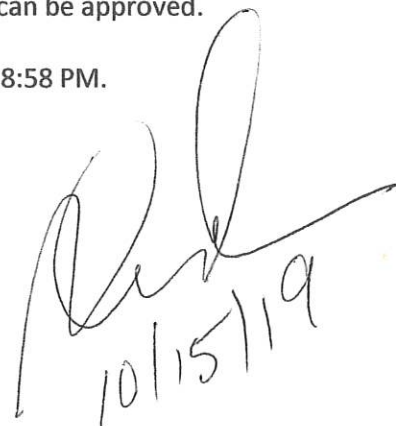


Sharon said a Hall Agent could meet and greet, etc. Barbara said that we are supposed to have some really nice equipment and stuff. Sharon said she thought we really needed someone here. Sharon said we could have both, a fob and a Hall Agent. Gwen felt if we remove the monitor from the contract we may be unable to have someone here, maybe use 'may have a monitor'. Sharon said she doesn't like the idea of a 'hall monitor'. Sharon described a Hall Agent who is here to greet them, walk through the hall, then go away and come back at an assigned time and make sure the building is locked. Sharon said we will have seven cameras in the hall. Kathi said we would need more than one person hired for availability. Sharon said that that would be administrative.

Kathi said she has a proposed revised Hall Contract from the office. She said she thinks there are some good ideas and the layout is different and seems to be a better design. Sharon asked how we would have the security cameras monitored unless there is someone here, and we can't have remote viewing of the monitors. Kathi suggested that it say 'may be monitored' or 'is being recorded'. Steve said the security cameras are on all the time. Kathi said she will email the draft to the members. Sharon said we will start renting the hall November 1st and we are running out of time. Gwen said we can make the changes needed and use it once it is approved as it is not an annual contract. Sharon asked if we want a Hall Agent that opens and closes in the contract. Sandy and Barbara and Kathy were in favor. There were not negative comments. Kathi was concerned that we may have that person hired by the time we are ready to rent, or we could volunteer. Sharon suggested that we put 'a Hall Agent may be used. This was agreeable to those who spoke. Steve said he would like to have confidence that the facility is protected with nonresident renting and the only way to do that is, maybe not have somebody here for the four hours, but check on the hall hourly. Sharon said we have security cameras and big deposits and now \$80 on top of the \$500, we have a pretty good deposit. Steve remember when they tried to set up a barbeques in the enclave. Sharon said she doesn't mind the 'every hour' and said we do have insurance and they have liability insurance. Sharon said so far we have had someone here. She said she will add the Hall Agent as an option. There was enthusiastic discussion. Sharon said she will put both paragraphs in the policy and the Board can select the paragraph we want, and that way it will be done.

Item 3. Review Banner Policy. Sharon said it is pretty much... Jodie wanted to take out 'the minutes may be published in the Banner' (first paragraph), but they don't have to be the way it is written. Sharon said Jodie had marked out the 400 printed copies, but the Committee had come up with the 400 and it stands. Sharon said the Banner will be insignificant as it will be on the website. Sharon said she would like to know how many people are looking at the website in a month. Kathi said it may change once the Banner is not printed for everyone. Sharon said the printed Banner is the only communication that went out to all residents in the residents. She said the budget and other things were in the Banner. Kathi said that a higher percentage of residents don't know the Banner exists and they leave them in the driveways and run over. Sharon and Gwen have noted that most all people pick them out of the driveway near their homes. Steve said if they stay in the drive for two months they did not get a Banner delivered the next time. Sharon said she will set up the Hall contract so it can be approved.

Sandy moved to adjourned. Kathi seconded the motion. We adjourned at 8:58 PM.



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