



BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
April 25, 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. A Day of Prayer
- 7. Approval of Minutes**
 - A. Budget workshop minutes dated March 16th, March 21st, regular BOT minutes dated March 28th and Townhall minutes dated April 4th.
- 8. Treasurer's Report**
 - A. Treasurer's Report
- 9. Audience Participation**
- 10. Unfinished Business**
 - A. Acceptance of Donation Request
- 11. New Business**
 - A. Discussion of Prohibition Against Nepotism (Employee Handbook pages 7-8), Conflict of Interest (Rules of the BOT Article VII section 2 page 9)
 - B. Pool #1 Designated Smoking Area
 - C. Revised ARCC Guidelines
- 12. Manager's Report**
 - A. April 25, 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.

Barefoot Bay Recreation District Regular Meeting

Barefoot Bay Recreation District

PROCLAMATION

BAREFOOT BAY RECREATION DISTRICT Recognizes A DAY OF PRAYER

WHEREAS, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identity, made "The Laws of Nature and Nature's God" the foundation of our United States of America, and asserted that people have inalienable rights that are God-given; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S Congress themselves begin each day with prayer; and

WHEREAS, in 1988 legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, it is fitting and proper to give thanks to God by observing **A DAY OF PRAYER IN BAREFOOT BAY RECREATION DISTRICT** when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation.

NOW BE IT RESOLVED, that, the BOARD OF TRUSTEES OF BAREFOOT BAY RECREATION DISTRICT, does hereby proclaim Thursday, May 4, 2023, as

A DAY OF PRAYER IN BAREFOOT BAY RECREATION DISTRICT

PASSED AND ADOPTED by the Board of Trustees of Barefoot Bay Recreation District this 25th of April 2023.

**BOARD OF TRUSTEES
BAREFOOT BAY RECREATION DISTRICT
BAREFOOT BAY, FLORIDA**

BY: _____
Bruce Amoss, Chairman



BAREFOOT BAY RECREATION DISTRICT

**Board of Trustees Workshop
FY24-28 Proposed Budget
Thursday, March 16, 2023, 9am
Building D & E**

Welcome

The Barefoot Bay Recreation District Board of Trustees held a Workshop on March 16, 2023, Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Amoss called the meeting to order at 9AM.

Pledge of Allegiance to the Flag

Led by Mr. Cichon.

Roll Call

Present: Mr. Amoss, Mr. Klosky, Ms. Tummolo, Mr. Grunow, Mr. Brinker. Also, present, Kent Cichon, Community Manager, Stephanie Brown, District Clerk, Matt Goetz, Property Services Manager, Ernie Cruz, Golf Operations Manager, Rich Armington, Resident Relations/HR Manager, Charles Henley, Finance Manager, and Kathy Mendes, Food & Beverage Manager.

Audience Participation

Katherine Lesh-1479 Gardenia Drive-voiced her concern about departments who are not supporting their expenditures and spoke in favor of pausing all unnecessary projects and hiring.

Nancy Eisele-944 Barefoot Blvd-spoke in favor of adding carpeting for the Mini Golf course in the FY24 budget.

David Wheaton-1477 Barefoot Circle-spoke in favor of getting a handle on amenity expenditures.

William Maniaci-905 Periwinkle Circle-spoke in favor of a 6-month max rental period for homes in Barefoot Bay.

Mr. Cichon read a letter by Richard Schatlow-636 Marlin Circle-spoke in favor of the installation of a pool ramp.

Review of Proposed FY24-28 Budget

Mr. Cichon gave a review of the FY24 proposed budget with a presentation and gave specific topics (i.e., fees, unfunded projects) for the BOT to discuss and make decisions on for the next budget workshop.

3/27/2023 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.



BAREFOOT BAY RECREATION DISTRICT

General Discussion by Trustees

Mr. Cruz explained the new single members and prime member fee differences. Mr. Grunow spoke in favor of not making any changes to fees until there are improvements to the golf course. He suggested raising golf membership fees in FY25. Ms. Tummolo spoke in favor of the proposed golf fees. Mr. Brinker agreed with Ms. Tummolo. Mr. Amoss voiced his concern about the small increase in fees to non-residents. Not in favor of the increase. He also spoke in favor of three price categories, one for an owner, renter, and nonresident. Mr. Grunow asked if there were other options for prime golf times other than raising fees. Mr. Cruz responded that it would require the BOT to vote to allow the ability to eliminate groups or adjust group sizes. Mr. Amoss agreed with Mr. Cruz's option of adjusting groups sizes and times. Ms. Tummolo spoke in favor of limited times and days during prime golf season.

Adjournment

The next BOT Budget Workshop meeting will be on March 21, 2023, at 6pm in Building D/E

Mr. Amoss adjourned.

Meeting adjourned at 11:15am

Jeff Grunow, Secretary

Stephanie Brown, District Clerk

3/27/2023 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.



BAREFOOT BAY RECREATION DISTRICT

**Board of Trustees Workshop
Tuesday, March 21, 2023, 6PM
Building D&E**

Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on March 21, 2023, Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Amoss called the meeting to order at 6PM.

Moment of Silence

Mr. Amoss requested a moment of silence for employee Margaret Bowen who passed away on March 20, 2023.

Thought for the Day

We cannot solve our problems with the same thinking we use when we created them - Albert Einstein.

Pledge of Allegiance to the Flag

Led by Mr. Amoss.

Roll Call

Present: Mr. Amoss, Mr. Brinker, Mr. Grunow, Mr. Klosky, and Ms. Tummolo. Also, present, Kent Cichon, Community Manager, Richard Armington, Resident Relations Manager, Charles Henley, Finance Manager, Ernie Cruz, Golf Operations Manager, Matt Goetz, Property Services Manager, Kathy Mendes, Food and Beverage Manager, and Cindy Mihalick, Administrative Assistant to the District Clerk.

Audience Participation

Louise Crouse-808 Sapodilla Drive –suggested automated sliding doors be added to all BBRD facilities, with keycard access for staff and membership cards.

Debbie Brown-912 Frangi Pani (President of the Barefoot Bay Golf Cart Club)-suggested that the BOT consider creating a fund for annual maintenance and improvements to the BBRD mini golf course, including adding artificial turf. She also offered suggestions on how to raise money for the artificial turf (BBRD clubs sponsoring a hole, community fundraiser or volunteer hours). Mr. Amoss suggested raising the topic at the next Townhall meeting.

Dave Wheaton-1477 Barefoot Circle – voiced his concern about the 8.003% increase in the proposed budget being above the CPI.



BAREFOOT BAY RECREATION DISTRICT

Review of Proposed FY24-28 Budget

Mr. Cichon explained the budget process, timeframes and gave an overview of topics to be discussed.

General Discussion by Trustees

Utility Cart

Mr. Cichon stated that a utility cart was budgeted in FY23 for \$10,000 as a capital equipment expenditure and after research from staff, the best price is through the state contract in the amount of \$10,931.40.

Consensus of the BOT to move forward with the purchase of the utility cart for FY23.

Courtesy Golf Cart

Mr. Cichon asked the BOT to consider whether the courtesy cart should be purchased for the current fiscal year and if service should continue into FY24. Mr. Goetz stated that the FL State contract price is around \$12,000. The BOT agreed that the replacement cart should be purchased and spoke in favor of staff researching how much the courtesy golf cart is utilized.

Consensus of the BOT to purchase the courtesy golf cart within the FY24 budget.

19th Hole Weather Panels

Consensus to purchase the 19th Hole stage weather panels within the FY23 budget.

Chits

Staff advised that chits and coupons purchased will not have an expiration date. Mr. Cichon withdrew this item for consideration.

BBRD Miniature Golf Course

The BOT discussed miniature golf turf installation. They spoke in favor of accepting donations for turf for mini golf from one or more BBRD clubs if the project is fully funded. Mr. Cichon suggested the BOT consider placing a plaque at the hole that is sponsored by a BBRD club and honor any BBRD staff involved in the original design of the course.

Consensus of the BOT to move forward with the golf course installation project if it is fully funded and present to the BOT as an agenda item for a later date.



BAREFOOT BAY RECREATION DISTRICT

BBRD Fee Schedules

The BOT reviewed the adjustment to fees and charges for the Building A kitchen. The BOT agreed that the fees listed for Building A kitchen spreadsheet are fair.

Consensus of the BOT to approve the proposed FY24 fees and charges for Building A Kitchen.

The BOT reviewed the Resident Relations and Recreation FY24 Proposed Revenues. Mr. Brinker voiced his concern about DOR/resident relations staff and raising fees enough to cover their salary. He spoke in favor of raising the additional resident/property owner fee to \$600. Mr. Grunow voiced his concern about the resident/property owner fee being significantly raised from \$125 to \$600 for FY24. Ms. Tummolo and Mr. Klosky spoke in favor of the current proposed increase of \$425. Mr. Amoss spoke in favor of charging the same fees to additional residents and renters. He recommended a charge equal to 50% of the assessment for each individual adult residing at the address, with fees automatically adjusting anytime they are raised. He also spoke in favor of eliminating monthly passes or non-resident guests unless they are a guest of a resident.

Consensus of the BOT to change fees to percentages for annual long-term renter adult and remove annual renewal/adult, annual renewal/dependent and non-resident visitor pass fees.

The trustees discussed proposed golf pro shop fees. Mr. Amoss spoke in favor of raising the green's fee (peak season) to the proposed maximum and keeping green's fee (summer), cart fees, and club storage fees the same. He also recommended keeping rental club fees at \$12 because they are used by visitors who golf with an active member. Mr. Klosky recommended raising rental club fees to \$18.

Consensus of the BOT to raise the rental club fee to \$18.

Mr. Amoss read Article VII section of the BBRD Charter regarding fees and presented a document with suggested membership fee changes. Mr. Amoss spoke in favor of a three-tier approach, owner membership, renter membership, and non-resident membership. Mr. Amoss also spoke in favor of not having a non-resident family fee. Mr. Grunow suggested returning the membership fee schedule back to the way it was prior to the former Chairman (Mr. Maino) changing it.

Consensus of the BOT to consider trail fees and the golf fee schedule at the next budget workshop.

Grants

Mr. Cichon advised the BOT that a \$150,000 75% reimbursable grant is available for the BBRD golf course. Mr. Grunow spoke in favor of waiting to see how the new golf maintenance company progresses before moving forward with the grant. Mr. Cichon recommended getting direction from the new golf maintenance company about updating the greens prior to the next budget workshop meeting.



BAREFOOT BAY RECREATION DISTRICT

Consensus of the BOT to defer the decision regarding the golf grant to the next budget workshop meeting on April 20, 2023.

Mr. Cichon stated that there is a 100% reimbursable grant in the amount of \$50,000 for the softball field.

Consensus of the BOT to move forward with the softball field grant in the FY24 budget.

Unfunded Projects

Pool #1 and Building A inflatable screen package.

Consensus of the BOT to defer the inflatable screen to a future budget.

Building A Chair Replacement

Consensus of the BOT to proceed with Building A chair replacement for the FY24 budget.

Pool #1 Mood Lighting and Potted Landscaping

Mr. Brinker spoke in favor of deferring the lighting and landscaping project. Mr. Grunow spoke in favor of waiting until Pool #1 repairs are complete before moving forward with landscaping.

Consensus of the BOT for staff to research costs and discuss further at the next budget workshop meeting.

Lounge Bar Renovation

Ms. Mendes explained that the sandwich area needs repair, and the ice machine needs to be replaced. The idea would be to renovate it into a cocktail area. The cabinetry will be updated to create more efficient shelving.

Consensus of the BOT to expedite the Lounge renovation.

Lawn Bowling

Consensus of the BOT to keep the lawn bowling facility with regular overseeding but no resodding or irrigation updates.



BAREFOOT BAY RECREATION DISTRICT

Lakeside Stage Electrical Improvements.

Consensus of the BOT to include lakeside stage electrical improvements in the FY24 budget.

Golf Course Lightning Detection System

Mr. Cichon advised that the golf course lightning detection system cost is \$34,941 and explained the efficiency over the current process of using a weather app and golf course staff then notifying a Pool Host to shut down the pools, while sending a ranger to alert golfers.

Consensus of the BOT to include the lightning detection system in the FY24 budget.

Golf Course Pond Fountain

Consensus of BOT to direct staff to research costs and discuss further at the next budget workshop meeting.

Building A, Building C and Lounge CCTV

Consensus of the BOT to include CCTV in FY24 budget.

Pro Shop and 19th Hole CCTV

Consensus of the BOT to include CCTV in FY24 budget.

Pool #2 Shade Structure

Mr. Goetz stated the area needs a concrete base to add a structure and he has had difficulties locating a concrete contractor.

Consensus of the BOT to defer the shade structure at Pool #2 project to a future budget.

Building A Bar

Ms. Mendes stated renovation of the Building A bar would cost \$10,000 or a rebuild would cost \$20,000. Mr. Grunow voiced his concern about a change in building capacity (currently 200) if the bar is expanded.

Consensus of the BOT to rebuild the Building A bar.



BAREFOOT BAY RECREATION DISTRICT

Building D&E Portable Bar

Consensus of the BOT to move forward with Building D&E portable bar for FY24.

Pool #1 Monitor

Mr. Amoss stated he consulted with General Counsel Olsen regarding having a pool monitor and Mr. Olsen was not in favor and recommended hiring security. Ms. Tummolo stated BBRD has a responsibility to protect the liquor licenses.

BOT consensus to direct staff to contact General Counsel Olsen for additional information and discuss at the next budget workshop.

Basketball Court

Mr. Goetz stated that the basketball court and fencing and concrete need to be repaired/upgraded, which would cost around \$65,000. He advised that fencing would need to be repaired as soon as possible. Mr. Grunow asked if a FRDAP grant could be used for the repairs. Mr. Cichon responded that he can reach out to the FRDAP consultant to confirm.

BOT consensus to direct staff to reach out to the FRDAP consultant to see if a grant is a possibility and discuss further at the next budget meeting.

Canopies (west side of the Lounge)

Consensus of the BOT to move forward with the canopy replacement on the west side of the Lounge.

19th Hole Cooler

Mr. Cichon stated the original idea was to block the cooler utilizing a fence or landscaping. The current idea is to now use a wrap, with a scene from the golf course at a cost of \$3,000.

Consensus of the BOT to add the cooler wrap to the FY24 budget.

Mr. Cichon stated that the total cost of projects would be \$135,000 if funded for FY24. Projects that have been deferred for discussion to the next budget meeting are the pool monitor, basketball court, and potted landscaping and lighting. If these additional projects are added, the total cost of projects would go above \$180,000.



BAREFOOT BAY RECREATION DISTRICT

Additional Comments

Mr. Grunow expressed his gratitude to BBRD staff for attending the budget workshop. He also corrected a statement made by Mr. Wheaton during audience participation and stated that BBRD is upholding our interlocal agreement with Brevard County and is well within our legal bounds.

Adjournment

The next budget workshop will be on April 20, 2023, at 9am in Building D/E.

Mr. Amoss adjourned.

Meeting adjourned 8:57pm.

Jeff Grunow, Secretary

Stephanie Brown, District Clerk



BAREFOOT BAY RECREATION DISTRICT

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

Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on March 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 Mr. Brinker

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 item 10C be removed from the agenda.

Approval of the Agenda

Mr. Klosky made a motion to approve the agenda, removing item 10C, Discussion of Prohibition Against Nepotism, and BOT members serving in a volunteer capacity. Second by Ms. Tummolo. Motion passed unanimously.

Presentations and Proclamation

None.

Approval of Minutes

BOT Regular Meeting minutes dated March 9, 2023, was approved with a correction to the audience participation section. The Barbara Moore memorial time to be corrected from 11-1pm instead of 12-1pm.

Treasurer's Report

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



BAREFOOT BAY RECREATION DISTRICT

Audience Participation

None.

Unfinished Business

None.

New Business

Acceptance of Donation Request

Staff recommends the BOT accept the donation in the amount of \$855.85 from Ms. Pam Daley for a memorial bench near the pickleball courts.

Mr. Klosky made a motion to accept the donation in the amount of \$855.85 from Ms. Pam Daley for a memorial bench near the pickleball courts. Second by Ms. Tummolo. Motion passed unanimously.

FY22 Audit Presentation

Staff recommends the BOT accept the presented FY22 Audit Report.

Alan Ricafort from MSL, P.A. presented the FY22 audit report with no findings.

Mr. Klosky made a motion to accept the FY22 Audit Report from MSL, P.A. as presented. Second by Mr. Grunow. Motion passed unanimously.

Approval of Contingent Settlement Agreement

The General Counsel recommends that the Board of Trustees make a motion to approve the Contingent Settlement Agreement with Mr. Robert Nonnemacher in the amount of \$40,000.00 for a full release of claims against the Barefoot Bay Recreation District and authorize the Chairman of the Board of Trustees to execute the Contingent Settlement Agreement today, March 28, 2023.

Mr. Klosky made a motion to approve the Contingent Settlement Agreement with Mr. Robert Nonnemacher in the amount of \$40,000.00 for a full release of claims against the Barefoot Bay Recreation District and authorize the Chairman of the Board of Trustees to execute the Contingent Settlement Agreement today, March 28, 2023. Second by Mr. Brinker. Motion passed unanimously.



BAREFOOT BAY RECREATION DISTRICT

Manager's Report

Finance

Assessment received – 87.11% collected or \$3,667,189. Balance to collect \$542,852.

Resident Relations

ARCC Meeting 2/28/23

- 3 Old Business – approved
- 16 Consent Permits – approved
- 6 Other Permits – approved

ARCC Meeting 3/14/23

- 25 Consent Permits – approved
- 13 Other Permits – 12 approved, 1 denied

VC Meeting 2/24/23

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

VC Meeting 3/10/23

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

Food & Beverage

- The Doo Wop show is April 14th. This is a table and chair event, versus theater style (all chairs). Call 772-664-3141 x222 for ticket availability. The bar is open, and food is available at 6pm.

Food & Beverage (continued)

- Celebrate April Fool's Day at Pool #1 with Groove Infusion on the stage from 6-10pm. Dress in your craziest mismatched clothes for a best dressed prize. This is a \$12 (includes tax) appetizer buffet night with a great mix of small bites from 5-6pm. Tickets go on sale Friday, March 17th at the Lounge, 19th Hole, and Administration.



BAREFOOT BAY RECREATION DISTRICT

- Mother's Day brunch buffet will be held lakeside of the Lounge from 11-1pm. The Kore will play from 2-6pm. This is a great day out whether you're a mom or not! Tickets go on sale Friday, March 31st at the Lounge, the 19th Hole, and Administration.

Flyers with all the details are posted.

Property Services

- Pool #2
 - Completed replumbing of the facilities
 - Repaired the pump and sourced a replacement pump
- Repaired lights in front of the Administration Building
- Replaced broken lights at the tennis courts
- Continued the installation of more permanent anchor umbrella stands
- Facilitated various needs for the St. Patrick's day events
- Replaced the head on a utility cart
- Replaced all the flags at the Veterans Meeting Center & Service Office
- Evicted racoons living in a BBRD shed and repaired and repainted the structure

Golf-Pro Shop

- 2023 Jr. Golf Camp
 - Grant application is under development
 - Dates TBD
- Harry Wright Memorial Tournament
 - April 22, 2023
 - Shotgun start at high noon
 - Dinner to follow event
 - Contact Pro Shop for sign up and questions 772-664-3174
- RFP for Golf Cart Fleet
 - Documents are under development
 - Current lease ends December 23, 2023
 - Brightview will be the new golf maintenance provider starting in April 2023



BAREFOOT BAY RECREATION DISTRICT

Attorney's Report

Mr. Olsen stated that he requested a default judgement in the violation case for 418 Barefoot Blvd. He also reminded staff and residents of his upcoming Sunshine Law presentation at the Violations Committee meeting being held on April 14, 2023.

Incidental Trustee Remarks

Mr. Grunow looks forward to an update in the BBRD nepotism policy and looks forward to seeing the topic at a future BOT Meeting.

Ms. Tummolo read her BOT resignation letter, effective April 25, 2023.

Mr. Brinker, Mr. Grunow and Mr. Amoss expressed their gratitude to Ms. Tummolo for her service.

Adjournment

The next regular meeting will be on April 13, 2023, at 1pm in Building D/E.

Mr. Amoss adjourned.

Meeting adjourned at 1:27pm.

Jeff Grunow, Secretary

Stephanie Brown, District Clerk



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Meeting
Quarterly Townhall
April 4, 2023
9AM –Building D&E

Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Townhall Meeting on April 4, 2023, Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Amoss called the meeting to order at 9AM.

Pledge of Allegiance to the Flag

Led by Mr. Grunow.

Roll Call

Present: Mr. Amoss, Mr. Brinker, Mr. Klosky, Mr. Grunow, Ms. Tummolo. Also, present, Kent Cichon, Community Manager, Stephanie Brown, District Clerk, Kathy Mendes, Food and Beverage Manager, and Matt Goetz, Property Services Manager.

Audience Dialogue with BOT

Donna Collette 854-Periwinkle Circle-spoke in favor of charging fee for events to nonresidents. Mr. Grunow responded that the suggestion can be researched as a possibility. He also spoke in favor of separating certain events for charge/no charge. Mr. Brinker agreed with Ms. Collette. Ms. Collette also voiced her concern about people buying passes that do not reside in Barefoot Bay. She spoke in favor of longer-term pass fees being increased. Ms. Tummolo responded that passes will be increased for FY24. Mr. Amoss also responded that passes for longer terms are being eliminated and a limit will be placed on the number of passes that can be purchased.

Nancy Eisele-944 Barefoot Blvd-spoke in favor of having resident badges checked by the Chairman of each club. She also asked for an update on the boat removal. Mr. Goetz responded that he is in the process of working with Brevard County to get it removed.

Cindy Mc Conn-590 Royal Tern-asked for updates on the Pool #1 renovations. Mr. Cichon responded that the pump will be relocated, and the heater building will be removed, and the pool will be resurfaced. She also spoke in favor of relocation of the smoking section to outside the gate of Pool #1. Ms. Tummolo recommended researching moving the smoking pit area it back to where it was. Mr. Brinker and Mr. Klosky agreed with Ms. Mc Conn.

Consensus of the BOT to direct staff to research options for the relocation of the smoking section and discuss at a future BOT meeting.

Sandy Levesque-1006 Oriole Circle-spoke in favor of relocation of the smoking pit area.



BAREFOOT BAY RECREATION DISTRICT

Margaret Frigon-1056 Barefoot Circle-asked for the update on mini golf. Mr. Cichon responded that the initial cost is coming in under \$20k.

Incidental Trustee Remarks

Mr. Grunow expressed his gratitude to the residents for attending the Townhall meeting.

Ms. Tummolo expressed her gratitude to the residents for attending the Townhall meeting and offering their suggestions.

Mr. Klosky expressed his gratitude to the residents for attending the Townhall meeting.

Mr. Amoss expressed his gratitude to the residents for attending the Townhall meeting.

Adjournment

The next Townhall meeting will be held on July 27, 2023, at 6pm in Building D/E.

Mr. Amoss adjourned.

Meeting adjourned at 9:53am.

Jeff Grunow, Secretary

Stephanie Brown, District Clerk

Barefoot Bay Recreation District

Treasurer's Report

April 25, 2023

Cash and Investments Balances in General Fund as of 4/14/23

Petty Cash Total Petty Cash: \$ 2,500.00

Non Interest Bearing Accounts

MB&T Operating Account \$ 518,477.99

Interest Bearing Accounts

MB&T Money Market Account \$ 2,278,971.76

Valley National Bank 50,000.00

FL Class 205,459.89

SBA Reserve Account 720,914.14

Investment Accounts

FL Trust - Short Term Bond Fund \$ 109,087.14

Total Cash Balances in General Fund:

\$ 3,835,410.92

Total Daily Deposits and Assessments Received for 3/17/23 - 4/14/23

Daily Deposits: \$ 320,908.79

Assessments Received: 282,218.19

Total Deposits Received:

\$ 603,126.98

Expenditures for 3/17/23 - 4/3/23

Check Number	Vendor	Description	Check Amount
61175	Carroll Distributing Company	Alcohol	6,178.74
61178	Current Electrical Solutions Inc	Draw #11 SC Electrical Upgrades	16,150.00
61191	MGM Contracting, Inc	Final - 19th Hole Kitchen Renovations	30,601.00
61201	US Foods	Foodstuff and Supplies	5,716.83
61223	Florida Blue	Employee Health Insurance: 4/23	34,000.96
61224	Florida Power & Light Co	Electricity	9,723.27
61230	Home Depot Credit Services	Building and Grounds Supplies	5,104.74
61244	Special District Services, Inc	Management Fees	14,452.13
61248	US Foods	Foodstuff and Supplies	6,274.56
61264	Como Oil & Propane - Vero Beach	Propane	6,004.44
61278	MGM Contracting, Inc	Change Order for Storm Drain 19th Hole	6,250.00
61288	Vak Pak, Inc	Pump for Pool 1 Project	46,932.64
61306	Amazon Capital Services	Operaing Supplies - Various	7,015.35
61310	Card Service Center	Bar Equipment & Operaing Supplies	10,355.98
61324	Omega Technology Solutions, LLC	Monthly IT Support and Software Sub	5,053.02
61338	Vose Law Firm, LLP	Legal	7,500.00
61349	A1A Technologies & Electric	Deposit - New NVR with network	7,400.00
61351	ABM Landscape & Turf Services	Final Payment - Golf Course Maint	22,041.27
61364	Current Electrical Solutions Inc	Draw #12 SC Electrical Upgrades	14,250.00
61385	US Foods	Foodstuff and Supplies	6,861.90
	Paychex	Net Payroll - PPE 3/26/23	79,749.22
	United States Treasury	Payroll Taxes - PPE 3/26/23	22,576.53
	Paychex	Net Payroll - PPE 4/9/23	76,880.95
	United States Treasury	Payroll Taxes - PPE 4/9/23	22,096.23

Total Expenditures \$5,000 and above:

469,169.76

Expenditures under \$5,000:

184,314.20

Total Expenditures:

\$ 653,483.96

Board of Trustees

Meeting Agenda Memo

Date: Tuesday, April 25, 2023
Title: **Acceptance of Donation Request**
Section & Item: 10.A
Department: Property Services
Fiscal Impact: N/A
Contact: Kent Cichon, Community Manager, Matt Goetz, Property Services Manager
Attachments: Pam Daley-2 Bench Request, 04.06.2023 Kevin Sullivan Bench Request, 04.11.2023 Pam Daley and Kevin Sullivan Revised Bench Quote

Reviewed by
General Counsel: N/A
Approved by: Kent Cichon, Community Manager

Requested Action by BOT

Acceptance of a donation request for benches near the pickleball courts.

Background and Summary Information

Per BBRD Policy Manual (since 2015), the party requesting to donate the item must pay BBRD the cost, and staff will procure the donation.

Ms. Scarfo, a representative of the Pickleball Club, requested to resubmit her previous donation acceptance request (approved by the BOT on 3/28/23) to add an additional bench.

Staff recommends the BOT accept the donation in the amount of \$1846.86 from the Pickleball Club for two memorial benches near the pickleball courts.



4/6/23



Memorial/Gift Request Form

Select One: Memorial Bench ☒ Memorial Tree ☐ Gift ☐

In Memory Of: Pam Daley
Name of Donor or Representative: Pickleball Club (Grace Scarfo)
Address: 727 Barefoot Blvd City: Barefoot Bay State: FL
Phone: 631-796-1224 Email: 5scarfos@gmail.com
Requested Location: pickleball courts - lake side
Requested Bench Style/Tree species: Deluxe Park Bench, 6 ft,
black legs

Description of requested memorial/gift

If you would like a name placed on the memorial, please include it in the description below.

****If you are requesting a bench, please indicate what you would like written on each plaque/plank****

All on one board - 2nd board blank for future use
↑ Pam Daley "Yeah Baby"
↑
pickle ball quote in italics
paddle

By signing below, the donor acknowledges and agrees to abide by the Barefoot Bay Recreation District Gifts/Memorials Guidelines, which can be found in section 3.5 of the Barefoot Bay Recreation District Policy Manual.

X

Signature

Grace M. Scarfo

Please submit this form to the Office of the District Clerk, 625 Barefoot Blvd, Barefoot Bay, FL 32976 or email to Cindy Mihalick at cindy.mihalick@bbrd.org.

www.bbrd.org
625 Barefoot Blvd, Barefoot Bay, FL 32976
Administration Building Phone: 772.664.3141
Fax: 772.664.1928

Updated June 2022



4/6/23

Memorial/Gift Request Form

Select One: Memorial Bench ☒ Memorial Tree ☐ Gift ☐

In Memory Of: Kevin Sullivan

Name of Donor or Representative: Pickleball Club (Grace Scarfo)

Address: 727 Barefoot Blvd City: Barefoot Bay State: FL

Phone: 631-796-1224 Email: 5scarfos@gmail.com

Requested Location: pickleball courts - street side

Requested Bench Style/Tree species: Deluxe Park Bench, 6 ft
black legs

Description of requested memorial/gift

If you would like a name placed on the memorial, please include it in the description below.

****If you are requesting a bench, please indicate what you would like written on each plaque/plank****

All on one plank, 2nd plank left blank for future use

☘ Kevin Sullivan

→ Shamrock

By signing below, the donor acknowledges and agrees to abide by the Barefoot Bay Recreation District Gifts/Memorials Guidelines, which can be found in section 3.5 of the Barefoot Bay Recreation District Policy Manual.

X

Signature

Grace M. Scarfo

Please submit this form to the Office of the District Clerk, 625 Barefoot Blvd, Barefoot Bay, FL 32976 or email to Cindy Mihalick at cindy.mihalick@bbrd.org.

www.bbrd.org

625 Barefoot Blvd, Barefoot Bay, FL 32976
Administration Building Phone: 772.664.3141
Fax: 772.664.1928

Updated June 2022



American Recycled Plastic

A Family Owned & Operated Business Since 1989

773 N. Union Grove Rd / Friendsville TN 37737

Ph: 865.738.3439



Customer Quote

Client:	Barefoot Bay Recreation District	Quote #:	0411-013
Contact:	Matt Goetz	Phone:	772-494-9985 / 772-664-2063
From:	Amy	Email:	mattgoetz@bbrd.org
Item:	Recycled Plastic Custom Bench	Date:	4/11/2023

Products*

Item #	Description & Size	Color	Qty	Ea Price	Extension
BDP6	Deluxe Park Bench 6', Black Legs	Charcoal	2	\$589.00	\$1,178.00
Daley Bench	Engraving, 3", per character, italic font		17	\$4.75	\$80.75
Daley Bench	Add: Shape Outline / Pickleball		1	\$95.00	\$95.00
Sullivan Ben	Engraving, 3", per character, standard font		13	\$4.75	\$61.75
Sullivan Ben	Add: Shape Outline / Shamrock		1	\$95.00	\$95.00
DELFE	Ground Freight*		2	\$168.15	\$336.30

Text per email 4/5/23

Order Subtotal Prior to Sales Tax		\$1,846.80
Sales Tax	TN Locations Only 9.75%	\$0.00

QUOTE TOTAL: \$1,846.80

*pricing is based on one single order of item(s) quoted.

Terms & Conditions

Order Type: Bench is in-stock, customizations are running 4-5 weeks.

Freight/ Shipping: Quote is for ups ground delivery, UPS drivers usually deliver to front door only.

Delivery: Items ship boxed, final assembly is required.

Payment Terms: We accept Checks, MC/Visa, Amex and Discover for your convenience.

Notes:

Accept Quote / Place Order

Signature required to accept the above terms & place order: _____

Thank you for the opportunity to present this quote; we look forward to working with you!

Once an order is placed, you will receive an Order Confirmation within 24-48 hrs.



American Recycled Plastic, Inc. / 865.738.3439 / www.itsrecycled.com

Board of Trustees

Meeting Agenda Memo

Date: Tuesday, April 25, 2023
Title: **Discussion of Prohibition Against Nepotism (Employee Handbook pages 7-8), Conflict of Interest (Rules of the BOT Article VII section 2 page 9)**
Section & Item: 11.A
Department: Administration
Fiscal Impact: N/A
Contact: Kent Cichon, Community Manager, Jeff Grunow, Trustee, Secretary
Attachments:
Reviewed by General
Counsel: N/A
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Discussion on BBRD Nepotism policy, as requested by Trustee Jeff Grunow

Background and Summary Information

Prohibition Against Nepotism (Employee Handbook pages 7-8) and Conflict of Interest (Rules of the BOT Article VII section 2 page 9) were revised on September 24, 2019, Passing with a 4-1 vote.

Employee Handbook

PROHIBITION AGAINST NEPOTISM

It is the policy of the District to avoid hiring relatives into the workplace whenever possible. However, on occasion more than one relative may work for the District. A relative is defined as an individual who is related to the employee as grandfather, grandmother, father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister. The following guidelines will govern these situations:

Under no circumstances will an individual be appointed, employed, retained, promoted, or transferred to any position where a relative has direct supervision, jurisdiction or control

over that position. If two employees become related while working for the District, they are subject to this policy and must immediately notify HR.

Related persons will not be involved in evaluation of each other's job performance or in making recommendations for salary adjustments, promotions, or other budget decisions.

Related employees shall not be employed in the same department.

Immediate family members of a Trustee shall be prohibited from formal employment or serving in a volunteer capacity (i.e., Golf-Pro Shop Player Assistants, Courtesy Golf Cart Drivers, etc.) with the District during the term(s) of service of said Trustee. This prohibition shall begin upon the post-election or post-appointment formal commencement of the term of the Trustee. Any family members of a sitting Trustee classified as a current employee (whether working or on approved leave) on August 9, 2019, will be exempt from this prohibition until the employee separates employment. Immediate family members falling within this prohibition shall be eligible for reemployment with District upon the expiration of the term(s) of the Trustee to which they are related. For purposes of this prohibition, "immediate family member" is defined as one of the following: spouse or significant other, parent/stepparent, child/stepchild, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son daughter).

Rules of the BOT

Section 2

Immediate family members of a Trustee shall be prohibited from formal employment or serving in a volunteer capacity (i.e. Golf-Pro Shop Player Assistants, Courtesy Golf Cart Drivers, etc.) with the District during the term(s) of service of said Trustee. This prohibition shall begin upon the post-election or post-appointment formal commencement of the term of the Trustee. Any family members of a Trustee classified as a current employee (whether working or on approved leave) as of August 9, 2019 will be exempt from this prohibition until the employee separates employment. Immediate family members falling within this prohibition shall be eligible for reemployment with District upon the expiration of the term(s) of the Trustee to which they are related. For purposes of this prohibition, "immediate family member" is defined as one of the following: spouse or significant other, parent/step parent, child/step child, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son, daughter).

Staff requests direction from BOT.

Board of Trustees

Date: Tuesday, April 25, 2023
Title: **Pool #1 Designated Smoking Area**
Section & Item: 11.B
Department: Administration
Fiscal Impact: N/A
Contact: Kent Cichon, Community Manager
Attachments: Aerial View of Pool #1 Area
Reviewed by General Counsel: N/A
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Consider staff recommendations for alternate smoking sections for the Pool #1 area; and select and designate one or more sections for smoking for the Pool #1 area.

Background and Summary Information

During the April 4, 2023, BOT Townhall Meeting, the BOT directed staff by consensus to research options for the relocation of the smoking section for the Pool #1 area and provide the BOT with recommendations for alternate smoking sections at a future BOT meeting.

The Community Manager, Property Services Manager, and Food & Beverage Manager met onsite, reviewed the Pool #1 area, discussed alternate smoking sections, and developed the following recommendations should the BOT determine that the current covered smoking section near the Lakeside of the Lounge Stage is to be relocated:

- 1) Relocate the current covered smoking section near the Lakeside of the Lounge Stage to one of the following areas:
 - A) Adjacent to the south side of Building A (staff's #1 recommendation)
 - B) Southeast corner of the pool deck (staff's #2 recommendation)
- 2) Eliminate the southwest corner of the pool deck as a smoking section.
- 3) Maintain the covered area to the north of the Lounge's outside cooler as a smoking section.

Staff recommends the BOT designate two smoking sections for the Pool #1 area.



Board of Trustees Meeting Agenda Memo

Date: Tuesday, April 25, 2023
Title: **Revised ARCC Guidelines**
Section & Item: 11.C
Department: Resident Relations
Fiscal Impact: N/A
Contact: Richard Armington, Resident Relations Manager, Kent Cichon, Community Manager
Attachments: ARCC Guidelines April 2023 Marked Up
Reviewed by General
Counsel: Yes
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Review ARCC promulgated guidelines revised by the ARCC and approved by a majority of the ARCC on April 11, 2023.

Background and Summary Information

Pursuant to Article II, Section 2 of the Deed of Restrictions: The ARCC shall have the authority to promulgate guidelines relating to all construction and landscaping for lots within Barefoot Bay. Such guidelines may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered, or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration, or change to the guidelines shall be given in writing to the Recreation District as soon as practicable after adoption thereof by the ARCC. A copy of Guidelines for Use by the Architectural Review and Control Committee (ARCC Guidelines), any such amendment, modification, alteration, or change to such a guideline shall be maintained online at the official Recreation District website as well as in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee.

Attached ARCC promulgated guidelines using the strikethrough underlining format.

Staff recommends the BOT acknowledge receipt of the revised ARCC guidelines.



Guidelines for use by
THE ARCHITECTURAL REVIEW & CONTROL COMMITTEE
~~NOVEMBER 2020~~
APRIL 2023

TABLE OF CONTENTS	1 - 2
DOR Article II, Section 1. Architectural Review & Control Committee	3
DOR Article II, Section 2. Requirements for approvals by ARCC.....	4
DOR Article II, Section 3. Architectural Design and Installation Requirements	5
DOR Article II, Section 4. Setbacks.....	6
Specification, Definitions and Approved Materials.....	6 7
Air Conditioning Units Specification	7
Carport and Driveway.....	7 8
Fencing	8
Generators and Propane tanks.....	8 9
Gutters	9
Rain Barrels.....	9
Lamppost.....	9
Landscaping & Privacy Materials.....	9 10
Porch (Patio) and Decks.....	10 11
Roof.....	11 12
Skirting Material for the Home	11 12
Siding Materials	11 12
Steps & Handicap Ramps	11 12
Temporary Portable or Free-Standing Structures	12
Utility Building	12 13
Used Mobile Homes	13
Condition of Property.....	13 14
Miscellaneous	13 14
Furniture outside the home	13 14
Fire Pits.....	13 14

Arbors, Pergolas, Trellises and Gazebos	14
Hurricane Shutters and Other Devices	14 15
Maintenance of Exterior of Homes	14 15
Painting of wood.....	14 15
Prefabricated storage unit.....	14 15
Plan Changes/Change Orders/Revisions.....	15
Watercrafts.....	15 16
DOR Article II, Section VI. Enforcement of Architectural Control Requirements	15 16

These guidelines will be used in reviewing and approving applications for construction or alterations in Barefoot Bay Recreation District. In addition, all structures must meet any applicable requirements of the Code of Ordinances of Brevard County, FL. Architectural Review & Control Committee ("ARCC") applications are required for the following:

All new and used homes placed on any lot within the subdivision.

1. All additions to any property.
2. All property renovations to existing structures except:
 - a. Awnings for windows.
 - b. Replacement of A/C pads.
 - c. Minor repairs without modification to existing construction, not exceeding \$500.
3. Replacement of A/C units.

Note: These guidelines are to be used for Barefoot Bay ARCC. It is the responsibility of the lot owner to contact Brevard County for their permitting requirements.

ARCHITECTURAL REVIEW & CONTROL

DOR Article II, Section 1. Architectural Review & Control Committee.

An Architectural Review & Control Committee shall be established to enforce the provisions of this article. The ARCC shall consist of five (5) members, who shall be appointed as follows:

- A. The Board of Trustees of the Recreation District shall appoint a Member of the Board of Trustees to serve as Liaison to the ARCC.
- B. Five Voting member of the ARCC shall be appointed by the Board of Trustees, all of whom shall be Lot owners.
- C. Two (2) alternates shall be appointed by the Board of Trustees, each to a three (3) term, who shall both be Lot owners. Alternates shall only be permitted to vote when needed to establish a quorum as provided in the ARCC rules and procedures. If needed, the Chairman of the ARCC shall designate which alternate shall vote on any item.
- D. The Community Manager shall assign a Recreation District employee to serve as support staff responsible for the recording of notes and drafting of minutes. The Resident Relations Department shall retain original copies of all minutes and handouts from the meetings and shall publish an agenda seven (7) days prior to each meeting.
- E. ARCC Members will be appointed by the Board of Trustees each for a three (3) term. At the expiration of the initial terms, new members will be appointed for terms of three (3) years each. If a member resigns or otherwise vacates his/her seat before the expiration of his/her term, a new member will be appointed to fill the open seat and serve the balance of the unexpired term.
- F. Quorum and Conduct of Business

1. In order to conduct the business of the committee, a quorum must be present. A quorum will exist when a simple majority of three (3) voting members are present. A simple majority of those present is needed to take action on any item.

2. The ARCC shall hold an organizational meeting each year as soon after January 1 as is practicable. The ARCC shall select a Chairman and a Vice-Chairman from among its membership at the organizational meeting. The Vice-Chairman will chair the meeting when the Chairman is absent.

3. Each Member of the Committee shall have one (1) vote on each permit application.

4. The ARCC may also adopt such rules and procedures as it may deem to be appropriate for the conduct of its business; provided, however, that such rules may not be inconsistent with the provision of this article.

DOR Article II, Section 2. Requirements for approvals by ARCC

No building or other structure shall be erected or placed on any Lot, nor shall the exterior of any such building or structure or the driveways or parking areas serving such building or structure be altered in any way unless and until two sets of the complete building plans, two sets of complete specifications and two copies of a plot plan have been submitted to the ARCC and approved by it in writing. An application for such approval shall demonstrate to the satisfaction of the ARCC that:

1. The said building or other structure complies in all respects with the Provisions of this instrument; and

2. The said building or other structure is in conformity and harmony with such written rules as may from time to time be adopted by the ARCC.

The ARCC's approval of the said plan specifications and plot plans shall be evidenced by the signature of its Chairman or Vice-Chairman on the plans, specifications and plot plans submitted by an applicant. One set of approved plan shall be returned to the applicant and the other shall be retained by the ARCC among its permanent records.

In the event the ARCC fails to approve or disapprove an application within thirty (30) days after the complete application has been submitted to the ARCC, the ARCC shall be deemed to have approved the application in all respects.

The ARCC shall have the authority to promulgate guidelines relating to all construction and landscaping for lots within Barefoot Bay. Such guidelines may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered, or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration or change to the guidelines shall be given in writing to the Recreation District as soon as practicable after adoption thereof the ARCC. A copy Guidelines for Use by the Architectural Review and Control Committee (ARCC Guidelines), any such amendment, modification, alteration or change to such a regulation shall be maintained online at the official Recreation District website as well as in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee.

In the event that a dispute arises in the interpretation by the ARCC of any requirement of Article or of the regulations provided for herein above, such dispute shall be resolved by a majority vote of the Recreation District, whose decision shall be final and binding.

DOR Article II, Section 3. Architectural Design and Installation Requirements.

A manufactured or modular home installed on any lot in Barefoot Bay shall meet the following design and installation requirements and shall be continuously maintained in compliance with such requirements.

A. All such homes shall be installed at the Lot Owners expense, and such installation shall have the following features and conform to the following requirements:

1. A patio roof, including posts and fascia, fabricated of aluminum or other approved material. ~~Minimum requirement — Sixty (60) square feet. (not in the DOR)~~
2. A garage with the minimum size of 11' x 18' with siding conforming to the style and materials of the home or a carport roof, including posts and fascia, fabricated of aluminum or other approved material having two unobstructed sides.
3. In lieu of a garage, a utility room, fabricated of aluminum or other approved materials. A utility room is a building designed to house common household tools and equipment, and for general storage. The base of the building is a concrete slab. It may be used for housing a washer, dryer, and automatic hot water heater. A utility building must be structurally attached by full roof to the modular coach (mobile home) or carport at eave level. A utility room shall conform to all specific dimensions as approved and recorded by the ARCC.
4. A patio slab made of poured concrete, brick pavers, or other approved material. ~~Minimum requirement — Sixty (60) square feet. (not in the DOR)~~
5. A covered concrete carport slab having a minimum unobstructed area (except for steps) of eleven (11) feet by eighteen (18) feet.
6. A concrete driveway extending from the carport slab to the curb of the adjacent street which driveway shall include a widened or flared area as it approaches the street. All driveways and parking areas shall be of poured and reinforced concrete material.
7. Skirting material sufficient to completely enclose the entire base of the home. The skirting may be stucco skirting, stone skirting, outdoor Hardie Board skirting, or other approved material.
8. Central water, sewer and electricity connected to the home.
9. Landscaping with appropriate plants, grass, shrubs and/or trees in compliance with regulations adopted by the ARCC.
10. No dock, wharf, landing, boathouse or other structure shall extend from any Lot over or on any lake, canal, and water way or drainage easement.
11. Each home shall be complete, set up on piers, shall be leveled, and shall have a running gear and tongue of the manufactured or modular home removed as appropriate to the style of home being installed.
12. Each manufactured or modular home shall be tied down in accordance with all applicable building codes and with such installation inspection as required by law.

13. No manufactured or modular home installed on any Lot shall be more than four (4) years old.
 14. A final survey showing the location of the home shall be submitted to the ARCC.
 15. A Lamp Post approved by the ARCC shall be installed in front of all Residences and maintained in operational condition at all times. Said Lamp post shall be illuminated from dusk to dawn and must be a minimum of 460 lumens (40 watts), be white, clear, or yellow and not be obstructed by landscaping, in accordance with ARCC Guidelines.
 16. The address number of all Residences shall be affixed to the front of the carport or garage in such a manner as to be clearly visible and legible from the public or private way on which the home fronts. The numerals of the address number shall not be less than three (3) inches in height and one-half (1/2) inches in width.
 17. A utility building (Minimum size 48 square feet)
- B. Manufactured or modular homes installed upon lots within Barefoot Bay shall be installed only by contractors who are duly licensed for such installations by appropriate governing authorities.
 - C. All installation shall meet all the applicable construction codes of Brevard County and the State of Florida, and shall meet all requirements of Article II of the DOR.
 - D. The length of time to complete construction on Architectural Review Control Committee permits shall be four (4) months.
 - E. No more than one manufactured or modular home shall be placed on each Lot within Barefoot Bay. Two or more sections of a manufactured or modular home may be joined to form a single dwelling unit.
 - F. No manufactured or modular home installed on any Lot after July 1, 1999, shall be less than 20 feet in width and or less than 34 feet in length, including the hitch.
 - G. All manufactured or modular homes placed on any lot in Barefoot Bay shall have complete sanitary facilities including lavatory, wash basin, tub or shower and kitchen sink. All homes shall be connected to public sewer and a public water supply in conformity with all requirements of applicable government agencies.
 - H. Prior to sodding, provisions shall be made for property line drainage swales. Said swales shall be designed to carry run-off water from rear and sides of the home to the front curb-gutter.

DOR Article II, Section 4. Setbacks

The placement and installation of manufactured or modular homes on any lot in Barefoot Bay shall require the following setbacks from Lot lines:

1. Corner Lots

Rear Setback - 7 ½ feet

Side Setback from Adjacent lot- 7 ½ feet

Setback from remaining side lot line and front lot line - 10 feet and 15 feet with the property owner having the choice as to which of the two setbacks shall be 10 feet and which of the two shall be 15 feet.

2. Interior Lots

Rear Setback - 7 ½ feet

Side Setback - 7 ½ feet

Front Setback - 10 feet

Measurement of setbacks shall not include air conditioners, walkways, reception antennas and

steps where no vertical supports are used. Vertical supports are posts supporting a roof. The maximum width of walkways in a setback is 36”.

Specification, Definitions and Approved Materials

GENERAL NOTIFICATION AND PROVISIONS:¹

THE PROPERTY OWNER IS RESPONSIBLE FOR COMPLIANCE WITH ALL REGULATIONS STATED IN THE “AMENDED AND RESTATED DEED OF RESTRICTIONS FOR BAREFOOT BAY” OR OTHERWISE STATED IN THE ARCC GUIDELINES.

Any homeowner that starts work without an approved ARCC permit will be issued a “Stop Work Order.”

Addition to principal structure:

1. In no event shall the principal structure be expanded in any manner that changes the structure of the base unit, except when the expansion is constructed in an authorized factory according to the federal mobile home construction and safety standards promulgated by the U.S. Department of Housing and Urban Development and are approved by the Federal Department of Community Affairs.
2. Additions are further limited as follows: No addition or combination of additions and accessory structures shall exceed 50 percent of the square footage of the doublewide mobile home, or 100 percent of the singlewide mobile home. The square footage attributed to the carport or garage will be included in these percentage limitations.
3. A garage may be constructed on lots with the easement vacated and must not exceed 100% of the original structure.²

Lots: Lots shall mean any lot of record appearing on any of the recorded plats of Barefoot Bay enumerated in the recitals of the Amended and Restated Deed of Restrictions for Barefoot Bay.

If any manufactured or modular home has been placed on two adjacent platted lots in a manner such that the home is located across the platted boundary between such platted lots, the two platted lots shall be treated as a single lot for purposes of the Amended and Restated Deed of Restrictions for Barefoot Bay.

The ARCC interprets the word “home” to mean the principal structure exclusive of any additions or accessory structures. For the purposes of compliance with these ARCC guidelines, any Lot in Barefoot Bay previously deemed to be a single Lot on prior assessment rolls of Barefoot Bay Recreation District based on any addition or accessory structure(s) located across a platted boundary shall be deemed “grandfathered” as a single Lot until such addition or accessory structure is removed.

Air Conditioning Units Specification

1. All central A/C Units on Barefoot Bay residential lots are required to be placed on an A/C pad, constructed of concrete or other approved material, or integrated into the home,³

¹ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

² Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

³ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

specifically, ground level concrete material unless specific property is in a flood zoned area designated by Brevard County and the National Flood Insurance Program of the Federal Emergency Management Agency.

2. Window or wall A/C units must be supported by the structure of the home. Ground bracing is prohibited.⁴

Carport and Driveway and Patio⁵

Definition of a carport – A shelter for an automobile attached to the mobile home. It consists of a concrete slab base and an aluminum/shingle roof with support posts and fascia. A fully enclosed carport (garage) may be permitted in place of an open carport. The garage door opening must be at least 8' wide.

A concrete carport slab having a minimum unobstructed area (except for steps) of eleven (11) feet by eighteen (18) feet, with aluminum fabricated, wood or shingle roof, or a combination thereof, including posts and fascia.

The minimum unobstructed car parking space on carport slab, between side steps and post, is 8 feet 4 inches. An enclosed carport may be permitted in place of an open carport, but not for the purpose of storing an R.V., which would not otherwise be permitted. Exceptions that may develop on difficult lots will be reviewed on an individual basis.

Approved materials

Carport- Framework constructed of aluminum, concrete block, or wood. (All ~~wood~~ **framework** including post & poles must be covered with aluminum, vinyl, or paint to match home.)

Driveway- A concrete driveway extending from the carport slab to the curb of the adjacent street which driveway shall include a widened or flared area as it approaches the street. All driveways and parking areas shall be of poured and reinforced concrete material. Concrete reinforced pavers set in concrete mix are allowed.

Patio - A patio slab made of poured concrete, brick pavers, or other approved materials with a patio roof, including posts and fascia, fabricated of aluminum or other approved materials. (Minimum requirement – sixty (60) square foot.)⁶

Fencing⁷

Fence definition: Chain link or vinyl picket barrier either completely enclosing or partially enclosing any area of space on any lot where such barrier does not meet the definition of a privacy landscaping screen or wall. The fence shall not surpass the front of the enclosed home structure.

Picket fence definition:⁸ A picket fence is a type of vinyl fence that has evenly spaced vertical boards made of vinyl material. Each picket is attached to horizontal rails. The space between each picket must be at least the width of the picket.

Fencing shall not be permitted along any lot line where drainage canals or swales exist. Where no drainage canals or swales exist along a lot line, fencing shall be limited to chain link or vinyl picket fencing not exceeding four (4) feet in height, which may be coated with colored vinyl.

Meter pedestals may not be enclosed, and fences must be set back a minimum of one foot to

⁴ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

⁵ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

⁶ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

⁷ Promulgated Rule approved June 7, 2011, and presented to the Board of Trustees July 8, 2011

⁸ Promulgated Rule approved November 25, 2014, and presented to the Board of Trustees December 12, 2014

~~allow emergency access to pedestal~~ that restrict access to all parties.⁹

Article II, Section 5 of the DOR¹⁰ permits only chain link and vinyl picket fencing. Article II, Section 5 of the DOR does not permit privacy stockade fences (a fence of closely fitted vertical boards) regardless of material.

No covering may be installed on fences. Privacy slats may be installed in chain link fences, however, the slats must be uniformly installed, cleaned, and maintained¹¹ and may not extend beyond the top of the fence.

All fenced in properties must have at least one 4' gate minimum.¹²

Generators and Propane tanks

Emergency generators, propane tanks, and other liquid type fuel tanks¹³ are approved subject to concealing them with approved landscaping, ~~4 ft. high vinyl walls, 6 ft. vinyl lattice walls or underground.~~ A permit from Brevard County must be submitted with the ARCC application for a generator or propane tank.¹⁴

Gutters

Gutters are not a DOR requirement, however, where gutters are used, the downspout shall not be directed to affect the abutting property.

Rain Barrels¹⁵

A Rain Barrel is defined as a container that collects water from the downspouts and cannot exceed 50 gallons. The container must be of approved material by the ARCC.

Lamppost

A lamppost approved by the ARCC shall be installed in front of all Residences and maintained in operational condition at all times. Said lamppost shall be illuminated from dusk to dawn and must be a minimum of 460 lumens (40 watt), be white, clear, or yellow and not be obstructed by landscaping, in accordance with the ARCC Guidelines.¹⁶

~~Location: the lamppost should be located between the front of the house and the front property line, near the front lawn side of the driveway. The lamppost must be on the owner's property and not in the front right of way. Lamppost must be illuminated from dusk to dawn.~~

~~Height: The standard lamppost comes approximately 6 ft. 6 in. long. The standard depth to bury the post is 1 ½ ft. to 2 ft. deep, leaving approximately 5 ft. of lamppost above ground.~~

~~Wattage: The minimum wattage for a florescent bulb is 20. The minimum wattage for an incandescent style bulb is 40. A substitute bulb type may be used, provided it provides documented light output equal to or greater than a 40-watt incandescent bulb. This included, but is not limited to, LED, solar and halogen.~~

~~Illumination of Bulb: The color of the bulb must be white, clear, or yellow, and must not be impeded by any landscaping or material.xii~~

Electric eye sensor lights are approved.

Style: Any style lamppost that matches the décor of the home. Multiple bulb style posts are

⁹ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees on April 25, 2023

¹⁰ Promulgated Rule approved November 25, 2014, and presented to the Board of Trustees December 12, 2014

¹¹ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

¹² Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees on November 13, 2020

¹³ Promulgated Rule approved August 30, 2011, and presented to the Board of Trustees September 27, 2011

¹⁴ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

¹⁵ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

¹⁶ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

approved.

Landscaping & Privacy Materials

Landscaping with appropriate plants, grass, shrubs and/or trees in compliance with regulations adopted by the ARCC. Landscaping in accordance with the Brevard County Landscape Ordinance.

Prior to sodding, provisions shall be made for property line drainage ~~swales~~. Said ~~swales~~ drainage¹⁷ shall be designed to carry run-off water from rear and sides of the home to the front curb-gutter.¹⁸

~~Plantings and trees shall not encroach neighbor's property. In the event encroachment occurs, it is the encroaching property owner's responsibility to correct it.~~^{xiv}

All invasive plants or prohibited plants¹⁹, including but not limited to, pepper trees, Australian pines, and bamboo, are banned from Barefoot Bay. ~~All existing invasive and prohibited~~^{xv} ~~plants must be removed by January 1, 2022.~~^{xvii}

AN INVASIVE & OR PROHIBITED PLANT LISTING CAN BE FOUND IN THE BREVARD COUNTY ORDINANCES (Article II, section 114-26 titled undesirable plants found in Brevard County Ordinances AND Florida Department of Agriculture listed under Invasive Non-Native Plants)

Palm Trees – Palm trees must be pruned to remove dead fronds. The requirement is stated to: Remove potential fire hazards, especially near buildings or homes; increase visibility and safety near driveways, sidewalks, and cross streets. The requirement is to prevent damage to buildings, property or persons during periods of high winds.²⁰

Tree Removal – Any tree removed for safety or other reasons must be removed to below ground level. If the tree is on a property line, the owner must obtain written approval from all parties concerned. (NOTE: See Fla. Stat. sSection 163.045).²¹

Raised Garden Beds adjoining the home are permitted up to 3 feet wide. Freestanding raised garden beds, up to 30" high, with a cumulative total of no more than 48 square feet, are permitted. Requests for exceptions must be submitted to ARCC.²²

All lawn decorations, statues, planters, and the like shall be ecstastically harmonious with the community.²³

Flag poles are limited to one (1) 20' pole per Lot.²⁴

Privacy landscaping materials are defined as an opaque roll down screen, vinyl lattice or vinyl spaced picket barrier, which is around decks, carports, or patios. Such materials may not exceed six (6) feet in height and no more than a 3' clearance for the patio.²⁵ No cumulative total of feet for all

¹⁷ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

¹⁸ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

¹⁹ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

²⁰ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

²¹ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

²² Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

²³ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

²⁴ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

²⁵ Promulgated Rule approved April 11, 2023 and presented to the Board of Trustees April 25, 2023

privacy screening barriers on any one property may exceed thirty-two (32) feet.²⁶ Said barrier or opaque screen shall comply with the provisions of Sec. 62-2109 Code of Ordinances of Brevard County, Florida.

Exception-vinyl barriers used for privacy ~~along~~ attached to²⁷ the carport may be up to eight feet in height, however, the length of the privacy panels in the carport will be included in the cumulative total of 32 foot. ARCC permits are required for all privacy landscape material.

Any privacy landscaping materials on any lot for which a previously approved ARCC permit has been issued that do not meet the requirements of these guidelines shall be deemed “grandfathered” for as long as such privacy landscaping materials remain in place. Upon removal of the grandfathered privacy landscaping materials, such grandfathered status shall be lost.”

Porch (Patio) and Decks

Definition of Porch (Patio)

A porch (patio) is a covered area structurally attached to the outside of the mobile home. The porch (patio) floor is a concrete slab. The minimum size for a patio roof and patio slab is 60 square feet.²⁸

The following are recognized types:

1. Unscreened
 - Concrete slab at ground level.
 - Concrete slab raised above ground level.
2. Screened
 - Concrete slab at ground level.
 - Concrete slab raised above ground level.
3. Weather Protected (on concrete slab-ground or raised level)
 - Enclosed with fixed or movable glass windows/enclosure panels.
 - Enclosed with fixed or movable vinyl windows/enclosure panels.

A weather-protected porch (patio) is considered a **Florida room**.

An unscreened porch at ground level is considered a **cabana**.

Approved Materials for porch (Patio)

Siding that blends in architecturally with the rest of the home.

A patio roof, including posts and fascia is constructed out of aluminum, vinyl, or wood. All wood including post and poles must be covered with aluminum or vinyl or it may be painted, providing the paint is aesthetically compatible with or blending in architecturally with the rest of the home and the other homes in Barefoot Bay.

A patio slab is made of poured concrete, brick pavers, or other approved material. Patio Deck Board and patio blocks are an approved material as it is aesthetically compatible with or blends in architecturally with the rest of the home and the other homes in the bay.

Decks

Decks are an optional addition not requiring a roof. Decks must be abutting the home and must have matching handrails and steps. All open decks must be skirted with lattice or other ARCC approved materials. They must be constructed out of pressure-treated wood, composite deck board, poured concrete or other approved material. Steps from the deck must land on a concrete

²⁶ Promulgated Rule approve March 19, 2013, and presented to the Board of Trustees March 26, 2013

²⁷ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

²⁸ Promulgated Rule approved September 20, 2016, and presented to the Board of Trustees September 27, 2016

pad. All decks must be a minimum of 8' x 8'.²⁹

All decks higher than 30" above grade must have a guardrail around the deck.³⁰ The requirements for the guardrails are they need to be at least 36" in height measured from the deck surface to the top of the rail.

Roof

Approved roofing materials are shingle, metal, vinyl, foam, and membrane.

Skirting Material for the Home

Definition of Skirting material- material that is sufficient to enclose the entire base of the home. It is constructed of stucco, stone, stucco finished concrete block, outdoor Hardie Board skirting or other ARCC approved material.³¹ (Hardie Board bolts & seams have to be concealed with Stucco type finish) Wood framing is not allowed. Vinyl skirting is not allowed.

Siding Materials

Approved siding materials for manufactured/modular homes, garages, and accessory buildings are stucco, vinyl, aluminum, coated engineered wood panel³², Hardie board lap siding or other approved material.

Steps & Handicap Ramps

Entrance steps to the home³³ must be constructed of concrete.

Steps to the home with a deck must be constructed of concrete, pressure treated wood, fiberglass or other ARCC approved material. Steps must land on concrete pad.³⁴

Handicap ramps must be constructed of suitable building material and maintained in good condition. Ramps reducing the required space in a carport must be removed when no longer needed³⁵ or when the home is sold.³⁶

Temporary Portable or Free-Standing Structures.³⁷

The DOR requires that all temporary, portable, or freestanding structures installed for longer than 48 hours require an approved ARCC permit. ARCC requires all temporary, portable freestanding structures, including playgrounds, must be placed in the back yard and anchored. They must meet all the state of Florida and Brevard County building codes.

Above ground pools must be completely enclosed by a fence and/or secured with a locking ladder for safety reasons to prevent access to the pool. An in-ground pool must be completely fenced in to prevent access into the pool when not in use.³⁸

Clotheslines – clotheslines and any outdoor drying apparatus are permitted on lots in Barefoot

²⁹ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

³⁰ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

³¹ Promulgated Rule approved September 20, 2016, and presented to the Board of Trustees September 27, 2016

³² Promulgated Rule approved January 17, 2012, and presented to the Board of Trustees December 9, 2011

³³ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

³⁴ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

³⁵ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

³⁶ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

³⁷ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

³⁸ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

Bay. Any such clotheslines or drying apparatus must be placed to the rear of the residence and must be folded or removed overnight. Clothes lines may not be located within carports.³⁹

The following items are banned:

- Trampolines larger than 6 feet in diameter
- All tents, and portable shelters
- Car canopies and garages
- All pop-up structures.
- Hot tub covers must be labeled ASTM F1346-91

Utility Building

Definition of Utility Building

A building designed to house common household tools and equipment, and for general storage. The base of the building is a concrete slab. It may be used for housing a washer, dryer, and hot water heater. A utility building must be structurally attached by full roof to the mobile home or carport at eave level. The minimum size of a utility building is 48 square feet.

Materials

1. Types of acceptable materials
 - a. Wood or aluminum framework
 - b. Siding consistent to that of the mobile home exterior and matching in its color.
 - c. Aluminum lap or vinyl siding over approved framework, with construction to match the exterior surface of the mobile home.
2. The use of metal on exterior framework or siding or T-111 siding⁴⁰ is not permitted.

Dimensions

1. Height of construction shall conform to existing construction, such as carport roof, patio (porch) roof, or mobile home eave.
2. The minimum size of a utility building is 48 square feet on the base.

Construction

1. A utility building, if constructed as a part of the carport slab, shall be built on a raised concrete slab which is at least one (1) inch above the surface of the carport floor, except on renovations.
2. Prior to construction, approval must have been obtained in writing from the ARCC.
3. Consistent with County building codes, pressure treated lumber must be used on contact with concrete.

Used Mobile Homes

A used mobile home must meet the Manufactured Housing Construction and Safety Standards established promulgated by the U.S. Department of Housing and Urban Development (HUD) in 1976 and amended by HUD in 1994. In addition, no used mobile home shall be permitted in Barefoot Bay having a year model, as shown on the Florida Motor Vehicle Certificate of Title as “year make”, more than four (4) calendar years prior to the year of submittal of the application form to the ARCC.

In addition, applicant must provide the following:

- a. A copy of Motor Vehicle Certificate of Title, State of Florida, in applicant’s name. (A double-wide

³⁹ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

⁴⁰ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

requires two (2) certificates.)

- b. Close-up photographs, in color, of end and full side views (4 pictures) of the home at present site. (Minimum size of photos – 3' x 4".)
- c. Upon arrival of the used home, the serial number of the home will be verified. The DOR/ARCC office should be notified of the arrival of the unit.

Condition of Property

The exterior of a home (including awnings, skirting, and roofing), driveways, or carport shall be maintained free of mildew, mold, dirt, rust, or grease which is visible when the house is viewed from the street or from an adjacent lot (See Article III, Section 2 of the Deed of Restrictions)

Miscellaneous⁴¹

Furniture outside the home

No indoor furniture is allowed on any unscreened area of the property.

Fire Pits⁴²

Fire Pits: Regulations are controlled by the Florida Fire Service.

An open fire pit is not allowed.

Propane or natural gas fed fire devices or structures are allowed.

Above ground containers such as those purchased at a hardware or building material store made for burning; such as chimeneas are allowed. This type of device should not be located within 15 feet of a building or structure, or combustible material. The burning container cannot be located in any right of way. All fires should have a screen or other device to arrest or control escaping embers, which present a fire hazard.

Burning of yard waste, rubbish, plastic, rubber material, pesticides, aerosol containers and treated lumber is not allowed. It is suggested that proper safety measures are taken when burning, such as a garden hose or fire extinguisher.

Arbors, Pergolas, Trellises and⁴³ Gazebos⁴⁴

May be freestanding, and do not need to be structurally attached to the home but must be anchored into the ground **concrete⁴⁵** for safety purposes. Must meet setback requirements, must be maintained in good condition, and must meet Brevard County requirements.

Approved materials include metal, wood, canvas canopy top or other approved material.

The gazebo must be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture and barbecue grills.

Sun sails height must not exceed the eaves of the main structure.

⁴¹ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

⁴² Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

⁴³ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

⁴⁴ Promulgated Rule approved June 5, 2012, and presented to the Board of Trustees June 8, 2012

⁴⁵ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

Hurricane Shutters⁴⁶ and Other Devices⁴⁷

Hurricane Shutters may be a material chosen by the unit owner to protect their residence. If plywood is chosen, it shall be painted and/or decorated to match the color of the house.

Windows and doors in occupied dwelling units shall not be boarded or covered, except for the temporary installation or closure of storm shutters, panels, or other hurricane protection devices during the threat of storm. While such protection is provided, at least one door leading directly to the building exterior shall be provided.

Hurricane shutters must be removed by the end of Hurricane Season. Seasonal residents arriving after December 1st, must remove shutters as soon as possible after arriving.

Any device, strap, netting, or other temporary items used during Hurricane season must be Removed at the end of Hurricane season or as soon as possible by seasonal residents.

Maintenance of Exterior of Homes⁴⁸

The exterior of each home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be always maintained in good condition and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by the ARCC shall be used.

Painting of wood⁴⁹

Exposed wood sections of carports, utility buildings, patios, screen rooms, decks and lattice, arbors, pergolas, and trellises⁵⁰ must be painted and/or stained, providing the paint is aesthetically compatible with or blending in architecturally with the rest of the home and the other homes in Barefoot Bay.

Prefabricated storage unit⁵¹

Only one prefabricated (plastic) storage unit, placed adjacent to the home, no larger than ~~twenty (20)~~ thirty-six (36)⁵² square feet, will be considered a customary outdoor item for the purpose of Article III

Section 2C of the DOR. The storage unit must be placed on a concrete slab and must be strapped or anchored.

Decorating⁵³

All DOR and⁵⁴ ARCC Guidelines must be followed when decorating homes for the holidays.

Plan Changes/Change Orders/Revisions⁵⁵

After the initial approval by the ARCC, any changes to the approved plan must be resubmitted to

⁴⁶ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

⁴⁷ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

⁴⁸ Promulgated Rule approved August 14, 2012, and presented to the Board of Trustees August 28, 2012

⁴⁹ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

⁵⁰ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

⁵¹ Promulgated Rule approved December 8, 2015, and presented to the Board of Trustees January 8, 2016

⁵² Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

⁵³ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

⁵⁴ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

⁵⁵ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

the ARCC annotating the changes made. This is to ensure a proper paper trail of what the change was for future reference.

Watercrafts⁵⁶

Boats of any size are not allowed to be stored outside on the property. Kayaks, canoes, surf boards and paddleboards must be properly stored & secured in the rear of the residence.

~~When submitting an ARCC permit after the work has begun, the property owner must personally appear at the next scheduled ARCC meeting to have their application reviewed by the Committee.~~⁵⁷

DOR Article II, Section VII. Enforcement of Architectural Control Requirements.

- ~~(A) In the event that the ARCC determines that there is a violation of the provisions of Article II of the DOR on any lot in Barefoot Bay, the ARCC shall give written notice to the Owner of such Lot specifying the nature of such violation and giving the Lot Owner a reasonable time of not less than 21 days to cure or correct such violation. Such written notice shall be either: delivered personally to one of the record owners of the Lot in question as shown on the Brevard County tax rolls, or mailed by certified U.S. Mail, return receipt requested, to the address of such Owner as shown on the Brevard County tax rolls.~~ (A) The ARCC is to assist in the enforcement of the provisions of Article II of this instrument. The ARCC shall advise and consult with a designated representative of the Recreation District with respect to apparent or alleged violations of the terms of conditions of Article II of this instrument and as to be the appropriate means to correct or remedy such violations. The subsection shall not be deemed to limit the right of the Recreation District to determine for itself whether such a violation exists and the appropriate remedy for any such violations.⁵⁸
- ~~(B) In the event that the ARCC determines that the Owner to whom such a notice of violation has been given has not corrected the violation within the time set forth in the notice, the ARCC may, in its discretion, elect to forward the issue of such violation to the Board of Trustees of the Recreation District for further action. If the Board of Trustees of the Recreation District 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 and 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 Article II of the DOR, the Recreation District shall be entitled to an award of attorney's fees and court costs incident to such action.~~ (B) In the event that the Recreation District determines that there is a violation of the provisions of Article II of the instrument on any Lot in Barefoot Bay, the Recreation District shall give written notice to the Owner and/or Occupant of such Lot in accordance with the process outlined in Article III, Section 13 of this instrument.⁵⁹

⁵⁶ Promulgated Rule approved September 29, 2020, and presented to the Board of Trustees November 13, 2020

⁵⁷ Promulgated Rule approved April 3, 2018, and presented to the Board of Trustees April 13, 2018

⁵⁸ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023

⁵⁹ Promulgated Rule approved April 11, 2023, and presented to the Board of Trustees April 25, 2023



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: April 25, 2023

Subject: Manager's Report

Finance

Assessment received – 87.11% collected or \$3,667,189. Balance to collect \$542,852.

Resident Relations

ARCC Meeting 3/28/23

- 1 Old Business – approved
- 29 Consent Permits – approved
- 7 Other Permits – approved

ARCC Meeting 4/11/23

- 2 Old Business – approved
- 26 Consent Permits – 25 approved, 1 denied
- 15 Other Permits – 14 approved, 1 tabled

VC Meeting 3/24/23

- 2 Cases – came into compliance prior to the meeting
- 3 Cases – DOR is working with the homeowner
- 9 Cases – found to be in violation

VC Meeting 4/14/23

- 27 Cases – to be presented

Food & Beverage

- Cinco de Mayo is on Friday, May 5th with Allen Wronko! A Mexican buffet will be held lake side from 5-8pm with tacos, stuffed jalapenos, taco salad bowl, shrimp quesadillas, refried beans, cilantro lime rice, southwest black bean and corn salad, and all the fixin's. Allen Wronko will rock the lake from 7-10:30pm.

Food & Beverage (continued)

- A Mother's Day brunch buffet will be held lake side of the Lounge from 10:30am - 1pm on Sunday, May 14th. Royal Ink duo entertains from 10:30am - 12:30pm with songs you know by heart with a reggae twist, and The Kore will perform from 2 - 6pm for a great day whether you're a mom or not!

Tickets on sale for both events at the Lounge, the 19th Hole, and Administration.

Flyers with all the details are posted.

Property Services

- Pool #2
 - Worked with Family Pools to diagnose a possible leak and coordinate a repair solution
 - Repaired a broken light
- Continued the installation of permanent anchor umbrella stands
- Continued to fabricate more posts to replace all of the rope fences
- Continued to replace rotten white poles
- Continued to work with Big 5 Construction to obtain permits for the Beach Restroom project
- Repaired a broken water line over the shower in the Lounge
- Repaired the fence mounted conduit at the RV lots
- Repaired a broken fence at the Golf work site
- Addressed all current landscape DOR violations
- Addressed some areas of concern at the East Lake path
- Maintained the walking trail at 625 Barefoot Blvd.
- Investigated issues with the Beach lock
- Inspected all BBRD fire extinguishers
- Softball Field
 - Excavated a buried irrigation head
 - Began to repair/install irrigation

Golf-Pro Shop

- Golf Clinics by Bill Balash
 - Short Game: Tuesday, April 25th from 1 – 2pm for BBGC Non-League Golfers
 - Bunker: Wednesday, April 26th from 1 – 2pm for 18 Hole Ladies League
 - The leagues may use Golf Genius to send invitations and gather RSVP's to streamline the sign-up process
 - Contact Pro Shop for questions 772-664-3174
- 2023 Jr. Golf Camp
 - Grant application submitted
 - Dates TBD
- RFP for Golf Cart Fleet
 - Documents are under development
 - Current lease ends December 23, 2023
- Brightview Golf Maintenance
 - Began on April 17th
 - Golf Course Aerification dates will be determined in coordination with Brightview