

**BAYSHORE GARDENS BOARD OF TRUSTEES MEETING MINUTES AUGUST 20, 2019**

1. Call to Order - The meeting was called to order by chairman James Frost at 7:00 PM.
2. Pledge to Flag - Jim led attendees in the pledge of allegiance to the flag
3. Roll Call - The roll call was performed. Trustees present were Sharon Denson, Belle Baxter, Barbara Susdorf, Steve Watkins, James Frost, Dan Rawlinson, Terry Zimmerly and Sandy McCarthy. A quorum was established.  
Special Guest Attending - County Commissioner Misty Servia and residents; Tricia Kenny, Fergus Kenny, Barbara Greenberg, Allan Riga, Jonna Koellhoffer, Holly Clouse, Deborah Korell, Sarah Cartwright, Jon Cartwright, Kevin Cartwright and Thomas Williams.
4. Approval of Minutes - Jim made a motion to approve the July 3rd, 16th and 26th minutes. Steve stated that the minutes requires individual approval. July 3rd minutes; Belle stated on page 3 time was not noted when session resumed. Discussion about the Banner, Dan stated Neighborhood Watch does NOT want to distribute Banner and has contracted out Banner delivery. Sharon then stated that she has a problem with her agenda motion that did not get put on the published agenda concerning Sharon being accused of running up a \$3,000 (lawyer) bill. Sharon's explanation during the meeting was not reflected in the July 3rd minutes. A decision was made by Jim to table the 3 July minutes and revise for approval at the next Board meeting. July 16 minutes; Jim then made a motion to approve the minutes, Steve seconded. Belle stated on the 1st page, second paragraph, 3rd line down that Sandy will not be the secretary that Steve will hold the position. Then on page 15, 1st paragraph, maintenance; Jim had talked to Randy about renting the lift. No explanation or type of lift was given about renting the lift and what the use was. Jim stated the purpose of renting the lift was to fix the lights in the marina that are out, and to pay Randy overtime for the weekend work. The lift would be dropped off Friday and returned Monday to save the District money. Sharon stated that if the issue was not discussed clearly in the meeting, we cannot put something in the minutes that did not happen. **MOTION FAILED.**  
Jim recommended to table the July 16 minutes for revision. July 26; Jim then made a motion to accept the minutes, Sharon seconded, **MOTION PASSED** none opposed.
5. Treasurer Report - Terry pointed out on the profit and loss and balance sheet that wages are over \$20,000 to date, Banner ads are down \$6,000, the security system is over budget by \$11,000, the web site is over budget by \$3,100. She further stated that the District will be losing one-fourth of the boat slip rental in the marina for one-quarter of the year as it will be shut down due to marina project at a projected loss of \$28,000, the rec hall will be shut down for one-quarter of the year at a projected cost of \$5,000. There is currently \$1.5 million in checking and savings minus the operating budget for the next 5 months at \$264,000. Currently, the marina project is costing \$800,000, Jim stated \$805,000 and change and the rec hall refurbishment cost \$250,000. That leaves \$53,000 cash in the bank until more money will be arriving in November (FY 2019/2020) as assessment taxes are collected. Sharon stated some resolutions may need to be passed prior to going over budget for either the marina or the rec hall project. Terry stated that the lifeguards are costing \$50 to \$60 an hour and that no one is at the pool between 3 and 4pm. Terry made a motion to temporarily amend the pool policy to

allow the office manager to better control the lifeguards hours to reduce costs to the District until the current policy is modified at the next committee meeting and Sharon seconded the motion. Upon further discussion, Sandy asked if Terry knew how much money would be saved by cutting back the hours. Terry said the savings would be around \$2,500 during the weekdays, not including the weekends. Jim said we might want to consider no guards on duty for the morning lap swimmers. Sharon said that would be an insurance issue and that if there is no lifeguards on duty in the morning why have lifeguards at all? Jodie stated when the new policy went into effect that it is not mandatory with the insurance company, however it was recommended to minimize risk. Jim asked that the motion again be stated; Terry motioned that temporarily the pool hours be regulated by the office, further stating this applies only to weekdays. Steve asked about the amount over budget on employee pay. Terry said over \$20,000. Steve asked about the 2 full time employees in the office and said that the previous office assistant was a part time employee. Steve further stated that to his knowledge no motion was ever approved by the Board for having 2 full time employees and that this would add to the District being over budget. Upon further discussion Jim said this issue should be discussed at a later date. Then Jim asked for the vote, **MOTION PASSED** none opposed.

6. Trustee Committee Reports - Belle for the Recreation Committee; for the 4th of July Picnic, collected was \$278.50 for food and volunteers directed traffic. There were several events including a swim meet. The plan next year is to have the event in back of the rec hall. Belle said it was advertised that the District was offering free swim lessons. No one responded to the ad. The back to school swim party will be given to HOA. The Dolphins swim team had their banquet and awards ceremony on the 2nd. The Bradenton Marauders are celebrating (Fan Appreciation Night), Saturday August 24th. A \$10 ticket will buy a seat behind home plate with fireworks at the conclusion of the event. Go online to purchase your tickets. After the rec hall is finished, an entertainer from Boardwalk Baby is a Zumba teacher and will be contacted to offer Zumba classes. Future plans include an adult pool party in September and a family movie night in October. Sandy will be organizing an adult coloring event. Sharon stated that the food that was donated to the HOA were property of the District and there needs to be a motion to cover that donation and recommended that Belle make the motion. Sharon further stated that NO committee can distribute anything purchased by the District to/for another organizations event. Belle then made a motion that we donate all of the hot dogs, chips, soda, salsa, ect., ect. to the HOA who is sponsoring and end of school bash for the kids, Jim and Terry seconded, **MOTION PASSED** none opposed.

**Sharon for Policies and Procedures**; There will be a meeting next week to finish the Public Records policy. She then passed a copy of a letter to Chairman Jim Frost that she read for the record. "Mr. Chairman, a lawfully noticed policy and procedure meeting was to be held in the recreation center on August 14, 2019 at 7pm. The meeting was an official committee meeting chaired by me Sharon Denson a Trustee of the Board of the Bayshore Gardens Park and Recreation District, a special purpose government. I arrived at the hall shortly before 7 of the 14th of August, resident Riga and his wife arrived shortly after I did. Riga and his wife proceeded to take a seat at the table with the

committee. I informed Mr. and Mrs. Riga that the table setting was for the committee and that the residents were provided seats for adjacent to the committee seating. "I have to tell them each and every meeting." Mr. Riga informed me that I would NOT BE CHAIRING THE MEETING if I was an "ex facto" member of the committee and since I am NO LONGER Chairman of the Board that I would not be chairing the meeting. It appeared to me that he intended to overthrow the sitting Trustee and chair the meeting himself. Being aware of his bullying history and violent temper. I was fearful for my safety. Mr. Riga is a known bully and has "served prison time" for beating his elderly neighbor and putting him in the hospital. Steve Watkins, another Trustee, entered the room and heard the discussion and told Mr. Riga to move and that he, Mr. Watkins was sick of Riga's threat. Mr. Riga then moved but proceeded to place his tape recorder on the desk right by me. I also feel that this is another form of Mr. Riga's bullying and intimidation. I was so upset by the incident that I had a difficult time conducting the meeting. Mr. and Mrs. Riga continued their disruptive bullying behavior during the course of the meeting. An example; verbally attacking me over and over and over about a survey distributed, compiled by the recreation committee, even though Mr. and Mrs. Riga knew that I was not a part of that project. Calling out that I was VIOLATING THE SUNSHINE LAWS. If that this behavior was anything other than bullying, there are remedies that they should seek those remedies; not disrupt in a meeting. After the meeting, Trustee Watkins was concerned enough to wait for Gwen Norris and I to leave as Mr. Riga stayed in the parking lot after the meeting. I also felt this to be an intimidation move on his part. I have filed an official police report in this matter. It appears to me that Mr. Riga has no respect for this body or the rule of law. Should this behavior continue, the sheriff's office has offered additional options that are available to me to resolve this problem. And, I've signed it. Chairman Frost apologized and said that he was not aware of it until this time and we'll address those issues as we need too.

Sharon stated that Belle needs to speak up and let everybody know reference the recent survey that that was their deal and that I had nothing to do with it. Said she was not part of the committee or the survey. She further said that she did assist stuffing the Banners, I picked them up and mailed them at NO EXPENSE TO THE DISTRICT. She said that people kept throwing-in-her-face, over and over and Belle kinda set silently and did not address it. Belle said that she was sorry and that she "did not feel that you were um, that it was as active as you were describing, sorry that you felt uncomfortable... the survey was something that we had discussed in the recreation committee and that your sister took care of it, and um I have to say Sharon that while you were not on the committee that I'm sure that you had a look at it....." Sharon then stated that she did not see them and never saw them. Jim then stated that we are not going to resolve this tonight. Sharon then said that she was "tired of having that thrown-in-my- face when I didn't do it, I didn't discuss it and I had nothing to do with it." Jim then said so noted, it's on the record. Sandy then asked who is on the Policy and Procedure committee. Sharon said it was herself, Gwen and Lee Korneluk. She stated that Lee has not been to her committee in a long time and that she has asked numerous people to sit on the committee. She further stated that as long as she has a quorum, to have two people

present as required and she has that. Jodie then said that she has the taped minutes in full at that meeting in the office so if anyone would like to "make their own assessment of what transpired at that meeting". Sharon then stated that the recording is not an official anything and unless we make the recording it not an official anything. Jodie then stated, "But it is a accurate recording". Sharon said, "We don't know that".

**Terry for the Marina Committee** - The total cost for the boat ramp was \$296,869.20. Her committee had 15 people in attendance. Jim reviewed all of the marina plans. Someone asked if the District could dredge 6 ft instead of 5 ft due to his boat having a deeper draft. The answer was no. The survey is going to cover passed the boat ramp to the first poles. Estimates was \$30 to \$35 per cubic yard. Jim was able to lower the cost to \$25 per cubic yard with a total amount of under 11,800 cubic yards. He tasked a 3rd party to survey that is not connected to the dredger. Jim was provided a complete digital scan of the entire boat basin and canal bottom making the estimated amount of material to be removed more accurate. A 25 ft wide cut to 5 ft below mean low water level will be dredged from the marina basin out to the first set of channel markers. Dredging begins October 1st. Terry said the new lighting on the center pier will be solar, dawn to dusk. For the boats in the marina, the decision was made to remove ALL of the boats as this would be a cost savings and would only take 45 days to complete the project. There was NO AGREEMENT made with Trailer Estates to pay for any of the dredging. Floating dock space was considered to moor those vessels that required relocation space. The idea was not considered due to the rental cost of the floating docks. The docks decking will be a composite material and will include black caps for the poles and stainless-steel hardware. One option, to be funded by the boat owner, will be the installation of a boat lift. Jim referenced that the design of the marina will accommodate a boat lift for every slip. He has negotiated with Duncan Marine to install one 10,000 lb boat lift as a sample. The finger piers are 4 ft wide. The number of boat slips have also been increased from the original 89 slips to between 105 and 110.

**House and Grounds by Chairman Frost** -The invasive trees are being removed. A permit was pulled to trim the mangroves back from the water side and Suncoast will be trimming. They will also trim out the mangroves from around the fishing pier dock for the new dock install in September. The dock is scheduled for completion before the marina project. As far as the dredged material remaining in the ball field, there will be a cost to truck the material to the county landfill. Our county commissioner Misty Servia was able to waive the dump cost at the landfill, a savings of almost \$1 million to the District. Jim thanked her for her efforts. Sharon stated that a motion had to be amended. Jim made a motion to increase the original estimate for the marina project from \$760K to \$805K due to the survey cost had not been completed, Steve seconded, **MOTION PASSED** none opposed. Rec hall tear out is progressing and the contractor is saving money. The cost of the tear out was less than expected, saving \$2,500. With the cost savings, Jim made a motion to add another window in the alcove area, Sharon seconded, **MOTION PASSED** none opposed. Sharon made a motion to approve the materials color scheme to be used for the rec hall refurbishment, Belle seconded. After discussion with the residents the color issue was decided to be tabled and discussed at the 27 August House and Grounds meeting at 7pm. Sharon withdrew her motion and

- Belle withdrew her second. The ceiling and walls will be foam sprayed to insulate.
7. District Manager Report - The back to school bash for the kids was progressing successfully until the rain began around 1:30pm. Jodie said that the kids enjoyed the games and the DJ, and that the food was donated by the recreation committee. The DJ had to let go 2 hours early and is available for other clubs functions if there is a need. Certified letters were sent to all slip holders advising them to vacate the marina by September 30th. She said that approximately 10 of the letters have not been picked up. The office will notify them before the 30 September date. The office is in the process of sending out 1,400 + post cards to residents that the Manatee County Code Enforcement has authorized parking of boats on Bayshore Gardens properties during the marina construction period. Code Enforcement is advising residents to talk to their neighbors and NOT to report them to Code Enforcement. As a reminder, don't park the boats on the sidewalks or close to the road. Chairman Frost stated he worked out an agreement with Code Enforcement to allow the temporary boat storage. Jodie said that the District insurance company FMIT offers several free services available to all Board members under title "Your Partner for Local Solutions". They offer online and off-site training. She stated that there was an issue with the agenda motions. The problem is stated on the first page of the policy number 1002F that the agenda is submitted at least 8 days prior to the meeting date. Sharon said that the policy is going back to committee to be revised. Jodie further that there was no intent by the office to dismiss anyone's motions. The motions came into the office at 11:54 pm that night. Jodie asked Sharon to consider if the forms need to be brought into the office by the board member physically or by email, as there is a signature and acceptance date on the forms. The issues will be discussed at committee.
  8. Agenda Motions;
  9. Removal of James Frost as Chairman - Steve stated this probably was not going to happen because no one wants the Chairman's job. Steve said that he wanted to bring up a couple of things that was discussed out the Sunshine. Jim called Steve removing him as Banner Chair. Steve told him that he could not talk to him about that as the conversation would be outside the Sunshine and that this should be discussed in a Board meeting. Jim said that he did call Steve and that he was the Banner chair and that he has a right to appoint and remove people from the Banner committee. When Jim knew that after the meeting we had the Banner was going digital, a newsletter format and we no longer needed a Banner chair, so Jim called Steve to tell him that he is no longer Banner chair so he can relax by not having meetings and go do other things. Steve said that we need to hang up because this is a Sunshine Violation. Steve then stated that there was a document signed by you (Jim), Dan Rawlinson, James Couey and Terry Zimmerly about a special meeting to be held. Steve pointed out the signers knew about it being signed and that no one else on the Board knew about it. Steve stated that the whole purpose of this being mentioned is that we need to follow the Sunshine Laws. We can't be discussing matters outside of a Board meeting that may come to the Board to have a Board decision made to be voted on. Steve stated that some people have been on the Board for a while and you know better. Jim didn't think it was a vote able issue since the position is appointed so he made the phone call. Sharon stated that

there are duties for the Banner that would have nothing to do if it was DIGITAL or something else, so it's a "gray" area. She said who's going to be responsible for editing whether it is on the web site or wherever it is? That was the Banner chairman's job. Jim said that he awarded Steve at the next meeting for his efforts that he did as Banner chair a plaque paid for being Banner Chairman. After the phone call, the Chairman received direction from Attorney James Dye to send an email to all Board members with the direction "Do not reply" advising all of the Board members that Steve was no longer Banner Chair. **NO MOTION** made.

10. Remove Jodie Lawman as District Manager - (1hr:05min) Steve said that Jodie accused me, verbally stating to me that I "was a thief" at the June 29 Board meeting which was overheard by other Trustees and captured on digital recording. This verbal attack constitutes gross insubordination and conduct unbecoming for someone in her position. Also, there was no basis in fact for her verbal attack. She is also making decisions in the District office and heard Dan Rawlinson over a phone conversation with Jodie that "HE would approve ANYTHING that you (Jodie) wanted to do." Steve asked our lawyer Mr. Dye if you can do that and he said NO. Steve then stated that not one of us Trustees have any more POWER than any other one and that we are all equal. But when you have a "rogue" Trustee that is acting outside the Board, and he is approving things that the office manager wants to do, Mr. Rawlinson can't do that and Steve thinks this is still happening. Dan then asked "You know what that was in reference to, that was her (Jodie) contacting the attorney on Jodie's behalf. Then Dan said, "I know the rules". Then Steve made a motion to remove Jodie Lawman as office manager effective immediately, Jim then asked for a second. No one seconded the motion, **MOTION FAILED.**
11. Removal of Dan Rawlinson as 2nd Vice Chair- Steve stated failure to follow up on theft of District property. Having viewed a video of Terry Zimmerly discarding 2 wall plaques located in the Board room into a trash can and walking out of the building with the larger plaque. Steve stated he understood that she DID NOT like the person who's name was on the plaque. There was a request for Terry to return the plaque and you did not. The 1st Vice chair failed to bring this issue to the Board of Trustees for disposition. Again, Steve brought up the issue about Dan signing off on the managers wants. And again, operating outside the Board of Trustees as this is a Sunshine Violation. Then Steve made a motion to "Resend the motion making Dan Rawlinson 1st Vice Chair." Jim then asked for a second; Barbara seconded. Discussion; Barbara stated that we can't have people bickering between each other. It's like PERSONAL vendettas and does NOTHING good for the Board. Barbara then said we just need to discuss so we can make this all go away. Sharon agreed with Barbara. Said it's not up to anyone Trustee to defeat another Trustee. This goes to a personal vendetta between these 2 people. Sharon then brought forward that Mr. Rawlinson has made it known throughout the community, that he (Mr. Rawlinson) is going to personally DESTROY PUBLICLY Steve Watkins. She then looked at Chairman Frost and said, "and I know you know that". Dan said, "when did I say that?" Sharon said it doesn't matter when you said it but it's been said and that's what I observed what is going on and that needs to stop on everybody's part. Dan did not deny that he made the statement about Steve. She said she has heard this statement

from several people in the community. Sharon said that this needs to stop on everyone's part, has no place on this Board, is not our job. She told Rawlinson to keep your personal vendettas to yourself and keep it off of "Next-door Bayshore". She said this does nothing for this community and does a horrible disservice to this District. She said do I agree with removing a Trustee from his job, no. We're all human, we all make mistakes, we are all doing the best we can, we are ALL VOLUNTEERS. Said we are going to make mistakes, including you Dan. Dan said, "I'm not perfect either and I know that for sure". Sharon further stated that we need to go forward with some understanding and RESPECT and if we don't..."; then Chairman Frost said we will be dealing with this every week. Then Dan said, "in my defense, I never saw the video, but I understand that you Sharon and Steve watched it and you were Chairman then." Rawlinson then denied several times that he did not see the video. Steve said "yes you did. I showed it to you." Jodie stated that the video is in the office. And when this issue came up, Sharon and Steve viewed the video in the office. Sharon then stated, "I did not act on it upon advice of Council, and Terry knows that." Jim then said that we are going to follow Roberts Rules of Order because a lot of people want to speak. He said that everybody gets a chance to speak twice during a discussion time. Sharon stated that YOU CANNOT OVERRIDE BOARD POLICY with Roberts Rules. Then Holly in the audience said yes you can. Sharon stated that Roberts Rules does not override the Bylaws or Board policy. The only time Roberts Rules take over is if the topic is NOT covered in our Bylaws and it is. The audience gets 3 minutes per person per on only ONE topic. Terry then speaks, "we were cleaning this room out. That was the whole point in moving the books; it does look a lot better. I asked Joyce Fisher since she was the manager here and has been in Bayshore 50 years and knew everybody, I said is there anybody that is alive are any of these people or relatives? She took a plaque that she thought might be good. And so, the other 3 were thrown out. I did not know who any of them were, they are all DEAD! So it wasn't that I threw a plaque away. They were grungy and needed to be thrown out. Steve said that should have been a Board Decision. Terry stated that this was a year ago... Mr. Frost then said, "this is done". He asked Terry, this was not recent. He then yelled "We are done!" He said that this is ridiculous and that "this should not have come...this is ridiculous." Terry could be heard in the background "this was never brought up to me". Then Jim said he is calling for the vote; anybody in favor of Dan Leaving as 1st Vice Chair Say I? Steve said "I". There were no other votes in the affirmative. Motion failed. Then Frost said "that was a year ago and we should not have even brought that up. Barbara says "Jim, I think one thing we need to think about, your excellent in what you do, but I think we need to talk to Board members themselves about educate, because some people are not sure about how they should carry themselves. More than 1 or 2 or 3 people are probably not being professional. So, I think when we are upset, we need to remain calm. We need to all work together and let bygones be bygones.

12. Appointment of new Board member; Jim decided at this time to seat a new person on the Board. Sharon warned against not seating a new person on the Board before all of the issues to be voted on and the background on the issues were discussed. Jim then made a motion to move the agenda item number 18 up to now to fill the empty Board

seat so there isn't a tie vote. Belle seconded, an "all in favor" was not asked for. Thom Williams was then asked to address the Board. Belle then made the motion to accept Thom Williams as the new Board member. Sharon seconded; **MOTION PASSED**. Mr. Williams was then seated on the Board and Chairman Frost welcomed him to the group.

13. Replace Jim Dye as the District attorney; Rawlinson made motion to remove James Dye as attorney, Jim seconded. Discussion; Dan then brought up his issue that attorney James Dye has only been in one special district and that is Bayshore. Said he found 3 other attorney's that are special districts then made a motion to remove Mr. Dye as our attorney, Jim seconded, and a discussion began. Sharon stated that we did not have a fact-finding committee, we had a decision committee and that is a violation of the Sunshine Law. The argument was made that we violated the Sunshine Law, so we get rid of the attorney and we've already violated the Sunshine Law? Rawlinson said, "How does that violate the Sunshine Law?" Then Jodie interrupted. Sharon then stated that the whole process should be in the "Sunshine". She reminded that this issue was discussed at the last meeting that the Board needs to review the current attorney. Is there something that he is not doing that we need to address. Sharon reminded Dan that he could not bring forward a list of attorneys' outside the Sunshine that we should be interviewing attorney's and that the attorney's work for the Board and don't work for Personnel and Salaries. Sharon further stated that this whole process is in violation of the Sunshine Law because YOU ranked them, vetted them and brought them forward. This was done without Board intervention, thus violating the Sunshine Law. Dan stated that was his opinions. During further discussion the issue was brought forward that on one of the attorney documents was handwritten "conflict of interest with a Board member prior representation in a court case". Dan said he had heard that Sharon owed money to an attorney reference to a prior litigation she was evolved in Trailer Estates. She told Dan she owed no money to anyone there and that he did not know what he was talking about. He said that is what he had heard. Then Dan stated sarcastically to Sharon "Well you're the wise person you do what you need to do". Steve reminded Dan that he needs to be respectful. Sharon recommended forwarding the issue to a workshop and discussing what it is about our current attorney that we want to get rid of him. Jodie stated that when she was asked to look for special district attorney's, that when she called that law firm that they want to know if there are any other matters and they determine if it is a conflict of interest. She said "They" are the ones that "they said" had prior representation of a Board member that they would be in conflict of interest. Steve then asked who is "they" and who specifically did you talk too? Jodie then said, "Whoever answered the phone Steve." After further discussion it was determined that the receptionist was the "they" person that gave that legal opinion and not one of the attorneys. Jim then stated that when he retrieved the documents from his box and saw this coming up on the agenda that he took it upon himself to do research and I called all of them to see who they were and he wrote some suggestions on paper. Barbara said shouldn't we interview the attorney's then we could make a better decision and come to some sort of a consensus. Sharon stated that is how other Boards do it. Dan withdrew his motion and Jim withdrew his second. Sharon made a motion to discuss at the next workshop the pro's and cons of the attorney we have and what we think we need as an



attorney and what process we would like to use for selection process. After further discussion Barbara seconded. Mr. Frost said one of the problems with our current attorney was that when he needs his opinion on something connected with the ongoing rec hall construction that Mr. Dye would not return his calls. Jim asked for the vote; all were in favor, **MOTION PASSED.** (voted on going to the workshop???)

14. Hiring an Attorney and a Lobbyist; Sharon said this has been out on Next-door Bayshore and they are all big authorities on what's going on. What it is, there has been one meeting which you all have been notified. There were not anymore meetings. Nobody had any more meetings. This is not joining another District in a lawsuit; that is not what this is. We each have our own charters. The language in the charters is the same in all the charters. We all lack enforcement authority for our District (then someone in the audience started laughing out loud). That's a Second District Court of Appeals decision and it will stand. It's not been appealed, so that's what's going to be used for any further litigation (much conversation in the audience continued during Trustee Denson's explanation). What the other Districts would like to do, whether we do it or not isn't going to change anything. We pay the attorney to draft the legislation for us and the lobbyist to walk it through and sign for us. Jim asked what is this going to do for us? Sharon said it would give us the authority to enforce our rules so we can stop them. Right now, Tri-Par is looking at about \$600K because of what they did. We have done the same thing here. When we got these anonymous emails listing court cases and demanded... Mr. Frost then interrupted asking "So we are going to spend \$SK for an attorney, \$20K for lobbying right to make things go through, to change our charter, so we can enforce some rules; what rules are we needing to enforce for \$30K?" Sharon said any rules that we make; let's say somebody being disruptive at the pool or they won't leave. Jim said I can call the police. Then Sharon said they can't make them leave either. Jim said yes, they can; we do it here all the time. Sharon then stated our attorneys recommended it; the other District attorneys have recommended it because we're vulnerable. They've never been sued and their 10 years older than we are, and we have violated people. Then Jim said "So, only the rules that we don't have under contract, we would use this to enforce those rules. Because we wouldn't that to cover our contracts because our contracts trump special district rules. So, if everything was put under contract, per say, we wouldn't need to do this". Then Sharon said, "There is no way you are going to get everything under contract; that's not going to happen." Then Jim said, "The minor 10 or 15 rules you want to cover, you want to spend that kind of money on?" Sharon said, "what do you spend if you violate somebody and they sue you?" Sharon stated "I'm just bring forward what the attorney advised... (someone in the audience again interrupted Sharon stating "but we don't like the attorney") Then Steve said "we have to have order".... Sharon then made attempt to finish her explanation... "because if these other Districts go forward, that won't cover us." People in the audience could be heard talking among themselves while Sharon was trying to complete her explanation. Sharon said "Some of them think that oh if they do, that will fix all our... (could not hear the rest of her statement due to other people talking). Jim said "I've got to do some homework and figure out if it's worth spending now here's the thing; the tax-paying dollars of our district I'm saying, and you've drove this into my

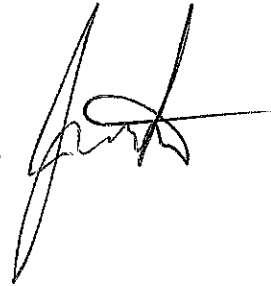
head when I first got on this Board okay, that the money that they are paying is to cover the 14 acres of this property, and anything to do with this property as a whole. For me to give it to a lobbyist thing, I don't think is a good use of our tax-paying dollars, per say. I do want to hear the whole thing so I can make an educated decision and I hope the Board can make an educated decision because we need to hear the whole story and I'm only at this point making my comment based on only pool rules need to be covered and I need more that pool rules..." Steve said "It's fobs being taken away". Then Sharon stated "we have stopped people from going out in the marina" that we've stopped their forward progress. "We turn off somebody's fob, were going .... (unable to understand). "There's all kinds of things that we can do. We weren't letting people just walk out into the marina, we were stopping them. Suzanna said she and her husband sat at the gate and stopped people and took their cards away from them. So, there are things that we are still vulnerable for ..." Then Jodie interrupted and said, "that is in the past". (Several people started talking at the same time) Then Sandy said to clarify "Were not doing those things anymore but we are still vulnerable". (Then again, several people started talking over top of Sharon) Barbara said, "Were just trying to listen to what she has to say". Jim said, "I'm just trying to listen and gather facts at this point real quick....". Sharon further stated" Were going to be vulnerable down the road; were vulnerable in the future, we're not always going to be setting here at this table and we're very poor stewards of our residents money if we keep (unable to understand) ourselves get in this predicament... like I said their looking at \$600 over there." Then Jim said, "Every special taxing district is different based on their charter and their set of circumstances that they have to work under." He asked Sharon "You agree with that right?" Sharon said "No. These charters we are talking about are the same. They all have the verbatim language.... (many discussions were going on at the same time) Then Jim said that we need to send this back to some committee or workshop to discuss all of this. He said that this is a lot of money to spend on a lobbyist to enforce pool rules and if we are stopping people at gates for no reason, we can hold people accountable for not doing that too. I mean we can hold our own staff accountable for that, our own Board members accountable for that. Jim further stated "If we stop that, and the Board can't shut off key fobs and we can put policies and procedures in place and that what those are for, then I still have not seen why we need to spend money on a lobbyist if we can control in- house. It might be another way besides just going through the lobby firm. If you get a good special taxing district attorney they can write it and send it up there and get it approved for probably half or less than half, because you don't need a lobbyist all the time just to petition your legislator to make something happen as well, I just know that from school training." Sharon said, "That's is the other part of this that there are some other attorneys in town who we not even talked to who we have not addressed who have a real in to do just that." Jim said, "Things we can look into that might save us some money and these are other options." So, then Sharon made a motion to table this issue until our workshop, Jim seconded **MOTION PASSED**, none opposed. Steve stated that the lobbyists we would be hiring would be representing all of the special districts. (Sharon attempted to speak but was spoke over top of) Then Jodie spoke "There was an issue that some board members narrowed the attorneys down to three, well per this

motion, hire lobbyist David Romba. The Board didn't discuss alternative lobbyists (could not hear what was said due to loud clapping) then Jodie yelled "Excuse me I'm speaking!" The Chairman then took control of the discussion then Jodie continued "So if you do some research on Mr. Romba, he was investigated by the Florida Attorney General's Office in 2011. So, you might want to look into also the Board, the Board's got to be attorneys and putting them out there... I don't think one Board member should be picking a lobbyist. Sharon said "The Board member did not pick the lobbyist. This is the one the other people are going to hire. We can join them if we choose to, but we don't have to." Jim then said that he understands that the legislature is going to meet soon. Sharon thinks that it is after the first of the year. She further stated that each legislator can only put 10 items on the calendar. Then Jim let Ms. Kenny from the audience speak. She said very loud almost yelling "Other than key fob issues, what severe issues do you have that you need to make these charter rules? Not just oh somebody's in the pool, oh somebody's here; severe issues is there somebody going to be (unable to understand) to the building, is there somebody going to be cutting down a tree, I mean severe issues we need to hire a charter for." Then Sharon asked if she understood what Tri Par got sued for the \$600K? Then she yelled very loud "WE'RE NOT TRI PAR!" Barbara said " ..and your yelling". Steve said, "You need to keep your voice down please or you are going to be asked to leave!" Then Barbara said, "you need to be respectful". Then Ms. Kenny gave Steve the "finger". He immediately said "And I don't appreciate the finger either mam. That's not appropriate! Trustee Barbara also saw what Ms. Kenny did. Then Barbara said, "They're not right when they do that." Then M s. Kenny continued in a lower tone of voice "What severe issues are we talking about, that's what we need to know. I mean yes, we don't want the (unable to understand) in our marina or anywhere on our grounds. But we need to approach it as severe issues." Then Debbie Korell said "Previous Boards have discussed modifying the charter including whether or not the \$25K amount needs to be changed, and to clean up the inconsistency in the language regarding whether or not who can vote and when they can vote and all that. However, once we take our charter and; put it in the hands of the state legislature, they can do anything they want including giving our property to any developer that wants to turn this into (unable to understand). Then Sharon, Steve and Jim said that is not true. Then Debbie continued "Our charter was created by the legislature; therefore, our charter could be removed by the legislature. What the legislature creates, the legislature can modify. And Just because we go out and submit something, and pay a lobbyist for anything else, doesn't mean we are going to get what we want. So, I think we should all think really carefully before we present our charter to the state legislature so they could decide the well, we don't need to be our own little district because they do have that power." Then Jim said we are going to take this to the workshop, and we are going to discuss. Suzanna said we have been lingering under the \$25K ceiling. Jim said again that this will be brought to the workshop and discussed.

15. Camera Estimates, Rec Hall and Marina Updates; Several of the security cameras are not functioning. Said we have 2 bids; one from Tempest and the other from Big Fish. Jim made a motion that we hire Tempest to make the repairs, Steve seconded, **MOTION PASSED**. Only contractor bid on the work. Jim said the cost was under \$18K. He further

stated we had bids as high as \$36K. Sharon made the motion to go with only contractor who bid the work, Jim seconded **MOTION PASSED**. Jim stated there is an issue with the white fence between the 2 gates at the marina. Said some of the parts broke off and that the fence has to come down anyway for the marina dredge. Jim then made a motion to spend \$9K to replace the fence. Sharon stated that this would already be part of the marina money that we already have in reserves. Sharon seconded; **MOTION PASSED**. The chain link fence at the breezeway and the pool needs to be replaced. The fence will be a brown color to match the new floor coating. Jim made a motion to approve no more than \$4K to replace the chain link fence, Sharon seconded **MOTION PASSED**. Jim said there is an RFP out for bid to repair the outside screen room as part of the hall project. \$30K was previously budgeted for the project. Sharon made a motion for the \$30K to replace the screen room, Steve seconded, **MOTION PASSED**. Sharon asked when the bids would be in and that the Board should review the bids before accepting.

Jim made a motion to adjourn at 9:11pm, Steve seconded.

A handwritten signature in black ink, appearing to be 'Jim', located on the right side of the page.