



BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
March 9, 2023 at 1:00 PM

Agenda

Please turn off all cell phones

- 1. Thought of the Day**
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Additions or Deletions to the Agenda**
- 5. Approval of the Agenda**
- 6. Presentations and Proclamations**
 - A. Employee Milestone
- 7. Approval of Minutes**
 - A. BOT regular meeting minutes dated February 28, 2023.
- 8. Treasurer's Report**
 - A. Treasurer's Report
- 9. Audience Participation**
- 10. Unfinished Business**
- 11. New Business**
 - A. DOR Violations
 - i. DOR Violation 23-000233 551 Marlin Circle
- 12. Manager's Report**
 - A. March 9, 2023 Manager's Report
- 13. Attorney's Report**
- 14. Incidental Trustee Remarks**
- 15. Adjournment**

If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Milestone Anniversaries

Cathy Anderson

Food and Beverage

5 Years



BAREFOOT BAY RECREATION DISTRICT

**Board of Trustees Regular Meeting
February 28, 2023
1PM –Building D&E**

Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on February 28, 2023, Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Amoss called the meeting to order at 1PM.

Pledge of Allegiance to the Flag

Led by Ms. Tummolo.

Roll Call

Present: Mr. Grunow, Mr. Amoss, Mr. Brinker, Mr. Klosky, Ms. Tummolo. Also, present, Kent Cichon, Community Manager, Stephanie Brown, District Clerk, Garrett Olsen, General Counsel, Rich Armington, Resident Relations/HR Manager, Matt Goetz, Property Services Manager and Charles Henley, Finance Manager.

Additions or Deletions to the Agenda

Mr. Cichon requested the deletion of item 10D, Pool #1 Pit Heater Replacement and Relocation Project from the agenda.

Approval of the Agenda

Mr. Brinker made a motion to approve the agenda removing item 10D, Pool #1 Pit Heater Replacement and Relocation Project from the agenda. Second by Mr. Grunow. Motion passed unanimously.

Approval of Minutes

BOT Regular Meeting minutes dated February 9, 2023, were approved as submitted.

Treasurer's Report

Mr. Brinker submitted the Treasurer's Report for February 28, 2023, approved as written.



BAREFOOT BAY RECREATION DISTRICT

Audience Participation

Dick Lepage-1037 Royal Palm Drive-thanked Kathy Mendes for providing a coffee pot for the great lake dinners.

Nancy Eisele-944 Barefoot Blvd-asked for an update on the BBRD Mini Golf Course improvements.

Mr. Cichon read two letters from Charles Kelly-555 Marlin Circle-who spoke in favor of gate fees for entertainment and abiding by pool temperatures that are recommended by licensed pool technicians/manufacturers.

Margaret Moylan-1014 Royal Palm-had various questions about the design of the outside Lounge bar. She also suggested serving single shot alcoholic beverages and offering pretzels to sell more drinks.

Unfinished Business

None.

New Business

BBRD Policy Manual Amendment: NRP Funding Change

Resolution 2023-04 read by Mr. Olsen:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING THE BAREFOOT BAY RECREATION DISTRICT POLICY MANUAL TO REFLECT NEW SPENDING LIMIT IN CHARTER; AMENDING EVALUATION COMMITTEE PROCEDURE; AMENDING GUIDELINES FOR REGISTERING AS A CLUB OR ORGANIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Klosky made a motion to approve resolution 2023-04 as read. Second by Ms. Tummolo. Motion passed unanimously.



BAREFOOT BAY RECREATION DISTRICT

Rules for the Board of Trustees Barefoot Bay Recreation District Amendments

Resolution 2023-03 read by Mr. Olsen:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING THE RULES FOR THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; AMENDING ARTICLE III TO CONFORM WITH NEW TERM LIMIT PROVISIONS IN CHARTER; AMENDING ARTICLE VI TO CONFORM WITH NEW EXPENSE AUTHORIZATION IN CHARTER AND POLICY MANUAL; AMENDING ARTICLE X TO REMOVE REQUIREMENT THAT AMENDMENTS TO RULES BE MADE BY RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Klosky made a motion to approve resolution 2023-03 as read. Second by Ms. Tummolo. Motion passed unanimously.

Pool #1 Resurfacing Project - Award of Contract

Consider the three (3) bids received for resurfacing and replacing various components of Pool #1; award a contract, with an alternative contract award to the BOT's second ranked firm, should a contract not be successfully negotiated with the BOT's first ranked firm; and authorize the BOT Chairman to sign the contract.

Mr. Brinker asked if the awarded contractor will be required to adhere to timeline guidelines. Mr. Cichon responded yes, and that the timeframe would be written in the contract. BOT spoke in favor Family Pools as the contractor for the Pool #1 resurfacing project. Mr. Amoss suggested Bob's Pools as the second ranked firm.

Ms. Tummolo made a motion to award the contract for the resurfacing and replacing of various components of Pool #1 in the amount of \$67,410.00 to Family Pools, Inc. with an alternative contract award to the second ranked firm, Bob's Pools, should a contract not be successfully negotiated with the BOT's first ranked firm; and authorize the BOT Chairman to sign the contract. Second by Mr. Brinker. Motion passed unanimously.



BAREFOOT BAY RECREATION DISTRICT

Manager's Report

Finance

Assessment received – 83.49% collected or \$3,514,986. Balance to collect \$695,055.

Resident Relations

ARCC Meeting 1/31/23

- 16 Consent Permits – all approved
- 17 Other Permits – 16 approved, 1 tabled for measurements

ARCC Meeting 2/14/23

- 1 Old Business - approved
- 16 Consent Permits – 15 approved, 1 denied due to being placed in the setback
- 17 Other Permits – all approved

VC Meeting 2/10/23

- 6 Cases – came into compliance prior to the meeting
- 1 Case – DOR is working with the homeowner
- 4 Cases – found to be in violation

Food & Beverage

- The Doo Wop dance show is April 14th and tickets go on sale tomorrow, Wednesday, March 1st in Building A at 9:30am. This is a table and chair event, versus theater style (all chairs).
- There are a few tickets available for the Franki Valli matinee on March 19th. The Fleetwood Mac tribute show is SOLD OUT. Call the Administration office @ 772-664-3141 x222 for ticket availability.

Food & Beverage (continued)

- St. Paddy's Day full day in the Bay is March 17. A parade, ceremony, including a Blessing of the Bay, a bagpiper show, and all-day music and food is planned in the Building A and lakeside complex. Tickets for the buffet style dinner and corned beef sandwiches are on sale now at the 19th Hole, the Lounge and Administration.

Flyers with all the details are posted.



BAREFOOT BAY RECREATION DISTRICT

Property Services

- Set up & break down for the Barefoot by the Lake Festival
- Replaced broken lights and bull horn at the tennis courts
- Removed the flagpole, mulch, and plants in front of D&E; replaced with a new flagpole and landscaping
- Continued to work on the replacement interior doors at Building A
- Worked with BBRD engineers and Big5 Construction to submit the necessary permits for the Beach Restroom project
- Began cutting posts and painting them for the open space near the pickleball courts

Golf-Pro Shop

- Softball Field irrigation repairs are in progress
- CVO Golf Tournament is scheduled for March 11th with an 8:30am shotgun start and 4-person scramble. Call Pro Shop at 772-664-3174 for assistance.
- Pro Shop hours effective Feb. 20th are 7am – 6pm



BAREFOOT BAY RECREATION DISTRICT

Attorney's Report

Mr. Olsen stated that 1108 Tequesta Drive has come into compliance. All cases held by former General Counsel Cliff Repperger have been transferred to Vose Law Firm except for 1 case (526 Persimmon Drive), which Mr. Olsen is recommending Mr. Repperger sees to completion.

Consensus of the BOT for Mr. Repperger to see violation case 526 Persimmon Drive to completion.

Incidental Trustee Remarks

Mr. Klosky expressed his gratitude to BBRD staff.

Ms. Tummolo expressed her gratitude to staff for the work done at the festival.

Mr. Grunow expressed his gratitude to BBRD staff for the work done at the festival. He also spoke in favor of a BBRD pool policy revision.

Mr. Brinker agreed with the statement of Mr. Grunow and Ms. Tummolo.

Mr. Amoss asked for a moment of silence for residents that have fallen ill and their caretakers. He also expressed his gratitude to BBRD staff.

Adjournment

The next regular meeting will be on March 9, 2023, at 1pm in Building D/E.

Mr. Amoss adjourned.

Meeting adjourned at 1:42pm.

Jeff Grunow, Secretary

Stephanie Brown, District Clerk

Barefoot Bay Recreation District

Treasurer's Report

March 9, 2023

Cash Balances in General Fund as of 3/2/23

Petty Cash

Total Petty Cash: \$ 2,500.00

Operating Cash in Banks

MB&T Operating Account

477,963.36

Total Operating Accounts:

477,963.36

Interest Bearing Accounts

MB&T Money Market Account

2,270,745.34

FL Class

204,702.12

FL Trust - Short Term Bond Fund

108,017.25

SBA Reserve Account

717,963.96

Total Interest Bearing Accounts:

3,301,428.67

Total Cash Balances in General Fund:

\$ 3,781,892.03

Total Daily Deposits and Assessments Received for 2/22/23 - 3/2/23

Daily Deposits:

\$ 122,279.51

Assessments Received:

-

Total Deposits Received:

\$ 122,279.51

Expenditures for 2/22/23 - 3/2/23

Check

Number	Vendor	Description	Check Amount
61033	Florida Blue	Employee Health Insurance: 3/23	34,000.96
61022	Barefoot Services, Inc	Draw 1 for Lounge Outside Bar	15,000.00
	Paychex	Net Payroll - PPE 2/26/23	78,005.91
	United States Treasury	Payroll Taxes - PPE 2/26/23	22,265.44

Total Expenditures \$5,000 and above:

149,272.31

Expenditures under \$5,000:

41,704.63

Total Expenditures:

\$ 190,976.94

Board of Trustees Meeting Agenda Memo

Date: Thursday, March 9, 2023
Title: **DOR Violation 23-000233 551 Marlin Circle**
Section & Item: 11.A.i
Department: Resident Relations
Fiscal Impact: N/A
Contact: Richard Armington, Resident Relations Manager, Kent Cichon, Community Manager
Attachments: 551 Marlin Circle Packet, 23-000233 Executed VC F.F.C.
Reviewed by General Counsel: No
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Review violation and refer to General Counsel Olsen.

Background and Summary Information

Violation Article III Section 4 (A) (B) (C) (E) - Pets

This case was opened on February 3, 2023 after confirmation from Brevard County Animal Services and Enforcement that this dog was found to be a Dangerous Dog under Section 14-49 of the Code of Ordinances of Brevard County, FL. Found to be in violation by the Violation Committee on February 24, 2023.

Staff recommends that the BOT refer this violation to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce the DOR, the charge of such action shall be charged to the Respondent's account and shall constitute as a lien.

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Animal Control Issue Summary

Job Num: 135311**Urgency:** Normal**Date Received:**14-Nov-2022, 11:07:00 AM
(11:07)**Officer Details:** Aaron Becker**Officer Region:**

South

Agency: Brevard County Agency Job / Event Number:**2022-00395507****Animal Control Issue Codes**

Animal Bite

[Hide / Show Victim Details](#)**Victim Details****Person ID:** 598615**Name:** Michael Mielnicki**Address:** 353 Dolphin Circle, BAREFOOT BAY FL 32976**DOB:** 17-Dec-1946**Phone:** Home:315 439 9495
Mobile:
Work:**Email Address:**[Hide / Show Owner Details](#)**Owner Details****Person ID:** 583525**Name:** GINA Frangione**Address:** 551 MARLIN Circle, SEBASTIAN FL 32976**Phone:** Home:631 466 7518
Mobile:
Work:**Email Address:****Location Details****Location:** 551 Marlin Circle BAREFOOT BAY FL 32976**Location Notes:**

THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.

2 OTHER DISPATCH REQUESTS AT THIS ADDRESS [Hide / Show](#)ANIMALS LICENSED AT THIS ADDRESS [Hide / Show](#)

No animals licensed at this address

Animal Control Issue Details**Received By:**

Stormie Hanson

Source:

Public

Potential Violence: Unknown**Verbally Abusive:** Unknown

Potential Violence Details:**Other Comments / Notes:**

Nov 14 2022 11:10AM

DOG VS DOG DOG VS HUMAN

Complainant Observed Animals: No**Commercial Livestock:** No**Inspection / Follow-up Notes**

Date Added	Category	Notes	Added By
Nov 14 2022 11:11AM	NOTE	Bite fax via New World: BITE FAX: victim Michael Mielnicki: address 363 Dolphin Circle, Barefoot Bay: DOB 12/17/1946: phone 315-439-2314 or 315-439-9495: bite date 11/13/2022: injury bite / puncture to left hand: bite happened at East Ave & Merlin Circle by unknown pit bull dog brown and white in color	Crystal Rodriguez
Nov 17 2022 12:25PM	NOTE	Hanson, S (4988)/Rodriguez 4637 On November 14, 2022, at approximately 1036 hours, Officer Hanson responded to 353 Dolphin Circle, Barefoot Bay, Florida, 32976, in reference to a canine versus canine minor and canine versus human severe, received via bite fax. Upon arrival, Officer Hanson discovered an animal bite that occurred on November 13, 2022. On November 21, 2022, at approximately 1446 hours, Officer Rodriguez responded to 551 Marlin Drive Barefoot Bay and made contact with the canine owner, Ms. Gina Frangione. Victim: Michael Mielnicki and Canine Benny Address: 353 Dolphin Circle, Barefoot Bay, 32976 Canine: Small, black mixed male/ leashed Vaccinations/County Tags: Not Current Victim Location of incident: East Ave and Marlin Circle Injury Observed: Left hand ring finger with one stitch/ scratches to his left knee. Canine injuries: Puncture wounds and a laceration on the right side near his stomach which needed medical attention from Highlands Animal Hospital. Severity: Mr. Michael had to receive stiches on his finger Quarantine: N/A Door Tag: No Affidavit: Yes Suspect: Tunechi/ Owner: Gina Frangione Address: 551 Marlin Circle, Barefoot Bay, 32976 Canine: Tunechi, large brown brindle and white mixed male Vaccinations/County Tags: Current Observed: N/A Quarantine: Yes Door Tag: No Affidavit: Yes Witness list: N/A Evidence Collected: Digital Photographs: Yes Video Surveillance: No Bite Patrol: No Owner Surrender: No Euthanasia Request: No Supervisor Approval: Oliva Williams Citations issued: Mr. Michael Mielnicki (598615) C217330- First Offense-14-52(L):Failure to Vaccinate Dog	Stormie Hanson

C217332- First Offense-14-52(M):Failure to Obtain license tag

Gina Frangione (583525)

C217372- First Offense-14-56: Animal at large

C217373- First Offense- 14-58: Attack causing injury

C217374- Third Offense- 14-58: Animal causing property damage

For further details, refer to the attached written statements, pictures, and/or videos that were uploaded and attached to this report.

Nov 29
2022
10:53AM

NOTE

Hahn #1859

Chris Hahn

After reviewing Ofc. Rodriguez's report, there is sufficient evidence to support the declaration of the dog "Tunechi" (966407) as Dangerous at this time.

Over the previous two years, the canine Tunechi has been involved in 4 reported bites. These multiple incidents, where both domestic animals and humans were injured, as well as an additional report of Tunechi getting loose from his property and menacing members of his community in an aggressive fashion, satisfy the requirements for the declaring of a dog dangerous as set forth in section 14-49 of the Brevard County Ordinances

In accordance with the statutory time frame pursuant to the provisions of section 14-49 of the Brevard County Ordinances, on or about the date of 11/28/22, a notice of sufficient cause shall be delivered to Mrs. Gina Frangione (583525), the owner of the attacking canine "Tunechi."

Nov 29
2022
1:50PM

NOTE

Hahn 1859

Chris Hahn

On 11/29/22 at approximately 1347 hours I responded to 551 Marlin Cir, Barefoot Bay, FL to deliver a Notice of Sufficient Findings for the canine Tunechi.

Upon my arrival, no one answered the door, and when I rang the home's "Ring" doorbell system, it stated that no one could answer at this time, but allowed me to record a message, where I left my contact information. I posted a notice with my direct contact information at the home's front door, next to the Ring Door bell camera. A picture of the posted notice has been uploaded to this job.

Attachments:

1. Digital Media

Nov 30
2022
3:11PM

NOTE

Hahn #1859

Chris Hahn

Notice of Sufficient Cause Finding (Dangerous Canine), pursuant to the Dangerous Dog Section 14-49 of the Code of Ordinances of Brevard County Florida for the canine "Tunechi" (966407) was delivered by hand to Tunechi's owner Gina Frangione (583525), on 11/29/22 at 1523 hours. Mrs. Frangione signed for the notice without incident.

Any request for hearings, or future compliance checks regarding this report will be documented and notated, with this report being updated accordingly.

Attachments:

1. Notice of Sufficient Findings
2. Delivery Receipt

Dec 2
2022
8:54AM

NOTE

Finalized with Tunechi declared a dangerous canine. Notice of Sufficient Cause delivered to and signed by Ms. Frangione on 11/29/2022.

Aaron Becker

FINALIZED - DD Declaration

Becker/3939

Dec 12
2022
8:41AM

NOTE

Hahn #1859

Chris Hahn

On 11/28/22 at 1534 hours, I received correspondence via text message from Mrs. Gina Frangione (583525), requesting a Special Magistrate hearing to appeal the declaration of her dog "Tunechi" (966407) a Dangerous dog.

A special Magistrate hearing has been scheduled for 12/13/22 at 0900 hours.

Attachments:
Text message correspondence

Dec 13
2022
9:47AM

NOTE

Hahn #1859

Chris Hahn

A continuance has been granted by the Special Magistrate for the Dangerous Dog Hearing regarding the canine "Tunechi" (966407).

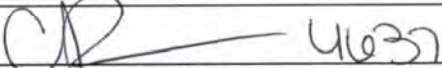
The Owner of Tunechi, Mrs. Gina Frangione (583525) was notified of the continuance on 12/12/22 at 1825 hours.

The victim of the incident Mr. Michael Mielnicki (598615), was notified of the continuance of on 12/12/22 at 1813 hours.



Brevard County Sheriff's Office Animal Enforcement Citation Court Information Sheet

Enforcement Officer Name and ID#		Date/Time	Case Number
Rodriguez 4637		11/13/2022 1030 hrs	135311
	Victim/Witness Name/Address/Date of Birth	Driver License Number/State	Citation Number
Add Row	Michael Mielnicki- DOB-12/17/1946	M452550464570/FL	C217372/C217373/ C217374
Delete Row	353 Dolphin Circle, Barefoot Bay, FL, 32976		
	Citation Number	Offense	County Ordinance/Statute #
Add Row	C217372	Animal at large	14-56
Delete Row			
Add Row	C217373	Attack causing injury	14-58
Delete Row			
Add Row	C217374	Animal causing property damage	14-58
Delete Row			
Initial Reason for the Visit:			
Animal Bite			
Reason for Issuing the Citation and Statements Made by the Victim/Owner:			
Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit			


Signature of Officer

Crystal Rodriguez 4637
Print Name of Officer



Brevard County Sheriff's Office Animal Enforcement Citation Court Information Sheet

Enforcement Officer Name and ID#		Date/Time	Case Number
Rodriguez 4637		11/13/2022 1030 hrs	135311
Victim/Witness Name/Address/Date of Birth		Driver License Number/State	Citation Number
Michael Mielnicki- DOB-12/17/1946 353 Dolphin Circle, Barefoot Bay, FL, 32976		M452550464570/FL	C217372/C217373/ C217374
Citation Number		Offense	County Ordinance/Statute #
C217372		Animal at large	14-56
C217373		Attack causing injury	14-58
C217374		Animal causing property damage	14-58
Initial Reason for the Visit:			
Animal Bite			
Reason for Issuing the Citation and Statements Made by the Victim/Owner:			
Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit			


Signature of Officer

Crystal Rodriguez 4637

Print Name of Officer

**BREVARD COUNTY SHERIFF'S OFFICE ANIMAL SERVICES
ANIMAL QUARANTINE INSTRUCTIONS**

AEO# 4137

135311

BITE: 15927

DATE: 11/21/22

QUARANTINE DATE: 11/13/22

OWNER: Gina Frangione ANIMAL BREED: Mix PHONE (H): 31446714

ADDRESS: 551 Martin Dr COLOR: Black AGE: 12 SEX: M PHONE (W): _____

CITY: Sanford ZIP: 32776 THIS QUARANTINE IS FOR: 10 DAYS NAME: T. Macchi

CONDITIONS FOR HOME QUARANTINE

By signing this form, the owner specifically agrees to fully and continuously comply with all the following conditions:

1. While under Home Quarantine the animal referenced above **MUST NOT RECEIVE A RABIES VACCINATION.**
2. The animal shall be confined to the home, a pen, a fenced area or other location, which has been specifically approved in writing. **THE ANIMAL MUST NOT BE ALLOWED TO RUN FREE DURING THE QUARANTINE PERIOD.**
3. The animal shall not be removed from the premises of the owner except for veterinary examinations without the written consent of a representative of Brevard County Sheriff's Office Animal Services.
4. The animal **MUST NOT BE KILLED**, disposed of, released or moved to another location during the quarantine period.
5. If the animal is removed from the home, pen or other approved area for veterinary examination or any other reason, it will be kept securely on a leash. This includes while being transported in a vehicle so as to prevent its escape through a window or open door.
6. **If the animal escapes or shows any symptoms of illness or change in temperament, the owner will immediately notify Brevard County Sheriff's Office Animal Services at 321.633.2024.**
7. In the event the animal dies or is killed during this quarantine period, the owner will notify Brevard County Sheriff's Office Animal Services immediately as indicated above. The carcass shall be surrendered to a Brevard County Sheriff's Office Animal Services Officer or a veterinarian who shall prepare and ship the specimen to a laboratory for rabies examination.
8. If the quarantined animal bites any person or other animal, said bite shall be reported by the owner to the Brevard County Sheriff's Office Animal Services.
9. The owner agrees to permit observation and examination of the animal at any time by representatives of the Brevard County Sheriff's Office Animal Services or to take the animal to the veterinarian if directed by the Brevard County Sheriff's Office Animal Services.
10. The owner accepts responsibility for and agrees to pay all costs of all veterinarian examination, tests, treatment, boarding, transportation or other incidental items which may be incurred as a result of this agreement.
11. The owner understands that any violation of State or County laws will result in immediate revocation of the Home Quarantine privilege and the owner agrees to immediately surrender the animal to representatives of the Brevard County Sheriff's Office Animal Services for quarantine during the remainder of the quarantine period.
12. The owner understands and agrees to submit the above-described animal for veterinary examination between the dates listed below. **The owner agrees to immediately send the completed request form to be received by the second (2nd) working day from the date of veterinary examination.**
13. A decision by the Brevard County Sheriff's Office Animal Services regarding approval, rejection or revocation of Home Quarantine is final. Failure to comply with any of these provisions will result in the issuance of a civil citation and civil penalty.

I AFFIRM THAT I UNDERSTAND THE ABOVE REQUIREMENTS AND WILL CONFORM TO THEM.

<u>CP</u>	<u>4137</u>	<u>11/21/22</u>	<u>Gina Frangione</u>	<u>11/21/22</u>
AEO		DATE	OWNER	DATE

QUARANTINE TIME UP 11/23/2022 Veterinary examination to take place between 11/23/22 and 11/24/22.

Owner is responsible for immediate mailing of **COMPLETED QUARANTINE FORM**. The form must be received no later than two (2) working days from the date of veterinary examination. Send to: **BREVARD COUNTY SHERIFF'S OFFICE ANIMAL SERVICES, 2725 JUDGE FRAN JAMIESON WAY, A119, VIERA, FL 32940.**

TO BE COMPLETED BY VETERINARIAN:

I certify that I have examined the above-described animal and in my professional opinion find it to be free of rabies and has not been vaccinated for rabies during this quarantine. Quarantine may be terminated.

VETERINARIAN'S SIGNATURE

DATE

CLINIC STAMP

I. STATEMENT INFORMATION

INTERVIEWING ASE OFFICER <i>Rodriguez</i>	DATE <i>11/14/22</i>	TIME <i>10:40</i>	LOCATION <i>353 Dolphin Cir Barefoot bay 32976</i>	BITE REPORT # <i>135311</i>
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II. PERSONAL IDENTIFICATION

NAME (LAST, FIRST, MIDDLE) <i>Mielnicki</i>	GENDER <i>M</i>	TELEPHONE (HOME) <i>315-439-9495</i>	TELEPHONE (WORK) <i>/</i>	OTHER <i>/</i>
HOME ADDRESS <i>353 Dolphin Cir</i>		WORK ADDRESS <i>/</i>		

III. STATEMENT

☒ VICTIM ☐ OWNER ☐ WITNESS ☐ OTHER

PLEASE FILL OUT THE FORM BELOW; DESCRIBE THE INCIDENT BY INCLUDING WHO? WHAT? WHEN? WHERE?

Dog broke loose from owner and attacked my dog and me from behind. Dog latched on to my dog and bit him on the side and wouldn't let loose and we'll trying to brake them up dog bit me. Dog was a Pit bow brown and white came from his yard at 551 Marlin Circle.

end of statement

BREVARD COUNTY SHERIFF'S OFFICE

ANIMAL SERVICES AND ENFORCEMENT

AFFIDAVIT - BITE REPORT

I. STATEMENT INFORMATION

INTERVIEWING ASE OFFICER Rodriguez	DATE 11/21/22	TIME 500	LOCATION 551 marlin Barefoot Bay,	BITE REPORT # 135311
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II. PERSONAL IDENTIFICATION

NAME (LAST, FIRST, MIDDLE) Frangione, Gina	GENDER 	TELEPHONE (HOME) 631 466 7518	TELEPHONE (WORK) 	OTHER
HOME ADDRESS 551 Marlin Cir. Barefoot Bay. 32976			WORK ADDRESS 	

III. STATEMENT

☐ VICTIM
 ☒ OWNER
 ☒ WITNESS
 ☐ OTHER

PLEASE FILL OUT THE FORM BELOW; DESCRIBE THE INCIDENT BY INCLUDING WHO? WHAT? WHEN? WHERE?

On 11/13/22 @ 9am I had taken Turechi out and after he did his business he came to me and while going to put his leash back on him while in gate he realized a dog was walking past and got out of my grip and took off towards him. I yelled to the man and told him to lift up his dog. The gentleman and I wrestled the dogs and I held Turechi's mouth and squeezed to free pup. The other pup scratched and bit Turechi + I as well. but we did not seek care to avoid conflict with owner of other dog.

END OF STATEMENT

CONTINUED ON NEXT PAGE

PAGE 1 OF 2 PAGES

end of statement

V. SIGNATURE / OATH

I swear (or affirm) I have read this statement and it is true and correct to the best of my knowledge so help me God. GF

Signature of Affiant

Denise Marie Frangione

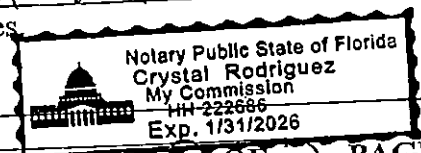
Subscribed and sworn before me, a person authorized by law to administer oaths, this 21 day of November, 2020 (year).

Signature of Notary/Law Enforcement Officer in performance of official duties

CP *4637*

Affiant is: ☐ Personally Known

☒ I.D. Produced: *FLIDL*



PAGE 2 OF 2 PAGES



SHERIFF WAYNE IVEY

BREVARD COUNTY SHERIFF'S OFFICE

700 S. Park Avenue ★ Titusville, Florida 32780-4095 ★ (321) 264-5201 ★ (321) 264-5360 fax ★ www.BrevardSheriff.com

Brevard County Jail Complex
860 Camp Road
Cocoa, FL 32927
(321) 690-1500
(321) 635-7800 fax

Canaveral Precinct
111 Polk Avenue
Cape Canaveral, FL 32920
(321) 868-1113
(321) 784-8340 fax

Criminal Investigative Services
340 Gus Hipp Boulevard
Rockledge, FL 32955
(321) 633-8499
(321) 633-8403 fax

East Precinct
2575 N. Courtenay Pkwy.
Merritt Island, FL 32953
(321) 454-6652
(321) 454-6631 fax

North Precinct
750 S. Park Avenue
Titusville, FL 32780
(321) 264-5208
(321) 264-5359 fax

Operational Services
2575 N. Courtenay Pkwy.
Merritt Island, FL 32953
(321) 454-6643
(321) 454-6642 fax

South Precinct
1515 Sarno Road, Bldg B.
Melbourne, FL 32935
(321) 253-6658
or (772) 664-1015
(321) 253-6666 fax

West Precinct
2725 Judge Fran Jamieson Way, Bldg. E
Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax



Gina Frangione
551 Marlin Cir,
Sebastian, Florida 32976

November 23rd, 2022

RE: Notice of Sufficient Cause Finding to Declare a Dog Dangerous, Chapter 14, Code of Ordinances of Brevard County, Florida

Dear: Mrs. Gina Frangione

Attached hereto please find copies of the Brevard County Animal Services Bite Report and other pertinent information concerning the following incident:

Job #: 135311

DATE OF INCIDENT: 11/13/22

NAME OF ANIMAL: Tunechi

ANIMAL DESCRIPTION: Male Brown Brindle Mixed Breed canine

The above records of Brevard County Animal Services and Enforcement indicate that you are the owner of the above referenced dog. Therefore, you are hereby notified that Brevard County Animal Services and Enforcement intends to declare the above described dog to be a Dangerous Dog, pursuant to the provisions of section 14-49, Code of Ordinances of Brevard County, Florida. The decision to declare your dog as dangerous is based on the incident described in the enclosed reports and affidavits.

Pursuant to the provisions of Code Section 14-49, Brevard County Animal Services and Enforcement has investigated the above described incident, and has determined your dog meets one or more of the definitions of a "Dangerous Dog."

You have the right to request a hearing before the Brevard County Animal Services and Enforcement Magistrate within seven (7) calendar days from receipt of this notice. If you do not request a hearing to petition the County's intent to declare the dog dangerous, no hearing or appeal procedure, as set forth in law, shall be available thereafter. No dog that is the subject of an investigation may be relocated or ownership transferred pending the outcome of the investigation or any hearings related to the classification.

The request for the hearing shall be in writing to:

Brevard County Sheriff's Office, Animal Services and Enforcement
Attn: Animal Enforcement Investigations
2775 Judge Fran Jamieson Way, A119
Melbourne Florida 32940

IT IS THE RESPONSIBILITY OF THE DOG OWNER TO BE INFORMED OF THE PROVISIONS OF CHAPTER 14, ANIMAL SERVICES AND ENFORCEMENT CODE OF ORDINANCES OF BREVARD COUNTY FLORIDA, CONCERNING DANGEROUS DOGS , AND TO PURSUE WHATEVER REMEDIES THE OWNER FEELS APPROPRIATE.

If you have any questions concerning this matter, please contact the Brevard County Sheriff's Office Animal Services and Enforcement Department at (321) 633-2024

Sincerely,

Christopher Hahn
Animal Enforcement Investigator
Brevard County Sheriff's Office
Animal Services Enforcement

Aaron Becker
Animal Cruelty Investigator, Agent
Brevard County Sheriff's Office
Animal Services Enforcement

Enclosures:
Bite Report(s)/Affidavit(s)/Case Reports
Copy of Brevard County Ordinance, Chapter 14, Section 14-49



SHERIFF WAYNE IVEY

BREVARD COUNTY SHERIFF'S OFFICE

700 S. Park Avenue ★ Titusville, Florida 32780-4095 ★ (321) 264-5201 ★ (321) 264-5360 fax ★ www.BrevardSheriff.com

Brevard County

Jail Complex

860 Camp Road
Cocoa, FL 32927
(321) 690-1500
(321) 635-7800 fax

Canaveral Precinct

111 Polk Avenue
Cape Canaveral, FL 32920
(321) 868-1113
(321) 784-8340 fax

Criminal Investigative Services

340 Gus Hipp Boulevard
Rockledge, FL 32955
(321) 633-8499
(321) 633-8403 fax

East Precinct

2575 N. Courtenay Pkwy.
Merritt Island, FL 32953
(321) 454-6652
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(321) 253-6666 fax

West Precinct

2725 Judge Fran Jamieson
Way, Bldg. E
Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax

CERTIFIED HAND-DELIVERY AFFIDAVIT

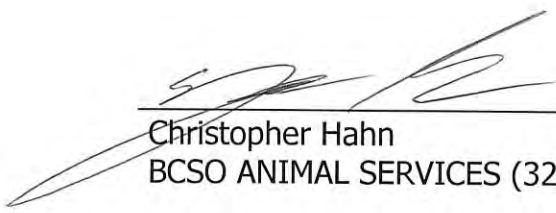
STATE OF FLORIDA

COUNTY OF BREVARD COUNTY

BEFORE ME, the undersigned authority, Officer **Christopher Hahn**, did appear, who after being duly sworn, deposes and says:

1. That the statements set forth herein are based upon personal knowledge.
2. That service was provided pursuant to Section 162.12(1), Florida Statutes.
3. That he delivered by **CERTIFIED HAND-DELIVERY** a Notice of Sufficient Cause of Dangerous Dog Section 14-49 of Code of Ordinances of Brevard County, Florida to **Mrs. Gina Frangione** at 551 Marlin Cir on 11/29/22.

BCSO Animal Services


Christopher Hahn

BCSO ANIMAL SERVICES (321)633-2024

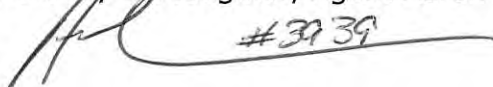
11/30/22
Date

SWORN to and subscribed before me

on 12/1/2022 by

Brevard County Sheriff's Office

Animal Cruelty Investigator, Agent Aaron Becker

 #3939

Place notary seal here –

Personally known _____ OR Produced Identification _____
Type of Identification Produced _____





SHERIFF WAYNE IVEY

BREVARD COUNTY SHERIFF'S OFFICE

700 S. Park Avenue ★ Titusville, Florida 32780-4095 ★ (321) 264-5201 ★ (321) 264-5360 fax ★ www.BrevardSheriff.com

Brevard County Jail Complex
860 Camp Road
Cocoa, FL 32927
(321) 690-1500
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Canaveral Precinct
111 Polk Avenue
Cape Canaveral, FL 32920
(321) 868-1113
(321) 784-8340 fax

Criminal Investigative Services
340 Gus Hipp Boulevard
Rockledge, FL 32955
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(321) 253-6666 fax

West Precinct
2725 Judge Fran Jamieson Way, Bldg. E
Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax

Job: 135311

BREVARD COUNTY SHERIFF'S OFFICE ANIMAL SERVICES AND ENFORCEMENT

DELIVERY RECEIPT

My signature below acknowledges my receipt of Brevard County Sheriff's Office Animal Services and Enforcement's "Notice of Sufficient Cause Finding" of Dangerous Dog Section 14-49 of Code of Ordinances of Brevard County, Florida regarding the following case:

OWNERS NAME: Gina Frangione
ADDRESS: 551 Marlin Cir,
Sebastian, Florida 32976

Job #: 135311

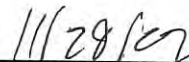
DATE OF INCIDENT: 11/13/22

NAME OF ANIMAL: "Tunechi"

ANIMAL DESCRIPTION: Brown Brindle, male, Mixed breed canine



Owner/Agent's Signature



Date

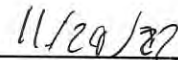


Owner/Agent's Printed Name


Relation to Owner



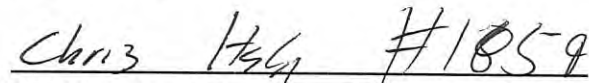
BCSO Animal Services Representative
(Signature)



Date



Time



BCSO Animal Services Representative
(Printed & ID #)





SHERIFF WAYNE IVEY

BREVARD COUNTY SHERIFF'S OFFICE

700 S. Park Avenue ★ Titusville, Florida 32780-4095 ★ (321) 264-5201 ★ (321) 264-5360 fax ★ www.BrevardSheriff.com

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860 Camp Road
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(321) 253-6666 fax

West Precinct

2725 Judge Fran Jamieson
Way, Bldg. E
Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax

Gina Frangione
551 Marlin Cir,
Sebastian, Florida 32976

December 13, 2022

RE: Notice of Sufficient Cause Finding to Declare a Dog Dangerous, Chapter 14, Code of Ordinances of Brevard County, Florida

Dear: Mrs. Gina Frangione

Attached hereto please find copies of the Brevard County Animal Services Bite Report and other pertinent information concerning the following incident:

Job #: 135311

DATE OF INCIDENT: 11/13/22

NAME OF ANIMAL: Tunechi

ANIMAL DESCRIPTION: Male Brown Brindle Mixed Breed canine

The above records of Brevard County Animal Services and Enforcement indicate that you are the owner of the above referenced dog. Therefore, you are hereby notified that Brevard County Animal Services and Enforcement intends to declare the above described dog to be a Dangerous Dog, pursuant to the provisions of section 14-49, Code of Ordinances of Brevard County, Florida. The decision to declare your dog as dangerous is based on the incident described in the enclosed reports and affidavits.

Pursuant to the provisions of Code Section 14-49, Brevard County Animal Services and Enforcement has investigated the above described incident, and has determined your dog meets one or more of the definitions of a "Dangerous Dog."

You have the right to request a hearing before the Brevard County Animal Services and Enforcement Magistrate within seven (7) calendar days from receipt of this notice. If you do not request a hearing to petition the County's intent to declare the dog dangerous, no hearing or appeal procedure, as set forth in law, shall be available thereafter. No dog that is the subject of an investigation may be relocated or ownership transferred pending the outcome of the investigation or any hearings related to the classification.



The request for the hearing shall be in writing to:

Brevard County Sheriff's Office, Animal Services and Enforcement
Attn: Animal Enforcement Investigations
2775 Judge Fran Jamieson Way, A119
Melbourne Florida 32940

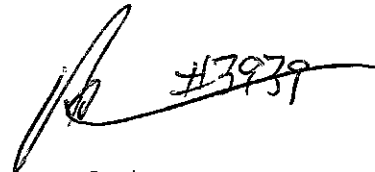
IT IS THE RESPONSIBILITY OF THE DOG OWNER TO BE INFORMED OF THE PROVISIONS OF CHAPTER 14, ANIMAL SERVICES AND ENFORCEMENT CODE OF ORDINANCES OF BREVARD COUNTY FLORIDA, CONCERNING DANGEROUS DOGS , AND TO PURSUE WHATEVER REMEDIES THE OWNER FEELS APPROPRIATE.

If you have any questions concerning this matter, please contact the Brevard County Sheriff's Office Animal Services and Enforcement Department at (321) 633-2024

Sincerely,



Christopher Hahn
Animal Enforcement Investigator
Brevard County Sheriff's Office
Animal Services Enforcement



Aaron Becker
Animal Cruelty Investigator, Agent
Brevard County Sheriff's Office
Animal Services Enforcement

Enclosures:

Bite Report(s)/Affidavit(s)/Case Reports

Copy of Brevard County Ordinance, Chapter 14, Section 14-49

BECA - Brevard Electronic Court Application

Logged in as: Public

Log Out

Name Search - HAGEMEYER

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
<u>05-2020-IN-001994-XXXX-XX</u>	HAGEMEYER GINA M	DEFENDANT (1)	BREVARD CO VS HAGEMEYER GINA	ANIMAL CONTROL	08/21/2020	ORIGINAL DISPOSED	04/08/1970	0.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	08/12/2020	AC 14 58 ANIMAL CAUSING PROPERTY DAMAGE 1ST OFF	08/25/2020	GUILTY	2020AC90253

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
<u>05-2020-TR-030699-XXXX-XX</u>	HAGEMEYER JAIZEN MICHAEL	DEFENDANT (1)	STATE VS HAGEMEYER	TRAFFIC INFRACTION	12/16/2020	ORIGINAL PENDING	06/20/2000	135.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	12/16/2020	SAFETY BELT VIOLATION OPERATOR	01/26/2021	GENERATED NONCOMPLIANCE	2020ADYGQ7E

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
<u>05-2021-IN-000821-XXXX-XX</u>	HAGEMEYER GINA M	DEFENDANT (1)	BREVARD COUNTY VS HAGEMEY	ANIMAL CONTROL	05/14/2021	ORIGINAL DISPOSED	04/08/1970	0.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	05/09/2021	AC 14 58 ANIMAL CAUSING PROPERTY DAMAGE 2ND OFF	07/12/2021	GUILTY	2021C213866
2	05/09/2021	AC 14 55 FAILURE TO SECURE ANIMAL 1ST OFF	07/12/2021	ACQUITTED	2021C213867

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
<u>05-2021-TR-025777-XXXX-XX</u>	HAGEMEYER NICHOLAS CHARLES	DEFENDANT (1)	STATE VS HAGEMEYER NICHOLAS CH	TRAFFIC INFRACTION	09/26/2021	ORIGINAL DISPOSED	09/07/1993	0.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	09/24/2021	SPEED POSTED MUNICIPALITY SPEEDING 6 TO 9 MPH	11/18/2021	ADJUDICATION WITHHELD	2021AEVBZCE

4 Current Cases Returned

BETWEEN '04/01/2020' AND '11/15/2022'

Close

(FOR CLERK USE) COURT CASE NO. 05-20-_____ IN _____ -A-

ANIMAL ENFORCEMENT CIVIL CITATION

CITATION NUMBER C 217372

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/13/2022 10:30		VIOLATION NUMBER: 135311
NAME (FIRST, M.I., LAST): GINA M Frangione		
ADDRESS: 551 MARLIN Circle, , SEBASTIAN Florida 32976		
TELEPHONE: 631 466 7518	DOB: 4/8/1970	SEX: Female
DL OR OTHER ID NUMBER: F652293706280	EXPIRATION DATE: 4/8/2028	ISSUING STATE: FL
ANIMAL NAME: TUNECHI	AGE: 12 Year(s) 3 Months 1 Weeks	SEX: Male
COLOR: Brown Brindle /	PRIMARY BREED: Medium Cross Breed	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 MARLIN Circle, SEBASTIAN, FL, 32976, United States

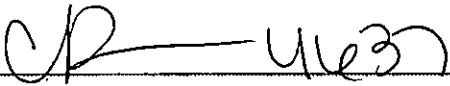

☒ NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 _____ MANDATORY COURT APPEARANCE REQUIRED.
DAYS.

DESCRIPTION OF CHARGE	FEE
14-56 1st Offense - Animal at Large	\$55.00

PAY THIS AMOUNT: \$55.00

FACTS CONSTITUTING PROBABLE CAUSE

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 	DATE / TIME 11/21/2022 16:33
SIGNATURE OF PERSON CITED 	DATE / TIME 11/21/22

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____ IN _____ -A-

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____

-A-

ANIMAL ENFORCEMENT CIVIL CITATION

CITATION NUMBER C 217373

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/13/2022 10:30		VIOLATION NUMBER: 135311
NAME (FIRST, M.I., LAST): GINA M Frangione		
ADDRESS: 551 MARLIN Circle, , SEBASTIAN Florida 32976		
TELEPHONE: 631 466 7518	DOB: 4/8/1970	SEX: Female
DL OR OTHER ID NUMBER: F652293706280	EXPIRATION DATE: 4/8/2028	ISSUING STATE: FL
ANIMAL NAME: TUNECHI	AGE: 12 Year(s) 3 Months 1 Weeks	SEX: Male
COLOR: Brown Brindle /	PRIMARY BREED: Medium Cross Breed	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 MARLIN Circle, SEBASTIAN, FL, 32976, United States

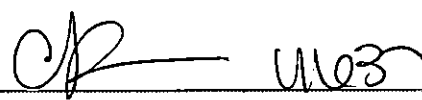
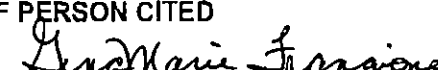
☒ **NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS.** ☐ **MANDATORY COURT APPEARANCE REQUIRED.**

DESCRIPTION OF CHARGE	FEE
14-58 1st Offense - Attack Causing Injury	\$220.00

PAY THIS AMOUNT: \$220.00

FACTS CONSTITUTING PROBABLE CAUSE

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 	DATE / TIME 11/21/2022 16:37
SIGNATURE OF PERSON CITED 	DATE / TIME 11/21/22

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____

-A-

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN _____-A-

ANIMAL ENFORCEMENT CIVIL CITATION

CITATION NUMBER C 217374

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/13/2022 10:30		VIOLATION NUMBER: 135311
NAME (FIRST, M.I., LAST): GINA M Frangione		
ADDRESS: 551 MARLIN Circle, , SEBASTIAN Florida 32976		
TELEPHONE: 631 466 7518	DOB: 4/8/1970	SEX: Female
DL OR OTHER ID NUMBER: F652293706280	EXPIRATION DATE: 4/8/2028	ISSUING STATE: FL
ANIMAL NAME: TUNECHI	AGE: 12 Year(s) 3 Months 1 Weeks	SEX: Male
COLOR: Brown Brindle /	PRIMARY BREED: Medium Cross Breed	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 MARLIN Circle, SEBASTIAN, FL, 32976, United States

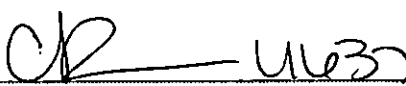

☒ NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS. ☐ MANDATORY COURT APPEARANCE REQUIRED.

DESCRIPTION OF CHARGE	FEE
14-58 3rd Offense - Animal Causing Property Damage	\$300.00

PAY THIS AMOUNT: \$300.00

FACTS CONSTITUTING PROBABLE CAUSE

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 	DATE / TIME 11/21/2022 16:44
SIGNATURE OF PERSON CITED 	DATE / TIME 11/21/22

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN _____-A-

(FOR CLERK USE) COURT CASE NO. 05-20-_____ IN _____ -A-

ANIMAL ENFORCEMENT CIVIL CITATION

CITATION NUMBER C 217330

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/14/2022 11:25		VIOLATION NUMBER: 135311
NAME (FIRST, M.I., LAST): Michael Mielnicki		
ADDRESS: 353 Dolphin Circle, , BAREFOOT BAY Florida 32976		
TELEPHONE: 3154399495	DOB: 12/17/1946	SEX: Male
DL OR OTHER ID NUMBER:	EXPIRATION DATE:	ISSUING STATE:
ANIMAL NAME: Benny	AGE: 9 Year(s) 0 Months 0 Weeks	SEX: Male
COLOR: Black /	PRIMARY BREED: Mixed Breed (Small)	

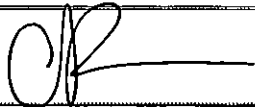

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 Marlin Circle, BAREFOOT BAY, FL, 32976, United States

☒ NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 _____ MANDATORY COURT APPEARANCE REQUIRED.
DAYS.

DESCRIPTION OF CHARGE	FEE
14-52(L) 1st Offense - Failure to Vaccinate <u>Dog</u> Cat or Ferret	\$120.00
PAY THIS AMOUNT: \$120.00	

FACTS CONSTITUTING PROBABLE CAUSE Canine Benny (985268) does not have a current rabies vaccine.

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 	DATE / TIME 11/14/2022 11:27
SIGNATURE OF PERSON CITED 	DATE / TIME 11/14/2022

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____ IN _____ -A-

(FOR CLERK USE) COURT CASE NO. 05-20-_____ IN _____ -A-

ANIMAL ENFORCEMENT CIVIL CITATION

CITATION NUMBER C 217332

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/14/2022 11:26		VIOLATION NUMBER: 135311	
NAME (FIRST, M.I., LAST): Michael Mielnicki			
ADDRESS: 353 Dolphin Circle, , BAREFOOT BAY Florida 32976			
TELEPHONE: 3154399495	DOB: 12/17/1946	SEX: Male	
DL OR OTHER ID NUMBER:	EXPIRATION DATE:	ISSUING STATE:	
ANIMAL NAME: Benny	AGE: 9 Year(s) 0 Months 0 Weeks	SEX: Male	
COLOR: Black /	PRIMARY BREED: Mixed Breed (Small)		

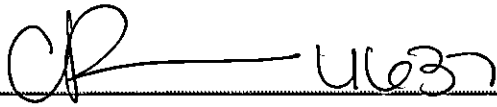

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

353 Dolphin Circle, BAREFOOT BAY, FL, 32976, United States

☒ **NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS.** ☐ **MANDATORY COURT APPEARANCE REQUIRED.**

DESCRIPTION OF CHARGE	FEE
14-52(M) 1st Offense - Failure to Obtain Rabies Certificate / License Tag	\$120.00
PAY THIS AMOUNT: <u>\$120.00</u>	

FACTS CONSTITUTING PROBABLE CAUSE Canine Benny (985268) does not have proof of a current county license.
--

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 	DATE / TIME 11/14/2022 11:30
SIGNATURE OF PERSON CITED 	DATE / TIME 11/14/2022

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____ IN _____ -A-

BREVARD COUNTY SHERIFF'S OFFICE

ANIMAL SERVICES AND ENFORCEMENT

AFFIDAVIT – BITE REPORT

I. STATEMENT INFORMATION

INTERVIEWING ASE OFFICER <i>Rodriguez</i>	DATE <i>11/14/22</i>	TIME <i>10:40</i>	LOCATION <i>353 Dolphin Cir Barefoot bay 32976</i>	BITE REPORT # <i>135311</i>
--	-------------------------	----------------------	---	--------------------------------

II. PERSONAL IDENTIFICATION

NAME (LAST, FIRST, MIDDLE) <i>Mielnicki</i>	GENDER <i>M</i>	TELEPHONE (HOME) <i>315-439-9495</i>	TELEPHONE (WORK) <i>/</i>	OTHER <i>/</i>
HOME ADDRESS <i>353 Dolphin Cir</i>			WORK ADDRESS <i>/</i>	

III. STATEMENT

☒ VICTIM
 ☐ OWNER
 ☐ WITNESS
 ☐ OTHER

PLEASE FILL OUT THE FORM BELOW; DESCRIBE THE INCIDENT BY INCLUDING WHO? WHAT? WHEN? WHERE?

Dog broke loose from owner and attacked my dog and me from behind. Dog latched on to my dog and bit him on the side and wouldn't let loose and well trying to brake them up dog bit me. Dog was a pit bow brown and white came from his yard at 551 Marlin Circle.

end of statement

CONTINUED ON NEXT PAGE

PAGE 1 OF 2 PAGES

end of statement

V. SIGNATURE / OATH

I swear (or affirm) I have read this statement and it is true and correct to the best of my knowledge so help me God *mm*

Signature of Affiant

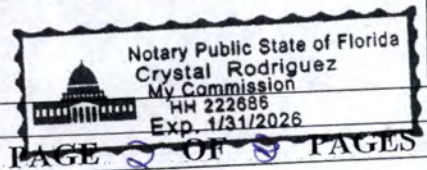
Michael J. Michnicki

Subscribed and sworn before me, a person authorized by law to administer oaths, this 10 day of NOVEMBER 2020 (year).

Signature of Notary/Law Enforcement Officer in performance of official duties.

Affiant is: ☐ Personally Known

☒ I.D. Produced: FL IDL



PAGE 2 OF 8 PAGES



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BREVARD COUNTY SHERIFF'S OFFICE

SHERIFF WAYNE IVEY

<https://www.brevardsheriff.com/home>

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Brevard County Sheriff's Office Animal Services

[Brevard County Sheriff's Office \(https://www.brevardsheriff.com/home\)](https://www.brevardsheriff.com/home) > [Commands & Services \(https://www.brevardsheriff.com/home/commands-services/\)](https://www.brevardsheriff.com/home/commands-services/) > [Operational Services \(https://www.brevardsheriff.com/home/commands-services/operational-services/\)](https://www.brevardsheriff.com/home/commands-services/operational-services/) > [Animal Services \(https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/\)](https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/) > [Enforcement \(https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/enforcement/\)](https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/enforcement/) > Dangerous Dog List

To file a report or
complaint, or to report
animal abuse or cruelty,
please call
321-633-2024

Donate to Us



https://www.petparentusa.com/FL_Brevard.aspx

Dangerous Dog List

Shannon Boyd
4029 Garden wood Cir, Grant Valkaria FI 32949
321-626-7062
"Charlie" (DD 274) Brown, Male Mixed breed canine
"Cody" (DD 275), Brown, Male Mixed breed canine

Carolyn Karsk
2222 Washington St, Palm Bay FI 32905
321-872-5780

"Lady" (DD276), Grey and White Mixed breed dog

Alex Abreu
2881 Detached Cir, Palm Bay, FI 32920
772-244-3516

"Ares" (DD277), Blue and white female Mixed breed dog

Brian Newland
1625 E Carriage Dr Titusville, FL 32796
(321)961-6283

Animal Services: Home

<https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/>

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<https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/enforcement/>

Dog 'Jaxon' (DD 246) Mastiff Mix

services/other-links/animal

services/)

Amber Flannery

1005 Bonnymede Dr Titusville, FL 32796

(321)431-9419

Dog 'Georgia' (DD247) Black Mouth Cur Mix

Jessica Osborne/Dawson Paine

5951 Lord St Mims, FL 32754

(321)698-7093

Dog 'Milo' (DD 248) Catahoula

Brenda Burnett

113 Martesia Way Indian Harbour Beach, FL 32937

(719)322-9833

Dog 'Percy' (DD 249) German Shepherd Mix

Linda Gransbury

713 Gibbons Rd SW

Palm Bay, Florida 32908 321-626-6961

Dog "Titan" (DD 242) Brindle/white mix breed

Megan Goss

2160 Warwick Rd

Melbourne, Florida 32935

321-208-4968

Dog "Jake" (DD 235) Brown Brindle Mix Breed

Kim Koebberling

1150 Grapefruit RD SE,

Palm Bay, Florida 32909

321-265-2538

Pretty Dawg (DD 233) Red Chinese Sharpei Mix Breed

Frederick Hinojosa

1023 Lynn Ct,

Titusville, Florida 32796

352-207-1821

Dog "Willie" (DD 229) Brown Hound Mix Breed

Kathryn Wilson

102 Twin Lakes Rd,

Palm Bay FL 32901

321-951-2769

Dog 'Ziva' (DD 239) Blue, Retriever Mix Breed

Vanessa Waysome

258 Coronada Blvd,

Titusville, FL 32780

321-458-3587

Dog 'Zeus' (DD 240) Brindle, Cane Corso

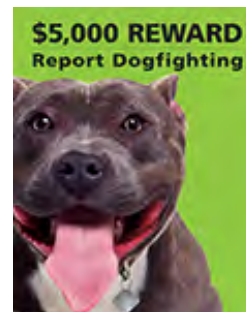
Denise Minchella

1590 Salmon St

Merritt Island, FL 32952



(<https://www.brevardsheriff.com/home/wp-content/uploads/2022/10/AS-Dog-Training-Class-Flyer-V3.pdf>).



(http://www.brevardsheriff.com/home/wp-content/uploads/2015/05/dogfighting_how_to_recogniz



(<https://www.brevardsheriff.com/home/wp-content/uploads/2021/11/Community-Cat.pdf>).

Animal Services Administration

1515 Sarno Road, Bldg B.

Melbourne, FL 32935

(321) 633-2024

animalservices@bcso.us

(<mailto:animalservices@bcso.us>)

Animal Services Operations

Director Joe Hellebrand

Admin Phone: 321-633-2105

Fax: 321-633-2141

Foster Coordinator

fostercordinator@bcso.us

(<mailto:fostercordinator@bcso.us>)

Rescue Coordinator

rescuecoordinator2@bcso.us

(<mailto:rescuecoordinator2@bcso.us>)

Special Events Coordinator

Kayli Wilson

kayli.wilson@bcso.us

(<mailto:kayli.wilson@bcso.us>)

Animal Care Center

5100 West Eau Gallie Blvd

Melbourne, FL 32934

Phone: 321-633-2024

Fax: 321-253-6623

[View Map](#)

([https://maps.google.com/maps?](https://maps.google.com/maps?q=5100+West+Eau+Gallie+Blvd++Melbourne,+FL+32934)

[q=5100+West+Eau+Gallie+Blvd++Melbourne,+FL+32934](https://maps.google.com/maps?q=5100+West+Eau+Gallie+Blvd++Melbourne,+FL+32934)

Hours of Operation

Monday, Tuesday, Thursday, Friday,

Saturday 11-6

Wednesday 1-6

Sunday 12-4

321-652-2271
Dog 'Hannah' (DD 245) Catahoula/Mastiff mix

Juan Torres
812 Marian Ct.
Titusville, FL, 32780
(904)-210-9721
Dog "Rocky" (DD252) Black and White Mix Breed

Carlos Reyna
621 Paw Paw St
Cocoa, FL 32922
(561)-584-0176
Dogs "Bella" (DD 253) Gray and White Mix Breed and King (DD 254) White and Brown Mix Breed

Jeffery Strom
1036 Potenza Dr
West Melbourne, FL 32904
(321)-482-4277
Dog Dalgo (DD 255) White Mastiff Mix Breed

Laura Waelti
7290 Waelti Dr
Melbourne, FL 32940
321-403-5336
Dog: Bear (DD 259) Brown Brindle Mix Breed

Andrea Stowe
799 Alfonso Ave SE
Palm Bay, FL 32909
321-306-7152
Dog: Monster (DD 262) Tan Curr

Jeremy Trillich
2839 Dutton Dr,
Titusville, FL 32796
321-368-5018
Dog: Bryn (DD267) Brown Brindle Mix Breed

Steven Kirsner
4439 Chiming Ln,
Viera, FL 32955
321-749-7000
Dog: Bear (DD268) Brown Chow Mix Breed

Mary Young
300 McGill Ln,
Merritt Island, FL 32953
321-689-2374
Dog: George (DD266) Black Brindle Shepherd Mix

Daniel Bross
Dog: Opossum (DD 265) Brindle/White Mix Breed

James Chalk
1800 Fletcher St.
Melbourne, FL 32901
(321)-216-8855
Dog "GB" (DD271) German Shephard

Christie Cloke
1625 Dozier Cir SE
Palm Bay, FL 32909
Dogs "Rascal" (DD 269) Gray and White Mix Breed "Bosco" (DD270) Brown and White St. Bernard

Francis Grijalva- Garcia
217 Coral Way, Cocoa Fl 32922
321-298-1478
"Rocky" (DD278), Beige, Male mixed breed canine

Jonte Robinson
1429 Lark Ct, Titusville Fl 32780
321-917-3898
"Patrick" (DD279), Black and white, Male, mixed breed canine

Gina Frangione
551 Marlin Cir, Barefoot Bay, Fl 32976
631-466-7518
"Tunechi" (DD280), Brown Brindle, Male, mixed Breed Canine

This page was last updated on: February 6, 2023 - 11:40 am



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11/14/2022



11/14/2022





11/14/2022

the findings are inadequate and untrue and request a hearing.
Thank you GinaMarie Frangione

Thank you for the correspondence, we will set a hearing for the next magistrate hearing on 12/13

Thank you I appreciate your time.

Tuesday 9:28 AM

Hello Officer Hahn just wondering big you have a time yet and is the date still 12/13?
Thank you.

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 23-000233

#1904/23-000233

FRANGIONE, GINA, hagemeyer, ginamarie

551 MARLIN CIR

BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER

AND

NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 02/24/2023 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) FRANGIONE, GINA, et. al. is/are the owner(s) of that certain parcel of real property located at 551 MARLIN CIRCLE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE III, SECT. 4 (A) (B) (C) (D) (E), Pets,

ORDER

Based upon the foregoing finding of fact and recommended order, it is
ORDERED AND ADJUDGED THAT:

1. Respondent(s) shall by come into compliance with the violation cited herein by .
2. Should the Respondent(s) fail to comply with this Recommended Order by the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 02/24/2023 at Barefoot Bay Recreation District Brevard County, Florida.

Violations Committee of the Barefoot Bay
Recreation District Brevard County, Florida



David Wheaton - Chair, Vickie Sloss - Vice-Chair

NOTICE

Case # 23-000233Site Address: 551 MARLIN CIRCLE

Your case has been referred to the Board of Trustees for further action. **If the Recreation District brings legal action to enforce the provisions of the Barefoot Bay Recreation District Deed of Restrictions, the Recreation District shall be entitled to an award of attorney's fees and court costs.**

Barefoot Bay Recreation District Deed or Restrictions

Article III Section 12. (C) Penalties. In the event that the Recreation District determines that the Owner or Occupant of the Lot to whom such notice of violation has been given has not corrected the violation within the time set forth in the notice, the Recreation District may, in its discretion, consider the issue of such violation at a regular meeting of the Board of Trustees of the Recreation District. **If the Board of Trustees concurs that legal action is necessary to cause the alleged violation to be corrected, the Recreation District shall thereafter have the authority to bring an action for injunctive or other appropriate relief in a Court of-competent jurisdiction in Brevard County, Florida. If the Recreation District brings such legal action to enforce the provisions of this Instrument, the Recreation District shall be entitled to an award of attorney's fees and court costs incident to such action.**

Your case which is set to be heard by the Board of Trustees, may than be forwarded to the District's attorney for legal action at that meeting. The Recreation District shall be entitled to an award of attorney's fees and court costs incident to such action. Call 772-664-3141 if you have any questions.

Deed of Restrictions STAFF



Barefoot Bay Recreation District

625 Barefoot Boulevard
Administration Building
Barefoot Bay, FL 32976-9233

Phone 772-664-3141
www.bbrd.org

Memo To: Board of Trustees

From: Kent A. Cichon, Community Manager

Date: March 9, 2023

Subject: Manager's Report

Finance

Assessment received – 83.49% collected or \$3,514,986. Balance to collect \$695,055.

Resident Relations

ARCC Meeting 2/14/23

- 1 Old Business - approved
- 16 Consent Permits – 15 approved, one denied due to encroachment in the setback
- 17 Other Permits – approved

ARCC Meeting 2/28/23

- 3 Old Business – to be presented
- 16 Consent Permits – to be presented
- 6 Other Permits – to be presented

VC Meeting 2/10/23

- 3 Cases – came into compliance prior to the meeting
- 4 Cases – found to be in violation

Food & Beverage

- There are a few tickets available for the Franki Valli matinee on March 19th. The Fleetwood Mac tribute show is SOLD OUT. The Doo Wop dance show is April 14th. This is a table and chair event, versus theater style (all chairs). Call 772-664-3141 x222 for ticket availability.

Food & Beverage (continued)

- St. Paddy's Day full day in the Bay is March 17th. A parade, ceremony, including a Blessing of the Bay, a bagpiper show, and all-day music and food is planned in the Building A and lakeside complex. Tickets for the buffet style dinner and corned beef sandwiches are on sale now at the 19th Hole, the Lounge and Administration.

Flyers with all the details are posted.

Property Services

- Bollards installed along Barefoot Blvd. near the pickleball courts
- Initiated replacement of all deteriorated bollards throughout BBRD
- Trimmed trees around BBRD grounds
- Repaired a broken Pool #1 ladder
- Continued to work with Big5 Construction on the Beach Restroom project permit
- Worked with the shopping center electrical vendor to continue changing the electrical panels
- Arranged to recover two of the three billiard tables
- Purchased more umbrellas and stands

Golf-Pro Shop

- Softball Field irrigation repairs are in progress and awaiting repair availability dates
- CVO Golf Tournament is scheduled for March 11th with an 8:30am shotgun start and 4 person scramble. Call Pro Shop at 772-664-3174 for assistance.
- BBRD Club Championship is scheduled for March 17th & 18th with a first tee time at 7:36am. Sign-up with the Pro Shop. Entry deadline is March 14th. Call Pro Shop at 772-664-3174 for assistance.
- Member Only Streamlined Check-in Process
 - If you are not required to pay any fee, then you may check in with the starter outside for your golf. Please arrive 20 minutes before your time. If you arrive at the last minute, then you may experience a delay.