

BAYSHORE GARDENS BOARD OF TRUSTEES MEETING JUNE 19, ~~2019~~ 2018

Agenda Item 1. Roll Call, establish quorum,

The roll call was performed. Trustees present were Suzanna Young, Jim Couey, Terry Zimmerly, Dan Rawlinson, Sharon Denson, and Steve Watkins. A quorum was established. Barbara Susdorf joined later. Jodie Lawman, Manager, was in attendance. Audience sign-in sheet is attached (Attachment A).

Agenda Item 2, Call to Order

The meeting was called to order by Sharon Denson at 7:00 PM.

Agenda Item 3. Pledge to flag

Sharon led attendees in the pledge of allegiance to the flag.

Agenda Item 4. Revisit dismissal of Joanne Manse

Sharon introduced David Montgomery, attorney of Joanne Manse, and Jim Dye, the attorney representing the District.

Sharon Denson read a motion to fire Joanne Manse (Attachment B). The motion was seconded by Steve Watkins. Sharon noted that Gwen Norris is assisting in taking minutes.

Discussion was opened for the Board. Jim Couey questioned why we were going over this issue again, six months later, as they had done nothing wrong. Sharon Denson asked Jim Dye to respond. Jim Dye thanked the group for having him attend. He stated that main reason for this is that Mr. Montgomery, Joan's attorney, had approached his office with complaints of the procedure and process. After going over how it unfolded we had questions on whether the October 17, 2017 meeting was done according to the book.

Mr. Dye felt that the easiest and most time efficient way to approach it was to reconstruct that meeting tonight. Rather than looking to see if everything is according to Hoyle we can have the meeting all over again. It is called a 'cure' to cure any kind of technical violations in the process. The Statutes and the Law require that we have to do the meeting just as if it had not happened originally. This is not treat it as a rubber stamp, but to give everyone an opportunity to say what needs to be said, for it or opposed.

Jim Couey stated that at the next Board meeting (October 23rd) he was told that Jim Dye had said the District had not done anything unlawful. We had a quorum and voted. The Next Board Meeting Jim Couey and Maynard Boyce had come back from vacation and the vote would not have changed. Even if the Board had voted then, the result would not have change. Jim Dye stated the law is requiring us to go over the issue again.

Sharon stated that she was not on the Board when it happened. She has been working with the accountant on the finances of the District and QuickBooks and etc. She stated that Joanne Manse was directed to take the QuickBooks program on-line in 2015 at the district's expense. Joanne had responded a few weeks ago that it would not have done her any good. But that was not an option. We are currently having an accountant make the corrections in the QuickBooks program. We have contracts that were never put in, checks not recorded in the program. She stated that it is your (the District's) money and that was our job and very important to know where we stand with the money.

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The attendees were asked for their input.

Debbie Kordell at the podium stated she was a member of the board when this happened. She went on to say: First of all, you cannot use what you found now, for why you were 'terminating' back then. Secondly, the Chair of Personnel and Salary has not changed and if there is a problem with someone, that person's responsibility was to provide oversight and monitor that person's job and what they were doing. If there was a problem, he should resign for letting everyone get into such a predicament. She claimed that Mr. Rawlinson was negligent and ought to resign. Debbie stated that she never had any problems with Joanne for three and a half years as Marina Chair. Debbie stated that Joanne always did all of her jobs and did everything that Debbie needed her to do. She continued that Joanne has been nice and polite to her since 2009, when Debbie moved here.

Debbie stated that the only people Joanne had a problem with were those on the Board she had to say 'no' to. Debbie gave an example about Steve Watkins' use of a room that Joanne brought to the Board. Debbie claimed that issue caused a 'witch hunt'. She claimed that Dan Rawlinson and Steve Watkins bonded together to get Joanne fired.

Maynard Boyce at the podium stated that he had been a resident of the District since 1984. He served on the Board from 1995/6 to a few months ago. He had been the Chair of the Board for the last few years. He stated that while on vacation in the Keys he was called and informed that Joanne had been fired. Maynard stated there was a quorum of 5 and the vote was 3-2. He stated that a special meeting was called with all 9 Board Members present. At that time they were operating on the premise that the Chairman of the Board could not vote. Maynard stated that had the Chairman voted the decision may have been over turned. Maynard tried to have the second Board Meeting to verify that the vote was going to stand. He was not sure why this meeting is happening.

Jonna Koellhoffer stated at the podium that she had worked in the Recreation center Office with Joanne for four to five on months and again eight months. She stated that she had problems with Joanne at times, but Joanne knew QuickBooks. She said that she would like to know where all these issues are and like to see them. She said she would like to see what is in Joanne's personnel file as far as the charges; insubordination, not doing work. She asked if these were in her personnel file and if Joanne has seen them. And signed off on them. Maynard Boyce stated that he wrote a letter of admonishment that Joanne refused to sign. Maynard said that they have some other letters. Steve Watkins confirmed that he made the motion at the meeting in October. Jonna asked why the Chairman of Personnel and Salaries did not make that motion. Dan Rawlinson, Chairman of Personnel and Salaries, stated that his job is to investigate and bring forth the issues. He stated the management is under the direction of the Chairman of the Board. He confirmed that the Chairman never asked him to make a motion to fire Joanne.

Allan Rigg at the podium stated he has been attending the meetings for the last few years. He stated that he has seen abuse against female members of the Board at the meeting and resignations of intelligent people on the Board. He said that at that meeting he saw collusion by members of the Board who were members of Crime Watch. He said that Joanne's face appeared distraught and surprised. He stated that when Joanne tried to leave the meeting, two male members tried to follow her and were stopped by another member of the Board. He stated that he did not know if Joanne should have been fired. He stated that when you fire a person that means you made a mistake when hiring. He stated that a retraining option is customary.

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Barbara Susdorf, Trustee, stated she was not on the Board at that time. She said she went into the Office many times to make a copy or whatever. She said that Joanne was always rude to her more than once. Barbara offered to pay for whatever cost for printing and Barbara said Joanne seemed too busy to help her. Barbara stated that she stayed away from the office because she did not want Joanne upset or to bother her. She stated that when working at a facility like this the duties were to interact with the residents daily and Joanne was not kind or pleasant. Barbara questioned whether Joanne liked her job. Barbara said the reason she joined the Board was to help make the District better serve the community. She stated that people's feelings were being hurt.

Maynard Boyce at the podium stated that in Joanne's defense that when Allan Davis was Chairman of the Board for a number of years. Maynard had hired Joanne. Maynard stated that he and Allan tangled over this issue many times. Maynard said that Allan trained Joanne to not pay attention to anyone that was not of the Board. Maynard stated that on three occasions he gave Joanne a letter of admonishment which they went over, and she refused to sign. He stated that they sat down on three different occasions discussing changes she needed to make. He stated that for the most part she made an effort to change things but for almost eight years she did everything Allan told her to do. Maynard stated that was when his direction as Chairman, which was supposed to direct the manager in her duties, was circumscribed when he came board. Maynard was limited in the interactions he could have with her to try to train. Maynard stated he was aware that others also experienced that when Joanne was very busy she was short.

Barbara Greenburg stated from the podium that in the two years that she has been down here, all of her interactions with Joanne were pleasant and Joanne had gone out of her way to assist, answering questions, and finding previous copies of the Banner that had not been delivered. She stated Joanne was always kind and professional. Barbara stated she has 40 years of state government experience and had hired thousands of individuals across New York State. She said she trained and mentored many individuals throughout her career. Barbara stated that she sat on numerous not-for-profit boards, some with five million dollar budgets. She stated she had never seen such a dysfunctional people. She said that members had been negative to each other and she did not like the way the Board treat most of the women on the Board. She stated that her and her husband had been told 'my Club my rules, no meeting tonight'; 'You are not welcome.'; 'We don't want you at our meetings.'; 'Why do you come to our meetings?'. Barbara said this is inexcusable. Barbara said these individuals were paid through the District. Barbara stated that on the night Joanne was fired she saw a clear case of collusion and conspiracy. She suggested that Board members that were long time members of Crime Watch probably met at the Elks Club over several drinks drumming up this letter of resignation. She claimed it was so well orchestrated that one of the individuals made a motion to rehire Stephanie again, who worked at the Elks. She said it was obvious to her as an outsider, who attended Board Meetings and a few other meetings, that this was planned well-orchestrated firing and questioned if there were other letters of admonishment in nine years. She informed that in state agencies there were certain procedures as annual and semiannual performance reviews with training opportunities offered, praise on a good job, and help in making improvements in their overall behavior. She said she is appalled in way things happened. She stated she never saw a woman look so scared in her life and never seen hideous behavior in men. All the women she had met were very bright and worthwhile qualities.

Debbie Korell at the podium asked that the email from Holly Clouse to the District (Jodie) be made a part of the minutes. Barbara Susdorf stated that Board members do not get paid. Debbie also stated that

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people in Crime Watch gets paid for their duties. Debbie yielded the floor to Suzanna while she looked for the email.

Suzanna Young, Trustee, stated that her experience with Joanne was never easy. She stated that she thought that when Joanne came on in 2005 that this is great and Joanne was being trained by the then manger. Sharon continued that in 2006 she oversaw the kitchen renovation. Suzanna stated that she asked Joanne to contact her if a contractor was working. She said there was an assistant for Joanne, the manager, at the time. Suzanna relayed that she visited the kitchen and saw a costly error made by the contractor; who cut the Formica in the wrong place. The Chairman was called immediately. She continued that her relationship was never easy as there were a lot of little inadvertencies, and forget things. She relayed that it really upset her when Joanne put Suzanna's number in the Banner for code violations instead of the Office number. She said the agreement was that the office would 'field' the calls and pass them on to others, as they had before. She continued that when Suzanna was President of the Homeowners, her number was put in the minutes, which were not in the minutes initially. She felt there were too many inadvertencies. She stated that she had submitted the seating chart early for an upcoming Town Hall which was lost, and the microphones were not made available. She stated that her committee, Restore Bayshore, had canvassing the community for different things. She stated that many people asked 'was that woman still at the office.' Suzanna stated that she was not the only one that had a bad experience, and a lot of people didn't want to go to the office. She stated she was sorry what was done and maybe it was not done right, but that is all she needs to say.

Debbie Kordell at the podium read Holly Crouse's email to the Board of Trustees. (Attachment C)

Sandra McCarthy at the podium stated that she had a few questions. She asked if the Board has bylaws. Sharon Denson responded affirmatively. Sandra asked if the bylaws should say how a person is fired. Sharon continued that we are a Special District and we are governed by law. Sharon continued that the District has an Employee Handbook. Sandra asked about Policies and Procedures and job descriptions and the way you correct an employee. Sharon responded affirmatively. Sharon instructed all to go to Bayshore Gardens' website and read the bylaws, Charter, agendas, posted meetings, and a lot of other things.

Sharon Denson stated that there were a few items to be written into the record. She said she has notes from the current accountant who is coming in once a week to help correct things. Sharon read from the list from the accountant, Natalie Sauter concerning QuickBooks (Attachment D). Sharon stated that today Natalie stated the posting problems began before 2012. Sharon stated that Natalie said that the books had not been reconciled since 2009. Sharon stated that she did not know why the auditors had not recognized this, and is inexcusable as we had paid them \$14,000.

Sharon Denson introduced the resignation of Stephanie Stokes, and asked they be made part of the minutes. (Attachment E) Sharon stated copies of all are available at the office including the email Debbie read.

Mr. Montgomery, Joanne Manse's attorney, was given the floor. He started with stating he was sorry that we have to go through this and thanked the Board for the opportunity to attend and speak. He said he had no prepared remarks. He stated that his client was deeply surprised; ambushed in October. He stated that she has been deprived of due process. He explained that due process concept was simple, of fundamental fairness. He continued that all people wants is fairness. He stated that he wants to be told

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details if when he zigged right when he should zag left; that is purpose of the disciplinary process. He stated if you don't have that fundamental fairness, then you are deprived of due process. He continued that there is substantive due process and procedural due process. He asked if you don't dot your t's and dot your l's how do you know you have substantive due process and the end result is fair. He stated Mr. Dye can explain why our court system is built the way it is, with 'notice'. He stated they filed complaints that details what he thinks was done wrong and then you have an opportunity to know what you are being accused of, and to marshal the information so you can fairly meet on an item by item by item by item bases what you are being accused of. He stated that the third of this is the opportunity to be heard at a fair and impartial tribunal. He stated that his client in October was deprived of all three of those due process. He said that she walked into an ambush. He stated he had has looked at the website, the minutes, and talked to very few people and what he found out is Joanne had no clue of what was coming up at the meeting. He stated the minutes stated that a motion was made during a committee report. He said the motion seemed to be preformulated. He said that he met with Ms. Denson and Mr. Dye with Ms. Manse last week and was treated very professionally. He complimented Ms. Denson for her professionalism and fair thought process. He said that the point he tried to make is that there has been a lot of discussion since the October firing of everything his client had done wrong and every bit was a surprise to Ms. Manse. He stated as he stands here today, he does not know the details. He stated that this is the first time that the auditors 'came up' saying that things were not categorized properly, and the return not filed properly. He to say these after the firing is fundamentally unfair and his client is unaware of what she is being accused of. He stated that when he asked Joanne she wanted to attend this meeting, she asked if she would get a fair and impartial tribunal with no notice of what she is accused of doing. He stated that Joanne stated that when they met they were telling her what she did wrong. He stated Joanne said the District was audited and she did everything the auditors told her. He stated that Joanne is still ambushed by everything that has come up since October. He asked why there was a meeting tonight. He states that if you want to know what the party's intentions were, take a look at their actual actions, as actions talk louder than words. He stated that the actions tonight say that we screwed up in October, we did deprive fundamental fairness, we did not cross the t's and dot the l's. He added there is some indications of the Sunshine Law violations and indications of collusions, but did not know that that is the case. He stated that until they start subpoenaing people and have them testify under oath, we may not know what happened prior to the opening that meeting. He added that people do not have a tendency to commit perjury when under oath. He said that they do not want to go there. He stated he was surprised there was a meeting tonight as that his approach to Mr. Dye was all verbal and by telephone, and emails. He said that they did not want to create a public forum if it could be avoided. He understands that this a political body, governmental entity and the District has to abide by certain rules. He stated that he understands process, the final decision has to be public and you have to have enough information to give a decision before the public. He stated that they wanted to keep as much of the skeletons in the closet as they possibly could, but apparently we have opened the doors of the closet. He said that he would not be surprised if they find skeletons left and right. He said he does not want to go through that. He stated that he has practiced for 43 years and these are the least liked cases are cases litigated like these. He added that it is not fun for the lawyers, for those who pay the fees, or the judge. He restated that his initial action was very informal. He stated that if litigation was the only way to get to the truth, then that is what they will do. He stated the litigating process is in creditably divisive, polarizing and destructive and they want to avoid it. He said tonight that he did feel that he was in front of a very impartial tribunal and know anything more about the claimed deficiencies.

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He said he has gotten no new information and you cannot give justifications after the fact. He claimed that the decision was improperly made for an improper result achieved in an improper manor. He said that you cannot justify if the process that was used and the result may have been the same but he has no faith that the process that was used in October. He said that the District may have more than enough justification to properly dismiss her in the future. He said that Joanne cannot respond because she does not know what to respond to. He suggested that if the Board goes through the proper process and they have grounds to fire in the future, they should. He said that he does not know where we are going from here. He relayed that he feels that there were departures from essential requirements of law in the October meeting, and in theory making the October meeting invalid, and Joanne still on the payroll. He said the thinks the actions of the party at this meeting is necessary, and that the reason is his client was not treated fairly. He asked that his client be treated fairly. He said that what Joanne says is fair is a lot less than what he recommends, but she is his boss. He said he thinks a judge would give a lot more. He does not know if that is the way we are heading but he would love to start taking some depositions and know what happened under subpoena/oath. He said he saw the minutes and they did not make sense.

Jim Couey said he heard that lot of hearsay from Mr. Montgomery and said that there were a lot of things that Joanne was not doing. He cited the boat slip contracts were missing. He stated that he does not know anything about the collusion thing. He stated he knows Steve and Joanne did not get along to well but the vote was 5-3. He said that the only fingers pointed tonight were to Steve and Dan who are only two votes. Mr. Montgomery said that his client has no clue why the other voted as they did. Mr. Montgomery asked about the boat slip paperwork and how Jim knew about a problem. Jim stated that it was brought up in Board and committee Meetings. Jim said that it was not his job to review the paperwork, it was Joanne's job at the time. He said he did not know who was in charge of Joanne. He stated he had firsthand knowledge of two things: Joanne did not want to train or get along with Stephanie, and he did not think it makes any difference where she works. Jim said that he was there when Stephanie wanted to go down and check the boat slips one day and Joanne told her it was not her job. Jim stated that Joanne did not train Laine who was the second person in the office after Stephanie resigned. Jim asked that the resignation letter from Stephanie be read. Mr. Montgomery asked if Joanne was written up on the boat slip issue. Jim did not know as it was not brought up in the minutes. Debbie Korell stated that Joanne was fired three days before Laine started. Mr. Montgomery stated that 3.13 of the Manual states that when an employee deviates from the rules and standards Bayshore Gardens expects the employee's manager to take 'corrective action' and includes the usual sequence of oral, written, probation and finally termination. He stated that the sequence was not followed and went straight from a to z which does not comply with the Employee Manual.

Maynard Boyce stated that after he wrote the letter of admonishment as Chairman he remembers three sessions and she was making progress. He said no other complaints were brought to him except a couple of people did not like the why she treated them but they treated her poorly too. He stated that there were no other actions requested of him or taken by him.

Steve Watkins called for the vote.

Jim Couey asked Mr. Dye and Mr. Montgomery why they could not handle this between them instead of hashing a lot of the stuff that doesn't seem like it's anything to do with why she was fired. He said it seems like it has something to do with someone feels that we did something wrong. Mr. Dye stated that he and Mr. Montgomery work for clients which means that neither can make decisions for the client but

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can advise the client. Jim Dye stated that the things that can be done must be done by the Board. He said when it has been brought up in discussion and when the Board takes a vote on the motion that has been laid before it. He said that there is nothing more that they can do except advice on how to get through the process. Mr. Montgomery said that he and his client had met with Mr. Dye and Susan that had been fruitful discussion to the point that they had made an offer of resolution. Mr. Montgomery stated that the resolution had to come before the Board.

Suzanna Young stated that she heard the Chairman had been told by Mr. Dye to that the firing was done legal but not well. Maynard inserted that that is why he called the Special Meeting on October 23rd to discuss the issues. Mr. Dye stated that there were two meetings, October 17th and October 23rd and the first motion was made at the October 17th meeting. He said he advised the Chairman at that time to that she should have an opportunity to respond to the complaints and charges. He said in looking back at it since Mr. Montgomery approached them, he wanted do it all over again to cure any oversights by having the meeting over and vote for or against the motion, and a full airing of the issues being made, to make sure this decision was done properly and per legal requirements.

Jim Couey asked about the money issue and if the Board votes either way, it seems that Mr. Montgomery will still sue them. Mr. Montgomery said that he would love to disclose the details but he is not allowed to and he cannot convey the privilege as it is unethical and can be legal issue. He continued that he still does not know specifically and in writing what his client is accused having done wrong. He said that if he does not know in detail what she is accused of having done wrong there is no way that she or he can prepare a defense to charges that he does not know. He stated that this meeting is just as far from due process as the effort on October 23rd and the effort on October 17th. He said his client needs a list of everything that she was told that she did wrong, item by item, and then that needs to be done in front of the Board or Committee so she has a chance to respond.

Sharon re-read the motion. (Attachment A) She explained that a yes vote is basically to sustain the dismissal. A roll call vote was made with the following result: Suzanna Young-Yes; Jim Couey-Yes; Terry Zimmerly-Yes; Dan Rawlinson-Yes; Sharon Denson-Yes; Steve Watkins-Yes; and Barbara Susdorf-Yes. This was a unanimous vote. Sharon stated that they feel they have met the code of conduct pursuant to the Handbook. She stated that she was disappointed that Joanne did not take the QuickBooks class as she was ordered to do. Sharon thanked Mr. Montgomery for being here this evening. She said that anything further on this she expects Mr. Montgomery and Mr. Dye to be bosom buddies and take care of us.

There was a question on the subject meeting. Sharon stated the minutes are there and can be read from the Banner and in the Office. Sharon read the portion of the October 17th meeting minutes with the motion.

Mr. Montgomery and Mr. Dye were excused.

Kevin Cartwright asked if the community was insured for litigation and compensatory costs. Sharon answered that the district is insured.

Agenda Item 5. Approval of Minutes

Dan Rawlinson moved to approve the minutes. Steve Watkins seconded the motion. With no additions of corrections to the minutes. It was voted on and passed unanimously.

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Agenda Item 6. Treasurer Report

Terry Zimmerly stated that the financial statement was emailed to the Trustees and they have had time to review it. Steve Watkins moved to accept the Treasurer Report. Dan seconded the motion. There was no discussion. It was voted on and passed.

Agenda Item 7. Additions to the agenda for business information not available when the agenda was published.

Sharon said that she has two items. She said someone who has asked to join them at the table she will entertain that under old business.

Sharon stated that our accountant has warned us about having all the cash in the office and we have gotten a really good deal. This item will be discussed under old business as we have discussed this before.

Agenda Item 8. Trustee Committee Reports.

Belle Baxter, Chairman of the Auditor Selection Committee, stated that they have established the calendar. She said that we have two responses from the ad in the paper so far and looking forward to more. She said that the calendar is on the website.

Agenda Item 9. District Manager Response to Trustees

Jodie Lawman said the only urgent thing was the pool gate bids right now.

Agenda Item 10. Old Business

- A. Approve pool gate. Sharon stated that we had polled the last week's meeting and decided to 'go with' the lower of two bids. She said the bids were within five dollars of each other. Sharon stated that the lower bidder could install the gate within two weeks and the other one would be in a month. Sharon said the contractor's name is Foremost, who said they will do the work to code. Jim Couey made a motion to accept the lower bid for the pool gate to be installed in the next two weeks. Terry Zimmerly seconded the motion. Sharon stated that we had two bids; one at \$745.26 and one at \$750. She said the higher bid was from Arrow. Foremost was the lower bid and quicker. It was voted on and passed.
- B. Resignation of Steve Watkins as Secretary. Sharon said Steve had taken the job as Secretary hoping he could dump it someone soon. Steve asked if any Board members would be acceptable to take the secretary's position as he has his hands full with House and Grounds and other jobs. He said that if it does not happen tonight maybe it will happen when we get some more Board members. He said that there are two openings on the Board. Steve said Gwen is volunteering a lot of her time helping in the office. There were no volunteers at this time. Steve said that Gwen and he will continue on with accurate minutes.
- C. Nominations for new Secretary. See above
- D. Open Bids for Boat Tamp. Terry said they received two bids from the same contractor. Terry said that this can start our ramp work. Terry opened the bid to reveal a bid of \$374,824.85. It was noted that this is larger than the last Engineers' Estimate around \$243,000.00, and the Engineer had said that it may be 20% higher. Sharon said we don't have to accept the bid, we can rebid it.

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Terry said the issue will be tabled and no motion will be made. She stated that the Marina Meeting is June 20, 2018 at 7:00PM and all are welcome.

Agenda Item 11. Residents comments agenda item 3 minutes.

Agenda Item 12. New business

- A. Hire Life Guards. Sharon stated that we have some temporary life guards for approval. Sharon explained that we started the season with one life guard. She discovered that there was a lack of life guard statewide so the Red Cross started putting on life guard training classes. Sharon continued that as a District offered to pay to have some of our young people trained as life guards and it turned out very good. Sharon said the Life Guard, CPR and Life Guard certification training cost \$50 which is good for two years.
- a. Jodie stated that Faith Roberts has recently received her Certification and has been working in the concession stand. She stated that in lieu of the \$50 she will in turn donate five hours of her time to the District.
 - b. Jodie stated that Michael Burk is hired, is also a recent graduate at TG Bray. Jodie stated the District did not sponsor him so he is hired outright with no commitment to us.

Suzanna Young made a motion to affirm the two life guards. Dan Rawlinson seconded the motion. Sharon asked for further discussion. She stated that this puts us where we need to be. Jodie stated that this gives us seven life guards, and we have two that commit almost full time hours and the rest are partial. She continued that some can only work weekends and some can only work sometime during the week. Jodie confirmed that we are fully staffed. With no more discussion the motion was voted on and passed unanimously.

- A1. Sharon revisited the credit card machine item as mentioned before (Refer to Item 7.) She stated that 5/3 Bank has given a great deal on a credit card machine that we can't turn down. Jodie Lawman stated that the rate will be 0.025 and 0.05 per transaction with all other fees for transitions waived. She stated that the initial cost for the machine is \$435.00 for installation, set it up, and includes training office personnel on the machine. She said that we will have the ability to take credit card payments on all rentals and all fees. Sharon said the credit card machine will be set up to accept American Express and Discover and others, but she suggests we only take Visa and MasterCard because the processing fee would be higher for American Express and Discover, etc. She said that one Discover Card transaction would cause an extra fee for the month from Discover. Jodie said that there is a transaction fee from the credit card company (quoted above). Sharon reiterated that the accountant has warned us that we should not have so much cash in the office.

Jim Couey moved to install the machine in the office. Steve Watkins seconded the motion. In discussion it was explained that the quote as 2.5% and a nickel per transaction for Visa and MasterCard. With no other discussion there was a voted on the motion and passed unanimous.

- A2. Sharon invited Don Gassie to the microphone. Don stated that he had been a Board member before. He is 78 and retired and would love to see younger people come on board but did not like to see two vacancies on the Board. He said he would be gladly set aside if there were younger volunteering for the Board. Barbara told Don we believe in him. Jim Couey asked if

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vacations and travel will hinder him from coming to Board Meetings. Don said no, he just took a month long vacation and another is not planned. Sharon asked if there were any more questions. There were none.

Steve Watkins made a motion to bring Don Gassie on the Board as soon as possible. Jim Couey seconded the motion. Sharon asked for more discussion. There was none. The motion was voted on and passed unanimously.

Jodie Lawman swore Don Gassie in after he signed his oath of office (to be notarized) and a chair was given to him.

Dan Rawlinson welcomed those in the meeting noting some faces are new. Sharon also welcomed the attendees and informed that everything starts at the Committee Meeting level were things discussed and argued. She continued that the issue then goes to a Work Session and discussed again before going to the Board Meeting. She said the Committee Meetings are informal and attendees can set around the table to discuss an issue. The Work Session is a Board Meeting which is more formal and the residents are encouraged to meet and speak (at the appropriate time.) She stated the Board Meetings are formal and items are gone through quickly with little discussion. She encourages people to join in at the lower level addressing issues.

Jeannette Sparrow said she has been on the Board and served as the Home Owner's President. She had been involved with many things including the Swim Team. She asked that the pool rule be revised to allow persons under 50 to swim from 8 am to noon. Sharon said that this issue is coming up in tonight's meeting. (Item 12. F.)

A3. Joyce Fisher came to the podium to volunteer to be on the Board. She said she has been a resident for about 47 years, she had been on the Board of Trustees, currently President of the Home Owners and Garden Club. She said she has spent a lot of time involved at the Recreation Center. She was in the Yacht Club and only 82.

Barbara Susdorf made a motion to accept Joyce Fisher as Trustee. Terry Zimmerly seconded the motion. There was no discussion. The motion was voted on and passed unanimously. Joyce was welcomed and asked to come forward for Jodie to swear her in.

B. Hire Dockmaster Sharon asked Jodie to introduce the new dockmaster. Jodie introduced Robert Hindle who is going to be our new dockmaster is a resident. Robert Hindle stated he has been a resident since 2003 and had a boat in the marina since then. He said he worked with John Woodruff (previous Dockmaster) through several hurricanes. Robert asked the Board if they would like him to be the Dockmaster. Jodie stated that Robert has requested a dock slip in addition to his monthly salary. She said this had been discussed with Personnel and Salaries. She said that the Board members that discussed it with her felt it was feasible and reasonable considering the amount of time involved for the Dockmaster. She summarized that the slip equates to \$85 a month added to the \$700 monthly salary. Dan Rawlinson moved to hire Mr. Hindle and give him \$700 per month salary and the use of a dock slip. Jim Couey seconded the motion. There was discussion. Jim Couey asked Robert if he know how hard the job was. Robert joked that he did not. The motion was voted on and passed unanimously. Robert was welcomed to the group.

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- C. Disposal of rusted out Trailer Form 1018F (Steve). Steve stated that he inspected the trailer last week. He said the trailer was used by the Maintenance personnel to pull in and out their boat to do repairs to the marina and stored in the north marina area. He said it is rusted out and not used for a while. He suggests that an ad be run in the Banner Classified to scrap the trailer. Sharon said that we should get a price due to the axle. Terry said use 'best offer'. Steve Watkins made a motion to run an ad in the Banner and get the best possible price for the trailer. The motion was seconded by Don Gassie. Steve said that the ad will be in the July Banner. The motion was voted on and passed unanimously.
- D. Banner Contract 1017 PR (Steve). Steve explained the procedure he wrote and the process of selling ads and interface with the office for documentation staff and to Kim. Steve moved to have the Contract Processing by Ad Sales Representatives 1017PR submitted to the office and put on file. Barbara stated the procedure was wonderful. Sharon state that the size (measurement) of the ad can be made a part of the procedure but does not need to be approved. Suzanna stated that the procedure refers Kim. Susan said we can amend the procedure anytime. The motion was voted on and passed, 8 to 1.
- F. Pool Hours Policy and provisions of 1010 P (Sharon) Sharon stated that the changes include the age and hours of the pool. Sharon stated that the County has advised us to show the hours on a sign. Sharon stated the Committee came up with the following: May from 4 to 8pm Monday-Friday and Saturday and Sunday noon until 7PM; summer (June through September) noon until 8pm; October to the end of the season noon until 6 pm. The lap swimmers and organized exercise may use the pool in the morning, 14 or older, with assigned waiver, with no life guards present. Jim Couey questioned the restrictions. Sharon to have life guard in the morning we need to find \$21,000 more for life guards and add slide and dive monitors. We have allotted \$60,000 in the budget currently. Sharon stated that if you are less 14 or under you must have an adult with you. Maynard Boyce said the law states the Board can make 'reasonable rule' and children at 11 and more could swim without an adult like before. He said that the guest fee and associate membership have been eliminated. Sharon said that residents that spoke at the Committee Meetings said this is what they wanted. She continued that the pool gate has not been closed to anyone. Debbie Korell said the board is unsympathetic and unsupportive to just change the age and 50 was discriminatory and asked for a written apology. Alexander Dolan suggested the 4-11 years old be given a swim test and let 11 year old swim without an adult. Ryan Abbet asked legal issue of younger persons are there without an adult. Sharon stated that if there is an accident the insurance may not 'cover' if they find we are found guilty of negligence. Sharon said that we don't have attendants at the slide (climbable structure) between 8 and noon and everyone that uses the pool signs a waiver. Mary said the concession would do better if there were more children. Allan Wiggins said there is no long term plan for the District and collect data on who is actually uses the pool. Jodie lawman said the slide was costly and proposed to eliminate it. Donna Holmes asked why the pool closes for 30 minutes when there is a thunder storm around. Sharon stated the policy is the life guard closes the pool for 30 minutes when there is thunderstorm. Lenny Cichewiz asked if there was monitoring of the lap swimmers. Sharon said the lap swimmers police themselves. He also stated the reduction of children at the pool reduces the concession stand customers and it was an amenity. Sharon said the lap swimmers police themselves and closing the concession is not on the agenda. Sarah

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Cartwright asked if there is opportunities for cold water swimming. Sharon said pool is closed when below 70 degrees by law. There was discussion between the Board to change the age from 14 to 11. Terry said those of 11-14 are interested in the pool, not high school kids. Suzanna asked about nonresidents. Sharon said that the attorney said that we should not have a category of 'nonresident' (associate member). Dan Rawlinson suggested we set the age at 11 and older to be able to use the pool without an adult. Jodie Lawman suggested that a different waiver for kids who go to the park or parking lot.

Dan Rawlinson made a motion to change the age to eleven. It was seconded by Don Gassie. Dan withdrew his motion and Don withdrew his second. Dan Rawlinson moved to change the policy to read '10 and under' instead of '14 of under'. Don seconded the motion. It was voted on and passed.

- G. Appoint Gwen Norris to Auditor Selection Committee. Sharon appointed Gwen to the Committee.
- H. Approve policy 1020P and form 1020F for Clubs and Organizations. Tabled
- I. Approve policy 1022 CP and parts resident complaint policy. Tabled.
- J. Marina work area policy 1005 WAP and agreement (Sharon). Sharon stated we have some problems with this area. She stated this policy puts all on one form and uses the \$40. Sharon moved to approve Policy 1005S WAP, and the two attachments, 1005 WAPR, and 1005 A. The motion was seconded by Dan Rawlinson. Suzanna stated that the boat workers have been the problem not the owners due to spill. Sharon said the owner is responsible. Don stated that the owner should tell the office who is working to know whose equipment may spill. Suzanna said the worker with equipment should be require to have a license and insurance. Sharon suggested a separate policy for cranes. Sharon said that work spaces cannot pre-assigned work areas since we don't know the size/weight of the boats. Suzanna said that there is nothing in the document that makes the resident liable instead of the District concerning the pull out. She said the District cannot get involved to avoid liability. Sharon withdrew her motion and Dan withdrew his second and the issue is tabled.
- K. Gate agreement and policy (Sharon) Sharon state the only thing added was an authorized person in case of an emergency, and the fee was corrected. She continues that this authorizes a designated person to tie down a boat if the owner is not available, not for recreational use. Dan Rawlinson moved to accept Policy 1019A and P. Steve Watkins seconded the motion. There was discussion on who was to use the gate key. The motion was voted on and passed unanimously.
- L. Approve Small boat are contract 1005 SBC (Sharon) Sharon stated that all of the slips are marked and we have 28 kayaks and a canoe and only 23 contracts. Sharon said the reference to two-hull was removed and can be amended if needed later. She said the price has been dropped for sailboats. Suzanna said that parking at the storage area should be avoided. Sharon said that a sign could be posted to say no parking. Steve moved to accept the Policy 1005 SBC. Terry seconded the motion. There being no more discussion it was voted on and passed. Suzanna stated she wants to revise the two hull part of the agreement later.

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M. Approve Office area policy 1014 P and CF (Sharon) Sharon said that we are simply curing the policy that has been followed. Dan Rawlinson moved to approve policy 1014 P and CF. Steve seconded the motion. There being no more discussion it was voted on and passed.

Sharon said that the issues coming up at the Committee Meeting at the end of July will include issues of dogs on the beach property, and picnic table use for residents. She invited the attendees to be at the Committee Meeting to discuss these issues. She state the beach, and picnic area are currently public areas due to an agreement on the DEP contract.

A motion to adjourn was made by terry Zimmerly and seconded by Steve Watkins. The meeting was adjourned at 10:15 pm.