

Policy and Procedure Committee Meeting Minutes  
May 8, 2019

The Committee Meeting was called to order at 7:00 PM by Sharon Denson. Those Trustees and Committee Members in attendance included Sharon Denson, Sandy McCarthy, Terry Zimmerly, Steve Watkins, Belle Baxter, Barbara Susdorf, Dan Rawlinson, and Gwen Norris (scribe). Guests included Don Gassie, Suzanna Young, Allan Riga and Barbara Greenberg.

Item 1. Swimming Lessons (Policy 1010 SLP, job description (1010SIJD), and instructor pay rates add to 1010PS). – Sharon said the most urgent thing we need to set is a swimming instructor policy and job description and shared a draft of each. Sharon described the process of review and revision on a policy (Committee, Work Session, and then Committee again) before approval at a BOT Meeting. She said that this (draft) is the starting point and she tried to take the things discussed the other night and incorporate it in the document for a draft. She said that she got to thinking, a guest cannot take precedence over a resident. She said that it was the consensus. Sharon said we start out with a policy then we develop whatever we need to go with it. Barbara Susdorf arrived.

Policy 110SLP - Belle suggested using the Red Cross title of 'Water Safety Instructor'. Discussion: There are different titles from different organizations. Sharon stated she does not want to restrict us to Red Cross certifications. Sharon said as long as they are certified by a major organization like YMCA or Red Cross.

Belle stated that a typo is found in the second paragraph and should be 'provide'. Sharon will correct this. Sandy asked if the policy could be read out loud. Terry said they have been reading silently and it would confuse them.

Belle asked about the hourly rate and if we want to determine who sets the pay rate. Sharon said it will be left up to the office and there is a separate form (1010PS) for hourly rates for Pool Attendants, Lifeguards, and Instructors. Sharon asked the arriving guests to set along the edge of the room. Sharon said in the past the students were charged a large amount and the lifeguards pocketed half of the money plus their wages and this policy will not allow this. Gwen asked for any suggestions for the second paragraph. Sharon said they (instructors) have to be certified. Barbara said our attorney suggested this.

Sharon said the instructor will schedule the classes and determine the number of students for the classes, and the number of classes to complete a course. She hopes they decide on the 10AM to noon each day when the pool is closed. She said the instructor's class information will be turned into the office and the residents will go to the office to register and sign a waiver.

Job description 1010 SIJD was reviewed. - Sharon said most of the information came from GT Bray's description. Belle said there is a typo of 'adults' second from the bottom. Belle said the description provides swimming lessons for residents, family, and guests, which seems redundant. Discussion: the language may be from the Statutes.

Belle said in the 'Certification' clause for a Swimming Instructor we could include 'Certification from a recognized organization' since there are many. Sharon said it states that in the Policy but can be added here.

Barbara Susdorf asked if swimming lessons can be given when the pool is open. Yes, but it is the instructor's decision and the instructor cannot be the lifeguard while being an instructor. Belle restated that the pool is not exclusive for the instructor when in class, unless the pool is closed. Sharon said the lifeguard for the open pool cannot be the instructor.

Sandy asked if it is free. Sharon said yes that is what we had consensus on it the other night but have not voted on it, and the swimming instructor will be paid. Sandy reiterated that the swim instructor will have an hourly rate and decide how many students they will have, which will not affect their pay. Sharon said we need to set up the guidelines. Dan Rawlinson arrived at this time.

Pay Scale (1010PS) - Sharon said the average pay is \$16/hour in Manatee County. Sharon said the statewide pay is from \$12 to \$18/hour. Terry asked if we will set the minimum class size. Terry said the ages will be a factor on a maximum class size. Dan said the Red Cross criteria had a number/age per class. Terry suggested we leave it 'open' for now. Sharon said she can ask the lifeguards the questions but she wants the vote (on the 21<sup>st</sup>) and the paperwork be ready by June 1<sup>st</sup>, when the kids are out of school and that the policy can be changed. She said the participation may start out slow. Gwen said participation will depend on advertising. Sharon said we will advertise in the Banner.

Sandy asked if this will be voted on in two weeks and if it has to be advertised for two weeks. Sharon said it will posted with the Agenda 7 days prior to the meeting to be voted on, this is the requirement. Sharon said we are under different rules than others. She said the Sunshine Law does not require posting an agenda, but as a special taxing district we are required to post the Agenda on the web in Act 189. Sharon said the proposed policy (etc.) will be an agenda attachment for the meeting on the 21<sup>st</sup>.

Suzanna said posting on Nextdoor would be another way to advertise, they have over 1,000 subscribers. Sharon said she hopes it gets on the front page of the (June) Banner and kids will be out of school. Belle said the classes can be posted on the Recreation Committee's Facebook page.

Terry asked who is qualified to teach this. Sharon said there are two, Laine and one more interested. Belle said there are two gentlemen from GT Bray who are waiting to hear if we will have classes and her understanding is they will join our lifeguards and be an instructor. She said that will give us three instructors. Belle said she had told them that we can't hire unless we have a job description. Belle said he was comfortable with the lifeguard pay scale. Sharon said we need to pay them less than the supervisor's scale. She suggested paying \$14 - \$15. Steve asked if we are going to do drug tests. Sharon said we have not been doing it in the past for any employee.

Belle asked if Sharon was suggesting that the swimming instructor pay rate be the same as the Step 2 Lifeguard's. Sharon said yes, and we can have more than one bracket. Dan said the person's experience needs to be known. Dan said we used to have four classes a year here and that is how we got our Lifeguards. Dan said he had volunteered as an instructor.

Belle said because they have to be lifeguard certified before they can teach, we should pay at least as much as a Lifeguard Step 2 scale. Sharon suggested \$14 to \$16 and let Jodie set the wage. Gwen said it was a good idea because everyone may look at the current pay scales and say they would get Supervisor's pay. Terry said she thinks you'd want to be paid more to be a swimming instructor (\$18). Dan said the classes will be about 1.5 hours each, with 1/2 hour swimming and one hour of class instruction. Dan said the mothers had to 'go away'. Sharon suggested setting the pay scale at \$15 to \$18. Everyone agreed.



Item 2 Recreation Activities 1035 (1035 RC for Contract, and 1035 RCA for Agreement). Sharon said she took the strikeouts out of the contract since the BOT Meeting.

Don Gassie wanted to comment on the swimming classes and said teaching kids how to swim can save countless lives and it fits in with the Yacht Club's introduction to boating for kids. He said it is recreational and in our mandate to do. He commended the district for the classes.

Belle said she has no questions one the facility usage 1035RC. She said that in the agreement 1035 RCA for a number of participants and request for services rendered will be known later. She said that number won't be known until later, which may change the payment. Sharon said we need to post the number somewhere. Belle said that people need to understand that it will go in file both before and after the presentation. Gwen asked about the change in pay from salary. Sharon said that this is for one time usages. Sharon said sometimes we will have to determine the instructors' 1099 pay by number of participants. Sandy asked if they are a contractor, or are renting the space. Sharon said they are not renting the space, they have to go under an Agreement with the Recreation Committee and the district controls it. She said liability insurance will be required by the instructor. Discussion: The short term of nonrecurring instructing will not be a salary position and will require liability insurance. She will add it to the Agreement form. Belle gave an example of the paint class where the instructor supplied the materials and wanted paid \$30 per person. Sharon said the district would collect the \$30 from each person unless the district decides to subsidize or subsidize if there were less than the minimum number of students. Sharon said the district could subsidize a portion of the \$30 for each student, too. Sharon said we would hire an instructor like an employee for ongoing classes and they would work under our insurance, but if not, they need liability insurance as in an outside vender. She will add the insurance requirements to the form. She said it is not a private party, as in weddings, but a sponsored event by Bayshore Gardens.

Sandy asked what if a resident wants to rent the hall. Sharon said that they rent the hall and it has nothing to do with a sponsored event. Sharon gave an example of hiring a dance instructor for five lessons. She said they would not go on the payroll. Sandy asked if the Recreation Committee will advertise – yes.

Sandy asked about 'priority of space' mentioned the first and second paragraph of 1035 RC and if the Clubs and organizations have first priorities. Sandy read second sentence of the second paragraph 'Activities sponsored by the district receive first consideration and have priority over all other activities.' Sharon said that is correct, it is a district event and gave an example. Sandy read the next sentence 'Clubs and organizations from within will have first priority for the space'. Sharon said the priority is after the district's priority. Sharon said that a club or organization would not be bumped and if a club event was scheduled- the event would not bump them. Gwen cautioned that the way it was written gives any club of organization within Bayshore Gardens priority over the instructed events (even not recognized clubs). She suggested that it state 'District's clubs and organization' so it recognizes only the clubs and organization the district does recognize. Sharon will make that change and add the words 'after district' at the end. Sharon said she will bring these documents forward (at a BOT meeting) so Belle can get started on the recreation events. Sharon will add the liability insurance requirement of an outside vender.

Item #3. Marine Contract (1005C). Sharon said Page 3 has a place for the vessel number now and page one has the Y/N separated so they can be circled one. Sharon said the contract should have the vessel ID in it so a different boat won't show up. Suzanna asked if residents have boat slip precedence over



nonresidents. Yes. Suzanna asked if a tenant/resident has precedence over the nonresident (home owner or not). Yes. Suzanna asked if a jointly owned boat, with only one of the boat owners renting as a resident, has precedence over a nonresident. Yes.

Gwen said that the residents may have smaller boats and since we will have more larger boat slips after the rebuild, wondered if there will be enough small boat slips for residents. Sharon said it did not look like we will eliminate enough small boat slips to matter. There were a lot of empty little ones. Terry said we have had empty small slips for years but a long waiting list larger boat slips. Dan said we are going from 124 to 90 marketable slips. Sharon said the Marina plans are ready and we will have them as soon as we pay the engineer so we can start the process. Sharon said the ramp is going well and the power company will have to move the pole. Sharon confirmed that the marina engineer is doing the design and specifications. Terry said the Boat Ramp engineer visited the job last week for an inspection. Terry said that the water was running at the ramp and she and Jodie turned it off Sunday night but the contractor was cooling the concrete pour. Terry said the contractor should have let the office know to leave the water on. Sharon said the good thing was it was getting dark and the sun was not going to heat it up. Terry said that lots of residents visit the ramp at night.

Item #4. Crime Watch fob (accesses). Sharon said we need to address if Crime Watch or any other group needs a fob and have some guidelines for the clubs and organizations. There was discussion on what had transpired earlier when the Crime Watch fob was turned off. Don said we need to distinguish between a fob and a key. Sharon said she wants to address both key and fob accesses. She said for years Crime Watch has had keys and marina access. She said Steve's (Crime Watch) fob was turned off. She said we need the Board to decide who gets a fob and who does not. We went back to this Item #4 later.

Item #5. Trustee fob (1036 BA accesses). Barbara asked if a Trustee can have a fob if they want one. Yes, and a key to any facilities in the district because they are responsible for the district. Barbara asked about the authority to turn off the fob. Sharon said we have a policy that was not followed (1030PH). Sharon said that they cannot turn them off now (without process) and the new policy (for keys and fobs) is not formed. She said the Trustee is responsible for the district. Dan felt uncomfortable that any Trustee can have access to everything.

Suzanna asked what a Trustee fob opens. Sharon said fobs only work the marina gates and pool gate now 24/7. Suzanna asked if the Office and Records Room would be on the list. Yes, Sharon said if they asked for the keys. Suzanna asked since the Manager is Keeper of the Records, is this a good idea. Gwen said it may muddy the waters if something is missing. Sharon and Suzanna discussed lost/disposal of records. Sharon said the Record Retention Schedule is now in the Office and previous people had purged records without a record. She said we disposed (Gwen and Sharon) of 26.5 boxes, but any Minutes found were kept. Sharon said the Office security has a different code for different people. Barbara felt that all of the Trustees were adults and educated and hope it will not be a problem.

Sharon said she talked with the attorney and he told her what to write for the policy (1036 BA). Sharon said the top part of the policy is information from the Charter. Sharon advised Belle to turn in her fob and get a Trustee fob and she should not be paying for one. She asked Belle to get a refund from the Office for the pool fob she paid for. Belle asked if the Trustee access is a benefit. Sharon said it was a necessity – due to the Trustee's responsibility. Gwen said that Jodie complained about no waivers or anything for the fobs given out this way. Sharon said that Trustees don't need a waiver by virtue of their position by Statute 189, 418, and the Charter on their responsibility requirements.



Sharon said she wrote a policy draft as suggested by the attorney. Dan did not think anyone needed access to the maintenance shed. Sharon said it is up to the individual Trustee and part of the responsibilities of the district, too.

Item #4. Crime Watch fob (expanded to all clubs and other organization access). Sharon said some clubs like the Yacht Club need access to set up the events, but not everyone should get a fob (access) but think some should have a fob or keys. Terry said the Commodore and Fleet Captain have keys, which is all. Suzanna said one key had been given per club president and two for some clubs. Sharon said HOA needs two keys, one for the guys that set up the events and one for the President. Terry said the Commodore needs a key for the storage room and microphone and has had to check them out. Sharon said that there is a problem with a lot of keys out and we don't know where they are and we may need to rekey the facility sometime. She said we track them now.

Sharon suggested that two keys per Club be issued and a record of the persons' names holding the keys. Terry said the keys should be turned in each year and signed out again. Sharon said we have time to deal with this policy and it will not come 'forward' (this month). Don Gassie said the HOA needs more than two keys for Dan, Joyce and others. Sharon said the clubs will have to handle the keys internally as the district can't issue all those keys. Sharon said we will rough a policy out.

Steve said that boat owners appreciate Crime Watch checking the marina. Sharon said that for key (or fob) district distribution we need guidelines what they can and cannot do. Sharon said that Crime Watch is a nationally recognized group that have their own set of rules, but we can make rules, too, for how they act as in a Board Policy. Belle said she is not sure what the national rules are. Sharon said it is 'If you see something, say something', call the police. Sharon said you cannot stop someone without being accused of 'arrest'. She continued that there are a lot of things that Crime Watch cannot do, but driving through the marina and if they see something they can call 911 as is a deterrent. Don Gassie said some made Crime Watch policies out as a 'stop and search' group, but not now as they obey the rules. He said now they call the deputies. Sharon said Jodie should not be called when she is not on the clock, but the Dock Master can be called as he is 'on call'. Belle said the rule 'If you see something, say something' is important for the safety for the people on Crime Watch. Don Gassie gave an example and said 'you can get shot'. Steve said he has a two pages of rules from the Sherriff he follows religiously. He said you don't interfere with anybody and agreed that 'you can get shot'. Dan said you may greet them if you know the person. Sharon said (as brought up by Barbara in another meeting) we were discussing closing the park (at night) but did not get consensus. Barbara said she has done a lot of research on this. Sharon said that just placing signs does not work, the Board has to make the rules and then they can be enforced.

Sharon asked how we felt about Crime Watch having the fobs. Barbara asked why you would not want Crime Watch do their surveillance. Terry said Crime Watch is a neighborhood Watch thing, not for the park. Barbara said the park is in the neighborhood and Crime Watch should look after it for us. Sharon said anyone anytime driving through is a deterrent. Don Gassie said we have two neighbors of the park here and said the park is in neighborhood. Barbara said she is ok with the Crime Watch fobs for their (neighbors) safety. Steve said there are five Crime Watch members that drive and patrol. Sandy asked if they all have access for everything. Dan said he did not think Crime Watch needs access for the pool area. Belle said in order to get to the pool gate they would need access to the breezeway gate. Steve disagreed with Dan and gave two examples where he went into the pool area to look through the screen undetected to see what was going on to decide on calling the police. Sandy said it could have been a raccoon and you would not call the police. Belle asked if the access to the pool would be 24/7. Sharon



said if 24/7 access is approved. Dan said not all Crime Watch has a front door key. Don said that one night years ago he noted water running out of the pool bathroom and had to call the Dock Master for his keys. Belle said it is acceptable for Crime Watch to have a fob or two and asked if every member of Crime Watch would need a fob. Steve said not all (Crime Watch) need a fob, as some are only patrolling and locking the beach gate. Belle added 24/7 for the marina. Sharon said she is in favor of Crime Watch having access to the pool and especially the marina. Sharon said Jodie should not be called at night and on the weekends. Sharon said Jodie told her a while ago that she was sick and tired of getting the phone calls. Sharon said to her knowledge no Crime Watch person has hurt anything. Barbara said years ago we had paid a security guy and now volunteers (Crime Watch) do it. Dan said 24 hour access would allow some people to roam when they shouldn't be roaming. Dan agreed 24/7 access should be for some areas. Dan said if an intruder is startled and hurts himself, we may become liable. Steve said he does not interface with people. Dan suggested giving everybody a key. Sharon said two (keys). Terry said there have been too many confrontations with Crime Watch and is against it. Barbara said that is in the past, we are starting new and if issues arise we can take them away. Sharon said she does not go with what someone thinks, if they know something - that is one thing, but if they think - it doesn't make it so.

Sharon asked if we have consensus that Clubs are issued two fobs and if a club needs another she does not have a problem with it. Gwen asked that the Woodchoppers Club decline as all they need is access to a bathroom and they have it. Sharon said it would not be mandatory. Suzanna commented that if you see people, you don't want them to see you, don't approach them alone, and have another person with you. Don Gassie said Woodchoppers has 24/7 access to the Shop and are eyes and ears for more deterrents.

Sharon said a fob or key is a property right and cannot be removed without due process of the law and we have a policy in place. She said if a violation occurs the offender needs to be notified and the person complaining has to come forward and then we can go forward (with the process).

Sharon said we will bring forward (to the BOT Meeting) the Trustee policy for the fobs or keys (access). Sharon said the Marina contract, Belle's things (policy and agreement), and the swimming pool instructor will also come forward. She said that we are not ready to bring forward the Crime Watch (club and organization access).

Suzanna said she came to the Work Shop and it was very formal. She said if we want citizens to keep attending meetings... She always thought Committee meetings were casual. She said at the Board Meetings people are told to attend the Committee Meetings and now she is attending a Committee Meeting and was told to sit on the second row (not at the table) and she is interrupted when talking. She said to keep residents involved in Committees it will have to be a less alienating atmosphere. She said she had no paperwork (on the issues discussed) and didn't know what was going on even though she saw the agenda and a copy of the Marina contract, yet they are told at the Board Meetings that everything is hashed out at the Committee Meetings. She said resident involvement isn't going to happen when it is like this. Sharon thanked Suzanna. She said these are BOT Meetings and must conduct the business of the district and have certain agendas of things we have to get done and it is more casual than other districts. She said the other districts allow you to speak at the beginning of the meeting only. She said that they (she) let everyone speak after everything before they vote. She said that the Work Sessions is a BOT Meeting. She said that this is a Committee Meeting but we have work to do and we want to listen but you can't take over. Dan Gassie said he agrees with Suzanna and for example the documents that are sent to the Trustees can be put on the web. He said - then everyone that wants to go to the meeting can see the financial reports, complaints, and all. He said that then they can come to

the meeting and know what was going on. Sharon said she normally does get it on (the web) but she did not (for this meeting) because she had her grandson at the house and did not get to it. Sharon said now Jodie is putting agenda, attachments, and minutes on the web. Don Gassie said also financials need to be there. Sharon said part of the agenda is on the web and she does not want to bog the website down with stuff that is not pertinent. She said she will talk with Natalie on getting the financials soon enough and how to put the financials 'posted'. She said the new categorization isn't all complete (in QuickBooks), the Budget figures not all 'in' and may not be a lot of value. She said Natalie is working to have them (categories) converted over. She said if anyone wants to set down and talk on anything, she said she will make an appointment with them. Sandy said not all residents are on-line so not everybody would be reached. She said the meeting notices and agendas are up to date on the web.

Sandy asked for the next BOT Meeting date - May 21<sup>st</sup> and was told the meeting on the 14<sup>th</sup> was cancelled. Belle said a Committee Meeting was added to the following week on the 28<sup>th</sup>. Sharon said we usually have a meeting every week but in May we skip a week. She said we always meet on Tuesday for the Board and there are some other meetings on Wednesdays. Sharon said we will lock up tonight and to keep in mind that we have a process and if we are going to shut off anything (access), and that includes Crime Watch and anybody, we have to follow the law. She said that that policy has been in effect and approved since 12-12-18. Sandy asked if all of the policies are recorded and available. Sharon said most all are on the web and there is a book in the office. Gwen said another section on the web has forms and they all work together. Sharon said she could include the index of policies on the web. She said when she first started she found policies everywhere and had to look up the minutes to see if they were approved. She organized the policies (with numbers) and had them approved so anyone can find them. Terry said Jodie is very organized.

With no more to discuss Dan moved to adjourn. Belle seconded the motion. We adjourned at 8:52 PM.

Sharon said that Jodie said the Pool Attendant couldn't sit in the (lifeguard) chair but that is not the case, he can.

A handwritten signature, possibly "Sharon", is written in black ink. Below the signature, the date "5/10/19" is written in a similar cursive style.