

BAYSHORE GARDENS BOARD OF TRUSTEES MEETING MINUTES FEBRUARY 19, 2019

Items 1 through 3 Roll Call, Call to Order, Pledge to the Flag. A roll call was taken. Trustees in attendance were Jim Couey, John Lamb, Terry Zimmerly, Dan Rawlinson, Sharon Denson, Steve Watkins, Barbara Susdorf, Jim Frost, and Belle Baxter. A quorum was established. Sharon Denson called the meeting to order at 6:53 PM and a pledge to the flag was performed. Also in attendance was Jodie Lawman, Manager; Gwen Norris, scribe; Allan Riga, Barbara Greenberg, Suzanna Young, and Dan Gassie.

Item 4. Approval of the Minutes January 15th BOT Meeting and February 6, 2019 Work Session. Jim Frost moved to approve the Minutes from the January 15th BOT Meeting. Steve seconded the motion. Discussion on additions or corrections: none. The motion was voted on and passed unanimously.

Steve moved to accept the minutes from the Work Shop of February 6, 2019. Dan seconded the motion. Discussion: Belle requested that her name spelling be corrected (from Bell to Belle). Sharon asked Gwen for the correction so it can be approved. With no more questions the motion went to vote and passed.

Item 5. Treasurer Report. The Treasurer's Report was distributed to the Trustees prior to the meeting for their review. Terry said the report includes the Profit/Loss and Balance Sheet. Terry moved to accept the Report. Dan seconded the motion. Discussion: Sharon asked about line item 5885 Depreciation \$25,612.72, page 5 of 6. Terry said that it should not be an expenditure. Sharon said she will get with Natalie on the issue. She said it is appearing that it was spent up to January 2019. She said she thinks it was in put wrong but we need to know what it was. This will be researched. Steve noted that the annual budget and YTD budget are zeroed. Terry said they should be able to put figures in if the Resolutions pass. The motion was voted on and passed.

Item 6. Resolutions. Sharon had previously supplied five Resolutions to the Trustees for review. She said we will allocate money in the budget for projects we want to do. She said anything in this year's budget is Capital Outlay and if it is not used it moves to the Reserve. She said the projects were prioritized in the past Work Shop and now we are moving the money to those projects. She said that some of the projects shown cannot be done now since there is not enough money and as the money becomes available we can do the project.

Resolution 2019-01. – Sharon presented this Resolution which moves money from 2018/2019 Budget Account Yearly Reserve Allocation Marina to Capital Outlay Account #5900 2018/2019 and to District Sponsored Events #5800 (renamed Account to District Recreation). The total for the Resolution is \$177,482.00. Steve moved to accept Resolution 2019-01. Belle seconded the motion. Discussion: Jim Couey asked about the ADA Lift for the pool. Terry said that the money is for all of the things listed. Jim Couey asked about the 'Purchase Sheds to Replace the Porta Potty'. Sharon said that that is down the road and they would look like a little house and be owned instead of rented. Jim asked about the \$2000 to add heat to the air conditioners. Sharon said that it may be used down the road when renovating the Hall and getting rid of the ceiling heaters. Jim Couey asked if solar energy was ever talked about. Sharon said 'no' and that could be a project in the future. Jim Frost said he has quotes out now for solar to see if we can get our power bill covered. He said he has two companies looking at the usage now to see what they can do and will get it to the Trustees and may go for a grant to help pay for it. He estimates that it could be next year. With no further discussion a vote was taken and the motion passed unanimously.

Resolution 2019-02 for the Marina #3032. – Sharon presented this Resolution moves money from several reserve accounts to Marina Reserve Account #3032. She said that Legal #1039 is a budgeting account item that moves to the Marina. She said the Reserve Security #1036 is not needed because the security system is already installed. She continued that the total is \$1,235,698.94 and in addition we have \$228,501 in the in the Marina already and when added together it totals about \$1,500,000. Jim Frost said we should be under that amount for the marina work. Jim Couey moved to accept Resolution 2019-02. Jim Frost seconded the motion. Discussion: Sharon said that she tried to put more money in the fund than needed and we could get the work done. The motion was voted on and passed unanimously.

Resolution 2019-03 for the Hall #1022. – Sharon presented this Resolution that moves money from several accounts to the Reserves Hall #1022. She said the Emergency #1028 item should not be in a reserve account. She said that the Deposits Marina #1030 and Deposit Hall #1030.5 were mislabeled accounts and were not deposits at all and there is an escrow account for the deposits. Sharon said about the \$21,975.00 in the Pool Reserve #1023, we don't have that kind of expense with the pool. She said if we do need some money for the pool we can allocate some money or next year, take from Reserves. Steve moved to accept Resolution 2019-03. Dan seconded the motion. Discussion: Jodie asked that since the Resolutions are to be posted on the website it may be clearer if a note was added to explain that the Deposit accounts were not the deposits in escrow. Sharon said she cannot change the Resolution at this time and needs it approved at this meeting and not wait until next month's meeting because we want to get started on the projects. Sharon said the escrow account exists with \$42,000 in it. The motion was voted on and passed unanimously.

Resolution 2019-04 for the Splash Park. - Sharon said that this money (\$7,118.00) was left over from Landscaping #1026 and is being moved to Reserves Splash Park. She said it is not enough to do anything with but it will be there. Steve moved to accept Resolution 2019-04. Belle seconded the motion. Discussion: Terry said she is glad it is less than the amount previously discussed in the Work Session but feels that it will need a referendum vote by all of the residents and it should not be shown. Sharon said that we do not need a referendum to place money in Reserve and can be transferred if a need arises. She said that there are other projects that will need a vote that are shown on the budget. With no more discussion the motion went to vote with eight yeses and one (Terry) no.

Resolution 2019-05 for #10 Automatic Gate to the Beach. – Sharon said that this allocates (\$14,040) from this year's budget for the electric gate. She said that this does not mean we are going to do it or have to do it, but it will go into Capital Outlay to be used. Barbara moved to accept Resolution 2019-05. Belle seconded the motion. Discussion: Jim Couey asked about the gate. Sharon said we are looking into installing an automatic gate (timer) that looks like the marina gates. Jim Frost said it will not trap people 'in'. Jim Frost said that Crime Watch will be able to access it. Sharon said in about three years a fob sensor will be installed for residents. The motion was voted on and passed unanimously.

Item 7. Trustee Committee Reports.

Recreation Committee: Belle said there is nothing new to report. Sharon said we have \$10,000 to use on the picnic.

House and Grounds: Sharon suggested that the motions that Jim Frost has on the Agenda be addressed when they come up. She asked that the March Work Shop will be dedicated to Jim Frost's presentation of all of the bids and work he has done so we are all up to speed. Jim Frost said the bids are for the

marina work and tonight he will make a bunch of motions for other projects. Jim Frost said that there is \$9,000 for the pool lift fund (see Item #22 for motion) and he will get the projects done that he thinks need to be done by March and the pool opening. He said the projects include the ADA lift for the pool and, epoxy flooring for the breezeway and the ADA ramp to the Hall. Jim said that the ADA lift for the pool quote is \$8,000 which is under the budget. Sharon said that they are on the Agenda and she will refer to him when we get to them.

Barbara had no reports.

Banner Committee: Steve said he had some other things to discuss and will wait until later.

Sharon said that Jim brought forth a letter from a handicap resident last month. She said that she went out and met with Randy who said he could saw a gap in the landscape timbers wide enough for a wheelchair to get into the ballfield.

Dan had nothing to report.

Terry had nothing to report.

Insurance: John said he highly recommended that the \$2M per occurrence/ #3M aggregate be considered at a cost of \$1699. He said the legal fee reimbursement needs increased. He said he needs to understand the mention of no aggregate and no limit and feels that \$100,000 coverage was very low. Sharon asked that John contact the insurance agent personally. She asked that he come up with a solid proposal that the Board could vote on. John will question the insurance agent. Jim Frost asked if Med Pay was offered that may lower the general liability costs. John agreed. Sharon said further down the road John may want the agent to come to a meeting at his prerogative. Jodie said that the agent addressed the Med Pay and underwriter said that it was unlimited but the agent had previously stated it was capped at \$100,000 due to the presence of the slide and diving board. Jodie will email John the underwriter's response. She did not think we got a direct answer.

Sharon said that a friend reported that her relative reported that this is the 'most pleasant place' when they visited the office as compared to the other place they had to visit. Jodie thanked her for the good report.

Jim Couey had no report.

Item #8. Manager's report. Jodie said sent certified mail to the SBA (Small Boat Area) users and invoiced them on numerous occasions. She said the certified mailing stated that they had 30 days to pay their bill in full and got two certified letters that said that stated 'No call to make payment arrangements'. She said there are three kayaks that are not claimed over the last year and appear to be abandoned. She said there are five kayaks that may be disposed of to get reimbursed for the past due rental fees. Sharon said that there will be a motion to discontinue the Small Boat Area later in the meeting. She said if the area is closed a notice will need to be sent to the owners and until then we should not do anything; then we may sell them.

Jodie stated the document scanner was purchased and returned because it was not large enough to scan the Banners. The cost of a larger scanner was higher than the approved funds of \$350. She said that office scanner can scan one page a time. She said arrangements can be made to have the Banner scanned in nonworking hours. The small printer scanner on her desk is a backup. She said that a large

scanner that was for one purpose, when done, would be another piece of extra equipment. Sharon said that this needs to go to a Work Shop for discussion.

Jodie said that there is a quote from Home Services for a gutter and the reroute of the water at the breezeway gate. Sharon stated that it is on the Agenda (#19).

Jodie said that the library was moved to the concessions and Sally arranged the books. She said a sheet is available for signing in or out books and it appears no one is using it. She said there have been a lot of donations. She said she will keep tabs on the usage. Sharon asked Jodie to put a notice in the Banner on where the library is and the hours. She said if there is no use, it will be gone.

Jodie said that the landscaping needs some more mulch and the costs is about \$750 to purchase/ deliver. Sharon said there is about \$16,000 in the budget. Barbara moved to purchase landscape mulch to up to \$800. Jim Frost seconded the motion. Discussion: none. The motion was voted on and passed.

Jodie said attached to the minutes agenda is something for the Board to consider: The cost of the Banner production and what revenue is generated from ads. She said we operate in a deficit. She said a representative has given her options that are available. She said our lease for the printer/scanner is up August 2019. Jodie said that the representative has a machine that is capable of folding, collating, and possibly stapling. The representative did a cost analysis of using the machine in lieu of the professional printer shows a savings of \$4,500 annually. Jodie said she specifically addressed 'maintenance' with the representative. Jodie said the total bid was all inclusive package. She said they are a local company. Jim suggested that it be brought up at a Work Shop for review.

Jodie said that Kim is getting emails from others with articles for the Banner. Jodie said she wrote up something that describes what the article is to be submitted like. Sharon said that she is working on the Banner Policy now and will incorporate the information. Steve said that a PDF submittal has to be converted to TIFF (to get rid of the tags) then back to a PDF and put to the Banner. Jodie said that if everyone complies with the directions it will cut our bill down. Sharon said Kim needs to be directed to delete all emails except from Jodie and that this will be put in the Policy.

Jodie said that she has looked into insurance benefits for staff through the FASD and then talked with Andy Hanson of Florida Cities. She said she received bids from both. She continued that even if the Board were to offer and pay 50% of the premium there are two maintenance men that would not have enough left to live on. She said she would like the Board to consider dental, eye, or life insurance. Sharon said that it is not budgeted in this year's budget. Jim said that this should be discussed at a Work Shop, perhaps April. Jodie said that to budget it for next year would be ok as it is a necessity to keep good employees.

Jodie said that her maintenance men have stated that they are getting direction from people other than her. She said she wants all maintenance requests to come through the office as she monitors all maintenance requests and when the work order is complete.

Old Business

Item #9. Website 1009P, 1009PR, and 1009F. Sharon said there have been several discussion on the the policy in several workshops. Gwen requested that number of documents in the subject be reviewed. Sharon stated it should include 1009 P, PR, PRR and F. Steve moved to accept the Website Policies,

1009P, 1009PR, 1009PRR, and 1009F. Jim Frost seconded the motion. Discussion: none. The motion was voted on and passed.

Jodie said Kim is maintaining the Banner website. Jodie wants the Banner included in our new website. Sharon said that there is about 3 or 4 years of Banners on the website that she does not want to lose. Jodie will see if the Banners can be uploaded into the cloud.

Item 10. Office Manager to send thankyou letter to Dan Smith for website work. Sharon said that Dan had kept our website up to date for years saving us about \$6,000 and asked Jodie to put the letter together.

Item 11. Motion to Discontinue the SBA Rentals and Turn into Dog Park. Sharon said we discussed this at our last Work Shop. She said it has become an absolute nuisance in terms of payment and ownership. She said that discussion at the Work Shop was to eliminate it as of October 2019. Dan made a motion to eliminate the SBA (Small Boar Area) area by October 2019. Jim Frost seconded the motion.

Discussion: Steve said that he was on the Board when it was built and Suzanna Young had worked hard for years to get the area going. He said now we can't find out who owns the boats. Dan said that the storage idea was discussed through two board changes and people who were assigned to do the job did not do it and it fell to Suzanna two different times. Barbara said that people lose interest. Sharon said the racks could be moved to another location without a fence, but the office should not have to keep track of it. Suzanna stated that the SBA got built five years ago and a lot of people that wanted the storage were gone. Suzanna said on the issue of turning the area into a dog park she has the following concerns: Shots for dogs have to be kept up, big and little dogs cannot be kept together, keeping it clean, spraying for pests, the enclosure is awfully small for a dog park, and it is down wind to the pool. Sharon said that no decision was made on the future use of the SBA enclosure. Suzanna continued that the SBA area was never promoted or handled right. She said that it could be turned into something else that we need for kids. John stated that a dog park could give us some exposure in an insurance standpoint.

Allan Riga asked if we had looked at 'scan services' that come in, scan, and leave. Allan said that he has seen people walk into the library to use it. He asked who is doing work on the Banner at their house. Sharon said no one she knows other than those submitting an article. Alan asked who the software guy for the Banner was. Jodie said it is Quark. Alan said the SBA is in the wrong place and inconvenient and not advertised. Steve said the SBA was in the Banner monthly. Belle asked how long the SBA has been installed. Suzanna said since 2011/2012. Terry said it has not been four years yet.

With no move discussion the motion was voted on and passed will all yeses except Jim Couey.

Item #12. Small Boat Area 1005SBC (revisions). Sharon said we are skipping #12 since we have voted to eliminate the SBA in October.

Item #13. Board approval to advertise RFP for Marina dredging and piers. Bids to be received by April Board meeting. Sharon moved for Jim Frost to get the RFP done, give it to Jodie to post in the Bradenton Herald and Sarasota paper, for the dredging and the marina work, which would be the center pier and outside piers and the dredging. She said the ramp work has a commencement, but no response from Kelly Brothers, yet. Jodie hopes to hear from them this week. Sharon said we need to get the marina work advertised as soon as possible. She said that part of the motion will include that the bids

will be due at least four weeks out from the advertising date and on a Board Meeting day to be opened. She said it is safer that way. Sharon restated her motion: The motion is that the RFP, as soon as prepared, to be put in the Bradenton Herald and Sarasota paper to get bids with the cut-off date to be at least four weeks out and at a Board Meeting date. Jim Frost seconded the motion. Discussion: Suzanna said the RFP that was written was written in three phases. There was discussions on the RFP's of the past. Suzanna said she will look for the RFPs she is talking about. Sharon said that we did not find any in the office. Jodie will look on the office computer for the RFPs. With no more discussion the motion was voted on and passed unanimously. Suzanna said the RFPs she remembers is for design.

Item #14. ADA Ramp (Rec Hall) approval. Jim Frost stated that getting quotes was difficult. He said that the work includes building a flat area at the door and a ramp to the asphalt to bring it up to current code. Jim moved to approve the ADA ramp work for \$6,000. Jim Couey seconded the motion. Discussion: Steve asked if the as build was needed. Jim Frost said the County said that they did not need one. He said the as build's are due before ramp work starts. Jim said the bid includes the epoxy coating but not the handrails. Jim said he has to wait until the ramp is done before getting quotes on the railing. Sharon said the ramp will have to be closed without a railing. Jim said the railing for the ramp and pool will be bid later. Jim said that this ADA compliance work will save money on the other work in the Hall. Jim said the ramp construction may take three days. Jodie asked if the work can be done during the week to not interfere with weekend events. She suggested working on Monday, Tuesday and Wednesday to give it time to cure. Jim said temporary handrails could be installed if needed. Jodie said the Hall is booked March, April and May due to graduation season. Jim said that the guys can start next week. She said she will look at the calendar. Jim Frost said he wants it done before March 1st. Steve said the Attic Sale is at the end of March and they use the ramp. Jim said the railing will be up in time and the railing guy had said that they need five days or less. Sharon suggested that the amount is upped to include the railing work on this motion. Jim Frost said that the ramp railing and pool railing will be about \$5,000. Jim said the motion will be changed to \$17,000. Jim Couey agreed. Sharon stated that the motion includes the ramp, the floor coating and the railing work. The motion as amended was voted on and passed.

Item #15. Accept Library book donations as Property of the District. Sharon said that all we have been doing is accepting the books and have no way of disposing unless they are surplus property of the district. Sharon moved to make the books property of the district. Terry said that the books are exchanged at the library and as district property they cannot do that. Sharon said we don't care if they take the books since we are not inventorying them. Belle seconded the motion. Discussion: Suzanna asked the motion to be amended to state 'disposing with several month's notice in the Banner'. Suzanna said that some in the community may feel disenfranchised if they are not forewarned. Sharon said that she has asked Jodie to get the notice in the Banner. Sharon said we want the community to use the library, but if not, it cannot keep taking up more and more space. Sharon said that the disposal would be on the Agenda several times before it would be voted on. The motion was voted on and passed unanimously.

Item #16. Banner Policy. Sharon said the policy is not ready and is tabled.

Item #17. Cleaning out drains from Recreation center to north side of parking lot. Sharon said that cleaning out the drain cost \$1,125.00. She said that paper towels had clogged the line. She said that the scope found a break in the line.

Item #18. Hand driers for seven bathrooms. Sharon said that the hand driers would be installed when the Hall was upgraded anyway but it should stop the towels from being put in the drain. She said the hand driers are \$309.88 each (\$2,169.16 all) plus the wiring bid from Don Baith was \$2,220.96. Sharon said we are looking at about \$4,500 for the hand driers and electrical which may be incorporated in the Hall work. Sharon said that we may approve this but not go the bid right now due to the pending remodel. Jim said he will know more once the as builds are available. Sharon said she would like the hand driers installed now. Steve said that the electrical work replacements discovered earlier needs done. Sharon said that this had already been approved. Jim said the electrical work will be done when the hall is remodeled and it will be up to code. Jodie said she was waiting on an estimate from LaPensee for the repair of the pipe. Steve moved to purchase the hand driers and get the electrical work done for \$4,500. Dan seconded the motion, but wanted it to be \$5,000. Steve amended his motion to purchase the hand driers and get the electrical work done for \$5,000. Dan agreed. Discussion: Jim Couey asked about a warranty on the units. Steve said that there was none in the paperwork but it was no concern. Sharon said that the electrician went over the paperwork and felt they were adequate for the job that we want them to do. With no more discussion the motion was voted on and passed unanimously. Sharon asked Jodie to purchase the units and get with Jim to be sure they will be in the right space for the remodel.

Item #19. Install gutter on north side/install drains. (Initially skipped) Later in the meeting Sharon stated we will do it at our next meeting.

Item #20. RV Temporary Parking 1031P and F: Sharon said we have gone over these several times. Belle moved to accept the policy 1031P and 1031F for RV Temporary parking. Dan seconded the motion. Discussion: Suzanna asked where they will park and if they can stay in them. Sharon said they have to get a permit and have their license, insurance, etc. and parking will be eliminated if there is another need for the area like an event at the marina. Sharon said there will be five designated spots inside the marina gate and no living in the unit allowed. Sharon said it is not permanent parking, it will be for two weeks with a possible extension of two more weeks. She said she does not think it will get much use but it is a good will gesture to those that are not boaters but are RVers. The motion was voted on and passed unanimously.

Item #21. No smoking areas 1028P. Sharon said that this policy is moving of benches away from the building and breezeway more than a smoking ban. Steve moved to accept the Smoking Policy 1028P. Belle seconded the motion. Discussion: none. The motion was voted on and passed unanimously.

Item #22. Motion to install ADA lift in the pool. Jim Frost said that \$9,000 was budgeted for this work and G & S Pool Supply, Inc., his choice of the bidders, had the cheapest bid at \$8,268.20. Jim said they will take out concrete, place the lift and repour the concrete. He said it includes the permit fee. He said he expects that it will be done in two weeks. Jim Frost moved to have the work done. Barbara seconded the motion. Discussion: Jim Frost amended that motion to state not to exceed \$9000. Barbara agreed. Sharon said the pool ramp railing will be in the other bid. Jim Frost said that this is the best lift for the money. Jodie said she needs copies of the bids for the office. The motion was voted on and passed unanimously.

Item #23. Motion to purchase tables and chairs for the hall for \$2,500. Terry moved to purchase ten new white round tables that fold in half and fifty new chairs with cushions for up to \$2,500. Dan seconded the motion. Terry said that we have an example of the table. Barbara asked if we are buying furniture

before the Hall is remodeled. Steve and Jim Frost did not know what the hurry was to purchase them. Steve said that several of the existing tables need repairs. Jim Frost wants to look at possible deals so everything matches. Terry said that renters request round tables all of the time, especially for weddings. Sharon asked if there will be a vote on the motion or spend the money on the tables only and let Jim Frost look at prices for chairs. Steve said that Jim Frost has been doing a very good job getting us deals and he should be given a chance to get a deal. Jim said that he can get same \$50 tables for \$12 through his company. Terry will give Jim the UCP number for the inventory number from Home Depot. She said she wants to get the tables and chairs now and if he can get them cheaper, that is fine. Jim will look into it. Don Gassie said that the card playing clubs would like the round tables and especially the cushioned chairs. Suzanna said we used to have round tables. She said more comfortable chairs would be good but may be harder to store. Allan Riga stated that the tables could wait and buy wholesale. He asked if 8 or 6 people fit to a table because if they are 8 to a table you could have 330 people which exceeds the Hall's capacity and most use the 8 to a table. He does not think the chairs are right for functions. Sharon asked Terry if she wanted to modify her motion to purchasing tables and get the chairs later when the Hall is done so they all match. Terry modified her motion to state: Purchase ten round tables that fold in the middle, similar to the one that we have. Dan Rawlinson agreed to the modified motion. Sharon thinks that for the residents the tables will be very useful. The motion was voted on and passed unanimously. Sharon asked Jim Frost to price tables.

Item #24. Motion to allocate \$500 to set up a pickle ball court. Bell moved that \$500 be allocated to the Recreation Account to create a pickle ball court. Dan seconded the motion. Discussion: Sharon clarified that the Committee get the balls and rackets and then duct tape off an area in the basketball court to see if there is an interest. Belle said that initial intent is to go as inexpensively as possible to see if anyone would use the court. She said she has had communication with people that want to learn how to play and if this is something that the community will support they will move forward. Belle said that there had been discussion about using a portion of the parking lot. Sharon said we need a place that stops the ball. She said that the kids shoot baskets and don't use the whole court. She said that if we need to we will schedule pickle ball and basketball times. Suzanna said that the basketball court is used after school and into the evening which is when a lot of people are off work and would want to play. She asked to consider that kids don't schedule. She implored the Board to rethink this. Steve said that the net will be the only thing 'up' for pickle ball and it can be removed when not used. The motion was voted on and passed unanimously.

Item #25. Motion to establish a Bayshore Gardens swim team. Belle moved that \$15,000 be allocated to the Recreation Account to continue the swim team. She said that the money will go towards reimburse the new volunteer coach for required certification and provide suits, caps, and goggles for resident team members. Dan seconded the motion. Discussion: Jim Couey said when Maynard was a coach he did not get paid. Sharon said that this individual will not be paid. Suzanna said the Bayshore Swim Team used to be legendary and the swim meets were exciting and promoting it would be good. She said she thinks it is a wonderful idea. Sharon said we will promote the team. Sharon added that nonresident members will need to pay for their items. The motion was voted on and passed unanimously.

Item #26. Motion to refinish Breezeway floor \$6,000.00. Jim Frost made a motion to refinish the breezeway (floor) to get it one time done. He explained that we have spent a lot of money repainting and resurfacing the floors and it still looks a mess. He said they are going to use an epoxy type floor with nonskid and flakes in a lighter appearance and it will be a low maintenance flooring that is easy to clean.

He said we have budgeted \$6,000 and the bids are lower. Jim Frost moved to approve epoxy flooring for the area and it will also go towards helping our insurance premiums with a nonskid surface in the area. Jim Couey seconded the motion. Discussion: Sharon asked for clarification that it is a surface that we would put the same surface on the ramp as the breezeway to coordinate the color. Jim agreed and also in the future would go in the screened room. He said that this motion is for the breezeway and all the way to the office door. He said if approved it will be all done in two to three weeks. He said it will be epoxy, flacks and two coats of clear for a hard commercial grade surface. He said that maintenance has used \$1,500 to \$2,000 every year to paint the floor. Steve said this flooring fills the cracks and holes so the cleaning is easy. Jim Frost said that all of the grey paint will need to be removed and the concrete resurfaced. The motion was voted on and passed.

Item #27. Motion to hold hearing to remove Trustee. Dan said that this motion is to hold a hearing to remove a Trustee. He said this is the first time he has done this and wanted to know what 'hold a hearing means' and does it mean 'do it later'? Sharon confirmed this. Dan said he wants to go ahead as it has been going on a long time and the first time he has come across such incompetence. Dan moved to hold a hearing to remove a Trustee. Jim Couey seconded the motion. Discussion: Steve asked which Trustee Dan was talking about. Dan said that it was him, Steve. Steve said it is nonsensical. Steve said he does most of the work on the Board and there are people to testify for that. Belle asked about the basis. Dan said that the basis is on the distributed paper. Jim Frost said that this is just a motion for a hearing and everything can be discussed at the hearing and has nothing to do with right now or have anything to be brought to the table right now. He asked to end the discussion. Sharon said that this is something we have not run into before and a Special Meeting would be allocated for the hearing. Dan asked if it would be in seven days. Sharon said that it would be more than that. She said if the motion passes we will address it. She said that anyone that has charges against them have the right to be heard. She said the Charter tells us what we have to do. She continued that in addition she has questioned our attorney and we don't want to disadvantage anyone. She said removal of a Trustee is very serious. Barbara asked the Board to read the first thing on the list Sharon distributed from Dan. Barbara asked if basically we vote tonight on having a hearing only. Sharon confirmed this. Steve said that this will cost this Board and district a lot of money and would be a total waste of time and he can account for all of the things on the list. Don Gassie cautioned the Board and said it can open a can of worms and in advance of our Budget Meeting this spring, it may have unintentional consequences. He said if he understands, it is personal animosities between people that belong to the Board, belong to Crime Watch and who are members of the Elks Lodge. He said for example he does not know whether the hearing will bring it all out but we have one Board member who got money from ads in the Banner that were not paid to the fired Manager, Joanne Manse, and probably, morally, probably should pay, but has not offered to do that. Dan said that another problem is a Crime Watch member that have people driving around in their car that have criminal rap sheets. He asked if the Board wants to consider all that and wants to have the hearing. He said the accusation are things that are not done by proper By Laws and rules. He said the rule of law is the most important thing. He suggested that the Board just forget about this. He added that they can do what they want to and suffer consequences. Barbara Susdorf referred to the 'list' and asked who is saying it. Sharon said that the allegations are from Dan Rawlinson. Barbara asked how we know the stuff is true. Sharon said we won't know, that is what the hearing will do. She expanded to say when we get in to legality we ask what is the rule of evidence and what constitutes a fact, what constitutes malfeasance that is what the Charter calls for. Barbara Susdorf asked if we pay for this. Sharon confirmed that there would be attorney fees. Barbara Greenberg said that she looked on the

internet concerning the school board and relayed if the charges are dropped or the charges not found to be valid, the accuser pays all attorney fees. Barbara said that if the charges are found valid there would be repercussions and could be a vote. Sharon said there would not be a vote according to the Charter. Sharon provided a copy of the Charter for Barbara Greenberg. Jim Frost asked if the Board pays for the attorney fees. Sharon said that there would be an attorney here and there would be fees and if he is found not guilty of malfeasance the district would pick up the tab (for the accused). She said that there is a section on indemnification on page seven. Dan Gassie said the Board is not protected in liable and slander and should be cautious on what they say. He suggested that the Board members consult an attorney if they plan on bringing charges as he does not know if the Board will pay for that. Sharon said if the motion passes she will give instructions on what the Board members need to do and what Steve needs to do. Gwen stated that she does not think it is worth it, and we should do a little human one on one and work this out. She suggested we make a system that does work. She said to monitor. She asked if this was going on a long time, why wasn't it caught; is there no monitor? She said to do something different, make a system. She said people are fallible but we can make a system to catch ourselves. Barbara Susdorf said that she thinks all of the Board don't do this for money, they do because they care about the community and we want to make it better. She said that they give up their time to be here and everyone she knows on the Board gives 100%. She said we all care and we want to make it better so she thinks this issue needs confronted. She said in a school with a child that is an issue we confront the issue. Dan thought he was confronting the issue but then read that it was a 'hearing'. He said that he was not aware of the hearing process and in the old days you would just sit down and look at the facts and work it out. He said now we have to have quasi attorneys to talk with us. He said he will rescind the motion but the thing that that bothers him is that fact that she said no one is getting paid; he (Steve) is the getting paid by the Banner and he is Chairman of the Banner. Barbara said he does a lot of work and she does not know who gets paid by the Banner. Sharon said we have a legal opinion from the attorney that it is ok and that it is not up for grabs. She said that if you follow the attorney's opinion you will be fine and if you don't follow it you are in big trouble. Dan said he is rescinding his motion. Sharon said she will still go over the process because she thinks it is important. She shared a letter that had information that is from the attorney. She said things need to be done correctly. She advised Barbara Greenberg to go to the custodian of the records tomorrow to get a copy of the letter. She said that Dan would have been given two weeks to get a 'bill of particulars' to Steve and Sharon would receive it at the same time. Sharon said then she would get hold of our attorney and we would schedule a hearing within the next 30 days. She said at that time Dan would bring forward his 'bill of particulars', witnesses, and whatever. She continued Steve would have been able to bring forward his witnesses, his material and he would be able to be represented by his attorney. She said our attorney would be present because rising to the level of malfeasance or misfeasance is a pretty high bar to jump and none of us here are capable of making that determination. She said she went over this with our attorney over the phone and typed it up and sent it to him for review. She said she has his email confirming that this is what he told her to do and this is the process. She said that this will become a matter of record and available in the office in the file with attorney opinions, it is not a policy. She said that we can't vote without knowing about it, now. She said that this will help us in the future instead of people blindsiding each other. Sharon said that everyone has rights. Jim Frost asked if after the hearing the attorneys would discuss and decide. Sharon said that it would be a quasi-legal proceeding. She said that his attorney could cross examine us. Jim Frost asked if at the end of the hearing, would there be the resolution. Sharon said she would go back to the attorney and ask if this rises to malfeasance misfeasance and if it does the Trustee could be removed. She said that malfeasance and misfeasance is pretty much doing something wrong which is a

pretty high bar to get over. Jim Frost said if the accused was found in malfeasance he would pay for his attorney and we would pay for our attorney and if he is found not in malfeasance we would pay all attorney fees. Sharon added that Dan would have to pay his own attorney fees either way. Jim Couey said he rescinds and does not know what he is doing on the Board and no one has put him under their wing and told him what he can and can't do. He said the rest of the members may know, but he has told them he did not know. He said that members cannot talk about things that will come before the Board. He said it feels like what Gwen said a minute ago and he thought we were all adults. He said that the members have let him down as adults. He said it seems like the members are sitting around one tool box with only two tools in it, and they are both hammers. He expressed a need to talk and learn from each other. He said that some have been on the Board long enough that they can tell some of us youngster what we can, can't, should and shouldn't do. Jim said that he has worked at his church giving out food and giving rides and they do not discriminate and there is no paperwork to fill out. He said that if you see him and want to stop him, he has no problem. Sharon asked him to take the issue up with Don Gassie as it is not Board business.

Item #28. Resident comments that do not address agenda items.

Yacht Club -Terry said the Yacht Club is having a meeting Thursday night at 6:30 and everyone is welcome. She said there will be a beekeeper speaker. She said that they want to use the TV. Steve said he has no problem helping with interfacing someone's computer with the TV and he is on-call. Steve said he would write up the instructions with photos this week. He again offered to come in and set it up on-call. Terry said the food is soup and salad (bean).

Restore Bayshore/HOA – Gwen passed out examples of a promotional brochure promoting Bayshore Gardens as a marina community with many amenities. Gwen said that the example brochures not finished (some are printed upside down) and they are 'food for thought'. Suzanna Young said, as stated in the Banner, the Club has been working on a promotional pamphlet and not looking for any action from the Board. She stated that Bayshore Gardens has been undersold for years and buyers and renters don't even know about the waterfront amenities and a plethora of things at the Rec Center. Gwen said we were looking for something that could also be emailed to realtors to promote what this really is. Barbara said she bought in 1984 and the realtor did not even mention the amenities. Dan said that this could be taken up at the HOA meeting. Suzanna said there was a brochure years ago that the district printed because it does behoove the Rec Center and those who frequent the Rec Center. She said the area has been undersold to the wrong market and the boating community is the best kept secret. Sharon asked how the district would distribute the brochure to make a difference. Suzanna said it could be given to realtors in the area and in the marina stores. Sharon said if the district is paying for it, it becomes a district responsibility. Sharon said that the district is representing 1400 homes and she thinks they would like to see our home sales to people who like outdoor actives. Jim Frost said at the end of the marina work and hall remodeling the district plan an open house for realtors to show off the place. He said due to the condition of the amenities it is not a good time to invite people here, yet. Sharon, Jim and others said that they don't want it promoted it yet. Suzanna said at this time, in the condition it is, we have more to offer than a lot of other communities, even the more upscale than Bayshore.

Dan moved to adjourn. Steve seconded the motion. The meeting adjourned at 9:30 PM.

