



BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
September 26, 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**
- 7. Approval of Minutes**
 - A. Regular BOT minutes dated September 14, 2023.
- 8. Treasurer's Report**
 - A. Treasurer's Report
- 9. Audience Participation**
- 10. Unfinished Business**
 - A. BBRD Golf Course Fees & Charges
 - B. Classification & Compensation Recommendation
- 11. New Business**
 - A. Architectural Review Control Committee (ARCC) Appointment
 - B. Violations Committee Appointment
 - C. 2024 BOT and Quarterly Townhall Meeting Schedule
- 12. Manager's Report**
 - A. September 26, 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

Board of Trustees Regular Meeting
September 26, 2023
1PM –Building D&E

Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on September 26, 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. Amoss.

Roll Call

Present: Mr. Grunow, Mr. Amoss, Mr. Klosky, Ms. Hansen, Mr. Brinker. 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, Charles Henley, Finance Manager and Kathy Mendes, Food & Beverage Manager.

Additions or Deletions to the Agenda

None.

Approval of the Agenda

Mr. Brinker made a motion to approve the agenda as is. Second by Mr. Klosky. Motion passed unanimously.

Presentations and Proclamation

Mr. Amoss presented an employee appreciation certificate to Food & Beverage Manager, Kathy Mendes for her 15 years of service.

Approval of Minutes

Regular BOT minutes dated August 22, 2023, were approved as submitted.

Treasurer's Report

Mr. Brinker submitted the Treasurer's Report for September 26, 2023, approved as written.



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Audience Participation

David Wheaton-1477 Barefoot Circle-voiced his concern about various items in the FY24 budget.

Unfinished Business

Golf Course Fees and Charges

Resolution 2023-14 read by Mr. Olsen:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING THE BAREFOOT BAY GOLF COURSE FEE AND CHARGE SCHEDULE TO PROVIDE FOR AMENDED FEE AND CHARGE SCHEDULE CLASSIFICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Hansen asked if a renter would be paying the same amount as a non-resident instead of being charged the same amount as an owner. Mr. Amoss responded that it was discussed and accepted at a prior meeting.

Mr. Grunow made a motion to approve Resolution 2023-14 as read. Second by Mr. Amoss. Motion failed 3-2. Ms. Hansen, Mr. Brinker, and Mr. Klosky dissented. Mr. Amoss and Mr. Grunow approved.

Consensus of the BOT to change the golf course fee and charge schedule to reflect renter's and owners being charged the same fee amount and bring back to the next BOT Meeting.

New Business

Classification & Compensation Recommendation

Resolution 2023-15 read by Mr. Olsen:

A RESOLUTION OF THE BAREFOOT BAY RECREATION DISTRICT SUPERSEDING AND REPLACING RESOLUTION 2022-17 AND ADOPTING AN EMPLOYEE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2023-2024; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT WITH OTHER PROVISIONS; AND, PROVIDING FOR AN EFFECTIVE DATE.

Mr. Klosky asked what the percentage was for COLA (cost of living adjustment). Mr. Cichon responded that it is a combined amount of COLA and Merit. Mr. Klosky and Ms. Hansen asked for further clarification. Mr. Klosky then stated COLA should be the same for all employees. Mr. Grunow and Ms. Hansen agreed with Mr. Klosky. Ms. Hansen stated that managers should be heavily involved in merit increases of staff. Mr. Brinker agreed with Ms. Hansen. Ms. Hansen spoke in favor of COLA and merit percentages being defined. Mr. Cichon responded that



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more funds would be necessary if COLA was a fixed percentage for all employees. Mr. Amoss suggested not offering COLA but agreed with Mr. Klosky that if BBRD states that they will offer COLA, it should be the same percentage for all employees. Mr. Cichon responded that he was ok with eliminating the term COLA.

Consensus of the BOT to instruct staff to prepare a new resolution excluding the COLA verbiage.

Liability & Workers Compensation Insurance Award of Contract

Staff recommends the BOT award liability and workers' compensation insurance coverage policy to Preferred Governmental Insurance Trust (Brown & Brown) in the amount of \$234,833, plus the cost of liquor liability (\$15,370), authorize Chairman Amoss to sign the agreement and instruct staff to prepare a budget amendment for the overage to be presented at a future BOT meeting.

Mr. Grunow asked what was the reason for the increase in the workers compensation modifier and what will be done to mitigate it in the future. Ms. Brown responded that the increase is due in part to the amount of claims within the last year, risk transfer and negligence challenges. She also stated staff are working on policy and enforcement strategies to address those issues. Ms. Hansen spoke in favor of implementing an accident investigation process and staff/department managers supporting the District Clerk's office in addressing claims and risk. Mr. Goetz spoke on some of the solutions that Property Services has implemented and suggested having a Safety Officer.

Ms. Hansen made a motion to award liability and workers' compensation insurance coverage policy to Preferred Governmental Insurance Trust (Brown & Brown) in the amount of \$236,108, plus the cost of liquor liability (\$15,370), authorize Chairman Amoss to sign the agreement and instruct staff to prepare a budget amendment for the overage to be presented at a future BOT meeting. Second by Mr. Brinker. Motion passed unanimously.

Lien Recording Service Award of Contract

Staff recommends BOT approval of the Master Service Agreement with Simplifile LC and authorize Chair Amoss to execute the agreement and addendum.

Ms. Hansen made a motion to approve the Master Service Agreement with Simplifile LC and authorize Chair Amoss to execute the agreement and addendum. Second by Grunow. Motion passed unanimously.

FY25 Budget Development Calendar

Staff requests the BOT choose from the list of openings below for the Budget Development Review/Townhall Meeting and give a consensus on the FY25 Budget Development Calendar as presented.



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Consensus of the BOT on the January 25th, 2024, Budget Development Review/Townhall Meeting date and the FY25 Budget Development Calendar as presented.

Ms. Hansen spoke in favor of the budget format prior to the FY24 Budget. Mr. Klosky and Mr. Brinker agreed with Ms. Hansen.

Manager's Report

Resident Relations

ARCC Meeting 8/15/2023

- 1 Old Business – approved
- 21 Consent Permits – approved
- 8 Other Permits – approved

ARCC Meeting 8/29/2023

- 3 Old Business – approved
- 11 Consent Permits – approved
- 12 Other Permits – 10 approved, 2 tabled

VC Meeting 8/11/2023

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

VC Meeting 8/25/2023

- 17 Cases – came into compliance prior to the meeting
- 6 Cases – found to be in violation

Food & Beverage

- Tonight's Rustic Roast in Building A pays homage to Jimmy Buffet and his fun, easy style with a menu of cheeseburgers in paradise, the turkey beach club, and ahi tuna nachos. Wear your tropical shirt, because there will be booze in the blender and Jimmy Buffet favorites will be playing all night.

Food & Beverage (continued)



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- A grand opening is planned for Thursday, October 26th to officially celebrate the opening of the Cabana Bay bar and reopening of Pool #1 with a ribbon cutting ceremony at 4pm. After the ceremony, there will be a light appetizer buffet, and the Allen Wronko band will play on the Lake Side Stage until 7:30pm.

Property Services

- Pools
 - Completed painting the deck of Pool #1
 - Completed sealing the pavers of Pool #1
 - Completed the final preparations for the opening of Pool #1
 - Solicited bids for the reconstruction of the ADA ramp and shower stall entrance floor of Pool #1
 - Ordered fence materials and solicited bids for the construction of a concrete surface for the new smoking section of Pool #1
 - Replaced safety rings at Pool #1
 - Addressed ADA lift issues at Pool #1 & #2
 - Investigated the vacuum pressure issue for Pool #3 and replaced the main pump
- Began preparations for painting of the Lounge
- Repaired loose boards on the Beach walkover
- Serviced all fire extinguishers
- Serviced all AC units
- Explored alternative materials for replacement ceiling tiles in the 19th Hole

Golf-Pro Shop

- Sod replacement of only severely damaged areas on several greens to commence the week of September 11th as recommended by Brightview
- A revised fees & charges schedule will be effective October 1, 2023
 - The FY24 season new and renewal memberships will be accepted
 - Applications may be picked up after September 20, 2023, and will not be accepted prior to October 1, 2023
 - Please remember to bring in your BBRD ID badge
 - Provide updated insurance paperwork if a trail fee is being added
 - Contact the Pro Shop with questions at 772-664-3174



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Mr. Cichon provided an update on the beach restroom project.

Consensus of the BOT to provide an easement to Brevard County.

Attorney's Report

Mr. Olsen gave an update on DOR cases. He stated that he received Final Summary Judgment against 942 Jacaranda Drive, there is a Final Default Judgment hearing scheduled for 418 Barefoot Blvd, and a Motion for Clerk's Default has been filed in the 512 Puffin Drive case. Mr. Olsen stated that he will be filing an Order to Show Cause in the case of 526 Persimmon Drive.

Incidental Trustee Remarks

Mr. Grunow reminded residents of the shred event on September 28, 2023, at the Winn Dixie parking lot.

Mr. Klosky asked Mr. Cichon about the evaluation process. Mr. Cichon stated that BBRD already has a process in place. He also expressed his gratitude to staff for the work they have done in the BBRD.

Ms. Hansen welcomed Mr. Brinker back to the BOT.

Mr. Amoss reminded residents that 2023 is the start of the 3-year terms for the BOT.

Adjournment

The next regular meeting will be on September 26, 2023, at 1pm in Building D/E.

Mr. Amoss adjourned.

Meeting adjourned at 2:50pm.

Jeff Grunow, Secretary

Stephanie Brown, District Clerk

Barefoot Bay Recreation District

Treasurer's Report

September 26, 2023

Cash and Investments Balances in General Fund as of 9/18/23

Petty Cash	Total Petty Cash: \$	7,500.00
Non Interest Bearing Accounts		
MB&T Operating Account		273,184.09
Interest Bearing Accounts		
MB&T Money Market Account		1,068,726.77
Valley National Bank		50,924.37
FL Class		209,700.64
SBA Reserve Account		737,134.73
Investment Accounts		
FL Trust - Short Term Bond Fund		110,115.87
Total Cash Balances in General Fund:		\$ 2,457,286.47

Total Daily Deposits and Assessments Received for 9/6/23 -9/18/23

Daily Deposits:	\$	61,730.10
Assessments Received:		-
Total Deposits Received:	\$	61,730.10

Expenditures for 9/6/23 - 9/18/23

Check Number	Vendor	Description	Check Amount
62230	RMPK Funding, Inc	Grants for Golf Course & Softball	6,000.00
62237	US Foods	Foodstuff and Supplies	6,331.38
62238	Vose Law Firm, LLP	Legal Fees	7,500.00
62278	Omega Technology Solutions, LLC	Monthly IT Support	5,014.06
	Florida Department of Revenue	Sales Tax	11,780.15
	Paychex	Net Payroll PPE 230910	74,779.23
	US Department of Treasury	Payroll Tax PPE 230910	21,526.67
Total Expenditures \$5,000 and above:			132,931.49
Expenditures under \$5,000:			63,111.05
Total Expenditures:			\$ 196,042.54

Board of Trustees

Meeting Agenda Memo

Date: Tuesday, September 26, 2023
Title: **BBRD Golf Course Fees & Charges**
Section & Item: 10.A
Department: Golf
Fiscal Impact: \$4,108 (FY24 revenue decrease)
Contact: Kent Cichon, Community Manager, Ernie Cruz, Golf Manager
Attachments: Resolution 2023-14 Golf-Pro Shop Fees and Charges
Reviewed by General Counsel: Yes
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Consideration and approval of Resolution 2023-14.

Background and Summary Information

The BOT unanimously adjusted the BBRD Golf-Pro Shop fees and charges through consensus during the Fees & Charges Workshop on August 3, 2023, and then unanimously adopted these fees and charges through Resolution 2023-13 during the BOT Regular Meeting on August 22, 2023.

Subsequently, a need for greater consistency of golfer classifications on the fees and charges schedule was identified, as well as a greater consistency between this schedule and the BBRD Policy Manual. These revisions are reflected on Exhibit A of Resolution 2023-14, a ~~striketrough~~/underline version of the FY24 BBRD Golf-Pro Shop Fees and Charges schedule.

A budget amendment, amending the FY24 Adopted Budget, will be placed on the October 12, 2023, BOT Regular Meeting agenda to amend the Golf-Pro Shop Department's FY24 Adopted Revenue Budget. As a result of other BOT budgetary decisions made by consensus during the aforementioned workshop, this budget amendment will also amend the revenues and expenditures of other departments. This budget amendment will result in no net change to the FY24 Adopted Budget.

Staff recommends the BOT approve Resolution 2023-14 revising the BBRD Golf-Pro Shop fees and charges, as shown in Exhibit A of Resolution 2023-14, and providing an effective date of October 1, 2023, for implementation of said fees and charges.

RESOLUTION 2023-14

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING THE BAREFOOT BAY GOLF COURSE FEE AND CHARGE SCHEDULE TO PROVIDE FOR AMENDED FEE AND CHARGE SCHEDULE CLASSIFICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Barefoot Bay Recreation District (the “District”) is a local unit of special-purpose government created and existing pursuant to Chapter 418, Florida Statutes; and

WHEREAS, Chapter 418, Florida Statutes, authorizes the District to adopt rules to govern the administration of the District and to adopt resolutions as may be necessary for the conduct of District business; and

WHEREAS, the District operates numerous recreation activities and facilities, including an 18-hole golf course, golf practice facilities, a golf pro shop, and more for the benefit of residents and non-resident members of the public; and

WHEREAS, the Board of Trustees recently provided for new fees and charges associated with the use of the golf course facilities and associated amenities to maintain a high-level of service and offset increasing maintenance costs associated with the operation of the golf course and associated golf facilities; and

WHEREAS, the Board of Trustees now desires to amend the golfer classifications on the golf course fee and charge schedule to provide for greater consistency with the golfer classifications used in District’s Policy Manual.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT, BREVARD COUNTY FLORIDA:

Section 1. The ~~striketrough~~/underline version of the FY24 BBRD Golf-Pro Shop Fees and Charges schedule attached to this Resolution as “Exhibit A” shall become effective on October 1, 2023.

Section 2. If any provision of this resolution is held to be illegal or invalid, the other provisions shall remain in full force and effect.

Section 3. This Resolution shall become effective upon its passage; shall replace, supplant, and supersede any prior policy or resolution of the District regarding fees and charges associated with the use of the golf course facilities and pro-shop; and shall remain in effect unless rescinded or repealed.

The foregoing Resolution was moved for adoption by Trustee _____. The motion was seconded by Trustee _____ and, upon being put to a vote, that vote was as follows:

Chairman, Bruce Amoss
Trustee, Joseph Klosky
Trustee, Ann Hansen
Trustee, Jeff Grunow
Trustee, Hurrol Brinker

The Chairman thereupon declared this Resolution Done, Ordered, and Adopted on this 26th day of September, 2023.

BAREFOOT BAY RECREATION DISTRICT

By: _____
Bruce Amoss
CHAIRMAN

Jeff Grunow
SECRETARY

EXHIBIT A

FY24 BBRD Golf-Pro Shop Fees & Charges (Effective October 1, 2023)

	Fee/Charge
<u>Membership</u>	
Owner/Resident/ <u>Renter</u> Single New	839.50
Owner/Resident/ <u>Renter</u> Single Renewal	768.32
Owner/ <u>Resident/Renter</u> Family New	1,288.00
Owner/ <u>Resident/Renter</u> Family Renewal	1,210.72
Resident Family New	1,391.04
Resident Family Renewal	1,307.58
Non-Resident Single	925.00
Non-Resident Family	1,412.00
Employee Single New	671.60
Employee Single Renewal	636.56
Employee Family New	1,058.00
Employee Family Renewal	994.52
<u>Trail Fee</u>	
<u>Owner/Resident/Renter</u> Single	689.00
<u>Owner/Resident/Renter</u> Family	939.00
Non-Resident Single	896.00
Non-Resident Family	1,335.00
<u>Green's-Fee Peak Season</u>	
18-Holes <u>Owner/Resident/Renter</u>	30.00
18-Holes Non-Resident	35.00
9-Holes <u>Owner/Resident/Renter</u>	23.00
9-Holes Non-Resident	28.00
Twilight <u>Owner/Resident/Renter</u>	23.00
Twilight Non-Resident	28.00
<u>Green's-Fee Summer</u>	
18-Holes <u>Owner/Resident/Renter</u>	14.00
18-Holes Non-Resident	19.00
9-Holes <u>Owner/Resident/Renter</u>	10.00
9-Holes Non-Resident	15.00
Twilight <u>Owner/Resident/Renter</u>	10.00
Twilight Non-Resident	15.00
<u>Cart Fee</u>	
18-Holes	13.20
9-Holes	7.70
Twilight	7.70
<u>Club Storage</u>	
	65.00
<u>Range Balls</u>	
Warm Up	1.75
Small	3.00
Large	5.00
<u>Rental Clubs</u>	
	20.00

Board of Trustees

Meeting Agenda Memo

Date: Tuesday, September 26, 2023
Title: **Classification & Compensation Recommendation**
Section & Item: 10.B
Department: Resident Relations
Fiscal Impact: \$169,445 Pay Compensation (estimated), \$107,384 merit increases, \$62,061 for Compression Adjustment, \$56,971 State Mandated Minimum Wage Increase.
Contact: Kent Cichon, Community Manager
Attachments: RESOLUTION 2023-15, Exhibit A FY24 Pay Grades
Reviewed by General
Counsel: Yes
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Review recommended pay and classification plan and matching retirement contribution and approve Resolution 2023-15.

Background and Summary Information

The FY22 pay and classification plan updated the BBRD's personnel system for compliance with the new Florida minimum wages of \$6.98 for tipped employees and \$10.00 for non-tipped employees starting October 1, 2021, and an additional \$1.00 an hour each subsequent year until 2026 when the annual increase returns to the CPI.

A formal pay and benefits study was conducted by Evergreen Solutions and completed in 2022. A final report of this study was presented to the BOT at its regular meeting on June 9, 2022. The report identified that BBRD's current employee compensation rates and benefits were generally below that of what the market is currently supporting.

The F24 Adopted Budget was adopted by the BOT at its regular meeting on June 27, 2023. The FY24 Adopted Budget includes a maximum of a 5.0% increase per employee in the amount of \$107,384 for all eligible employees and a compression adjustment in the amount of \$62,061. The FY24 Adopted Budget also includes \$56,971 to address the state mandated minimum wage increase.

The BOT encourages additional retirement savings by its employees through the provision of a 401(a) Defined Contribution Plan and a 457 Deferred Compensation Plan for all full-time employees, and provides a limited dollar for dollar matching contribution for eligible employees that participate in these plans. A BBRD matching contribution of 4% would correspond to an estimated \$42,219 if all eligible employees participated and contributed the maximum matching amount.

The Community Manager recommends the BOT approve resolution #2023-15 thereby adopting the FY24 Employee Pay and Classification Plan effective October 1, 2023, with a maximum of a 5.0% increase, for all eligible employees, a state mandated minimum wage increase, and a compression adjustment; and approving a matching retirement contribution of up to 4% for eligible employees for FY24 to be effective October 1, 2023.

RESOLUTION 2023-15

A RESOLUTION OF THE BAREFOOT BAY RECREATION DISTRICT SUPERSEDING AND REPLACING RESOLUTION 2022-17 AND ADOPTING AN EMPLOYEE PAY AND CLASSIFICATION PLAN FOR FISCAL YEAR 2023-2024; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT WITH OTHER PROVISIONS; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Trustees desires to maintain a competitive pay and classification plan to attract and maintain a qualified workforce; and

WHEREAS, the Board of Trustees first adopted a formal pay and classification plan Resolution 2017- 18; and

WHEREAS, the Board of Trustees adopted Fiscal Year 2023-2024 Operating Budget through Resolution 2023-08 which contains funding for employee compensation; and

WHEREAS, the Board of Trustees adopted Fiscal Year 2023-2024 Operating Budget Resolution 2023-08 which contains funding a maximum of 5.0% increase per employee, funding for a pay compression adjustment, and funding to address the state mandated minimum wage increase; and

WHEREAS, the Board of Trustees desires to maintain a pay and classification plan that is gender neutral and based on each employee's ability to perform her/his job and job market conditions; and

WHEREAS, the Board of Trustees desires to formally adopt an employee pay and classification plan so residents and employees understand the minimum and maximum pay for each position; and

WHEREAS, the Board of Trustees desires to encourage additional retirement savings by its employees through the provision of a 401(a) Defined Contribution Plan and a 457 Deferred Compensation Plan for all full time Barefoot Bay Recreation District employees;

WHEREAS, the Board of Trustees of Barefoot Bay Recreation District is desirous of adopting the Fiscal Year 2023-2024 Employee Pay and Classification Plan attached and incorporated hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT, BREVARD COUNTY FLORIDA:

Section 1. The Fiscal Year 2023-2024 Employee Pay and Classification Plan appearing as **Exhibit A** of this Resolution is hereby adopted to serve as the basis of employee compensation of Barefoot Bay Recreation District. The Employee Pay and Classification Plan appearing as **Exhibit A** of this Resolution shall supersede and replace any previously adopted Employee Pay and Classification Plan and shall apply prospectively beginning October 1, 2023.

Section 2. If any portion, clause, phrase, sentence, or classification of this resolution is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the resolution; it is hereby declared to be the expressed opinion of the Trustees of the Barefoot Bay Recreation District that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this resolution did not induce its passage, and that without the inclusion of any such portion or portions of this resolution, the Trustees would have enacted the valid constitutional portions thereof.

Section 3. Conflict with other Provisions. All resolutions or parts of resolutions in conflict herewith are hereby repealed and all resolutions or parts or resolutions not in conflict herewith are hereby continued in full force and effect.

Section 4. Effective Date. The effective date of the attached Fiscal Year 2023-2024 Employee Pay and Classification Plan is October 1, 2023.

The foregoing Resolution was moved for adoption by Trustee _____. The motion was seconded by Trustee _____ and, upon being put to a vote, that vote was as follows:

Trustee Bruce Amoss
Trustee Hurrol Brinker
Trustee Jeff Grunow
Trustee Joe Klosky
Trustee Ann Hansen

The Chairman thereupon declared this Resolution Done, Ordered, and Adopted on this 26 day of September, 2023.

BAREFOOT BAY RECREATION DISTRICT

By: _____
Bruce Amoss
CHAIRMAN

Jeff Grunow
SECRETARY

Exhibit A

FY24 Pay and Classification Plan

(Effective October 1, 2023)

Classification Title	Pay Grade	Minimum	Mid-point	Maximum
ADMINISTRATIVE CLERK	1	\$ 12.00	\$ 15.30	\$ 18.60
COURTESY GOLF CART DRIVER	1	\$ 12.00	\$ 15.30	\$ 18.60
CROWD MONITOR	1	\$ 12.00	\$ 15.30	\$ 18.60
CROWD MONITOR.BAR BACK	1	\$ 12.00	\$ 15.30	\$ 18.60
CUSTODIAN	1	\$ 12.00	\$ 15.30	\$ 18.60
DISHWASHER	1	\$ 12.00	\$ 15.30	\$ 18.60
EXPEDITOR	1	\$ 12.00	\$ 15.30	\$ 18.60
GOLF ATTENDANT	1	\$ 12.00	\$ 15.30	\$ 18.60
GOLF ATTENDANT/CART TECH	1	\$ 12.00	\$ 15.30	\$ 18.60
GROUNDSKEEPER	1	\$ 12.00	\$ 15.30	\$ 18.60
HOST	1	\$ 12.00	\$ 15.30	\$ 18.60
POOL ATTENDANT	1	\$ 12.00	\$ 15.30	\$ 18.60
CUSTODIAN/AV TECH	2	\$ 12.90	\$ 16.45	\$ 20.00
LEAD GROUNDSKEEPER	2	\$ 12.90	\$ 16.45	\$ 20.00
RECEPTIONIST/CLERK	2	\$ 12.90	\$ 16.45	\$ 20.00
GOLF CLERK	3	\$ 13.70	\$ 17.47	\$ 21.23
LEAD CUSTODIAN	3	\$ 13.70	\$ 17.47	\$ 21.23
POOL TECH	3	\$ 13.70	\$ 17.47	\$ 21.23
ACCOUNTING CLERK	4	\$ 14.61	\$ 18.63	\$ 22.64
BLDG TECH I	4	\$ 14.61	\$ 18.63	\$ 22.64
COMMUNITY WATCH OFFICER	4	\$ 14.61	\$ 18.63	\$ 22.64
COOK	4	\$ 14.61	\$ 18.63	\$ 22.64
CUSTOMER SERVICE CLERK	4	\$ 14.61	\$ 18.63	\$ 22.64
LANDSCAPE/IRRIGATION TECHNICIAN	4	\$ 14.61	\$ 18.63	\$ 22.64
BLDG TECH II	5	\$ 16.05	\$ 20.46	\$ 24.88
LEAD POOL TECH	5	\$ 16.05	\$ 20.46	\$ 24.88
MAINTENANCE/AUDIO-VISUAL	5	\$ 16.05	\$ 20.46	\$ 24.88
ACCOUNTING ASSOCIATE I	6	\$ 17.46	\$ 22.26	\$ 27.06
ADMINISTRATIVE ASSISTANT	6	\$ 17.46	\$ 22.26	\$ 27.06
BUILDING TECH/MECHANIC	6	\$ 17.46	\$ 22.26	\$ 27.06
CALENDAR/RV COORDINATOR	6	\$ 17.46	\$ 22.26	\$ 27.06
LEAD COOK	6	\$ 17.46	\$ 22.26	\$ 27.06
ADMINISTRATIVE COORDINATOR	7	\$ 18.82	\$ 24.00	\$ 29.17
BLDG TECH III	7	\$ 18.82	\$ 24.00	\$ 29.17
CATERING COORDINATOR	7	\$ 18.82	\$ 24.00	\$ 29.17
ACCOUNTING ASSOCIATE II	8	\$ 19.50	\$ 24.87	\$ 30.23
CUSTODIAN SUPERVISOR	8	\$ 19.50	\$ 24.87	\$ 30.23
DOR/ARCC INSPECTOR	8	\$ 19.50	\$ 24.87	\$ 30.23
KITCHEN SUPERVISOR	8	\$ 19.50	\$ 24.87	\$ 30.23
PS CREW LEADER	8	\$ 19.50	\$ 24.87	\$ 30.23
DOR/ARCC ADMINISTRATIVE ASST	9	\$ 21.86	\$ 27.87	\$ 33.88
GOLF PROFESSIONAL	9	\$ 21.86	\$ 27.87	\$ 33.88
PROPERTY SERVICES COORDINATOR	9	\$ 21.86	\$ 27.87	\$ 33.88

Exhibit A

FY24 Pay and Classification Plan

(Effective October 1, 2023)

Classification Title	Pay Grade	Minimum	Mid-point	Maximum
ACCOUNTING ASSOCIATE III	10	\$ 23.56	\$ 30.04	\$ 36.52
MANAGEMENT ANALYST	11	\$ 25.40	\$ 32.39	\$ 39.37
LEAD ACCOUNTANT	12	\$ 27.37	\$ 34.90	\$ 42.43
RESIDENT RELATIONS & HUMAN RESOURCES COORDINATOR	12	\$ 27.37	\$ 34.90	\$ 42.43
DISTRICT CLERK	15	\$ 33.50	\$ 42.72	\$ 51.93
FOOD AND BEVERAGE MANAGER	16	\$ 35.91	\$ 45.79	\$ 55.66
GOLF OPERATIONS MANAGER	16	\$ 35.91	\$ 45.79	\$ 55.66
PROPERTY SERVICES MANAGER	16	\$ 35.91	\$ 45.79	\$ 55.66
RESIDENT RELATIONS & HUMAN RESOURCES MANAGER	18	\$ 39.24	\$ 50.04	\$ 60.83
FINANCE MANAGER	20	\$ 43.09	\$ 54.94	\$ 66.79
BARTENDER	T1	\$ 8.98	\$ 11.45	\$ 13.92
BARTENDER/SERVER	T1	\$ 8.98	\$ 11.45	\$ 13.92
SERVER	T1	\$ 8.98	\$ 11.45	\$ 13.92
LEAD SERVER	T2	\$ 9.64	\$ 12.29	\$ 14.94
LEAD BARTENDER	T2	\$ 9.64	\$ 12.29	\$ 14.94
BAR SUPERVISOR	T3	\$ 10.29	\$ 13.12	\$ 15.95

Board of Trustees

Meeting Agenda Memo

Date: Tuesday, September 26, 2023
Title: **Architectural Review Control Committee (ARCC)
Appointment**
Section & Item: 11.A
Department: Administration, District Clerk
Fiscal Impact: N/A
Contact: Kent Cichon, Community Manager, Stephanie Brown,
District Clerk
Attachments: 09.10.2023 Letter of Interest-Gary Gresko
Reviewed by General
Counsel: N/A
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Consideration of the re-appointment of a current ARCC member to a 3-year voting position.

Background and Summary Information

The ARCC is comprised of five voting members, two alternates and one (non-voting) liaison from the BOT.

Mr. Gary Gresko was originally appointed to the ARCC by the BOT on October 31, 2020 for a 3-year term. Mr. Gresko is willing to serve another term.

Staff recommends the BOT consider reappointing Mr. Gresko to the voting position expiring on October 31, 2023 for a 3-year term.

Gary Gresko
807 Tamarind Circle
Barefoot Bay, Florida 32976

September 10, 2023

Barefoot Bay Recreation District
Board of Trustees

As of October 31, 2023, my three year appointment as a voting member of the ARCC will expire. I am submitting my application for renewal for another term.

I have served on the committee since 2018 first as a alternate and then as a voting member. I have previously held the position of Vice Chair as well as Committee Chair since January 2023.

Thank you for your consideration.

Gary Gresko

A handwritten signature in black ink, appearing to read 'Gary Gresko', with a long horizontal flourish extending to the right.

Board of Trustees

Meeting Agenda Memo

Date: Tuesday, September 26, 2023
Title: **Violations Committee Appointment**
Section & Item: 11.B
Department: Administration, District Clerk
Fiscal Impact: N/A
Contact: Kent Cichon, Community Manager, Stephanie Brown, District Clerk
Attachments: Resolution 2015-16
Reviewed by General Counsel: N/A
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Selection of one alternate for appointment to a voting position on the Violations Committee.

Background and Summary Information

Recently, John Vogt's voting position became vacant on the Violations Committee. The current Violation Committee alternates are listed below.

- Susan Hall (appointment 10/1/2021)
- Edward Haslam (appointment 2/11/2022)

Resolution 2015-16 Section 3(f) states that "An appointment to fill any vacancy on the Violations Committee shall be for the remainder of the unexpired term of the office. If any member fails to attend three successive meetings, the Violations Committee shall immediately declare the member's office vacant, and the Board of Trustees shall promptly fill such vacancy."

Staff recommends the BOT consider appointing one alternate to the unexpired voting position (term expires 9/30/2024).

RESOLUTION 2015-16

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; AMENDING, SUPERSEDING, AND REPLACING RESOLUTION 2008-01 REGARDING DEED OF RESTRICTIONS VIOLATION ENFORCEMENT PROCESS; DELEGATING AUTHORITY TO THE VIOLATIONS COMMITTEE OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE AUTHORITY FOR, COMPOSITION OF, METHOD OF APPOINTMENT, MEMBERSHIP REQUIREMENTS, QUORUM, CONFLICT OF INTEREST, REMOVAL OF, AND RULES GOVERNING THE VIOLATIONS COMMITTEE AND VIOLATIONS COMMITTEE MEMBERS; PROVIDING FOR A DEED OF RESTRICTIONS ENFORCEMENT STAFF; PROVIDING FOR DEED OF RESTRICTIONS VIOLATION ENFORCEMENT PROCEDURES; PROVIDING FOR PROVISIONS OF THE DEED OF RESTRICTIONS SUBJECT TO VIOLATION COMMITTEE FINDINGS OF FACT AND ORDERS; REMOVING AN ADMINISTRATIVE APPEAL PROCESS; PROVIDING FOR LEGAL COUNSEL TO THE VIOLATIONS COMMITTEE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROSPECTIVE APPLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Barefoot Bay Recreation District is a mobile home park recreation district established under Chapter 418, Florida Statutes, and specifically pursuant to Ordinance No. 84-05 of the Brevard County Board of County Commissioners; and

WHEREAS, Article V of Ordinance No. 84-05 of the Brevard County Board of County Commissioners establishes that the Board of Trustees of the Barefoot Bay Recreation District ("Board of Trustees") shall be the governing body of the Barefoot Bay Recreation District; and

WHEREAS, Section 418.304 (12), Florida Statutes, and Article IV, Section 12 of Ordinance No. 84-05 of the Brevard County Board of County Commissioners specifically grants the Board of Trustees the power to adopt rules and regulations not inconsistent with existing deed restrictions and to use district funds in the administration and enforcement of such rules, regulations, and deed restrictions; and

WHEREAS, all property located within Barefoot Bay Recreation District is currently subject to the Amended and Restated Deed of Restrictions for Barefoot Bay ("DOR") dated June 14, 2013, which sets forth various minimum requirements, terms, and conditions with

which all property within the Barefoot Bay Recreation District shall be held, sold, or conveyed and must be maintained in compliance; and

WHEREAS, Article III, Section 13 of the Amended and Restated Deed of Restrictions for Barefoot Bay ("DOR") dated June 14, 2013, grants the Board of Trustees the power to determine for itself whether a violation of the DOR exists and the appropriate remedy to correct any such violation; and

WHEREAS, Article III, Section 13 of the DOR authorizes a Violations Committee to assist the Board of Trustees in the enforcement of the provisions of the DOR; and

WHEREAS, on or about January 22, 2008, the Board of Trustees adopted Resolution 2008-01 which amended the procedure for processing DOR violation enforcement cases; and

WHEREAS, the Board of Trustees desires to amend 2008-01 in an effort to streamline and provide for a more effective and efficient DOR violation enforcement process; and

WHEREAS, the Board of Trustees acknowledges that it has previously authorized DOR enforcement staff to conduct inspections of properties and to report violations to the Violations Committee and wishes to reaffirm this authorization; and

WHEREAS, the Board of Trustees desires to continue to use the Violations Committee to assist it in the enforcement of violations of the DOR; and

WHEREAS, the Board of Trustees desires to delegate the authority to grant final orders in specific DOR violation enforcement cases to the Violation Committee; and

WHEREAS, the Board of Trustees desires to provide for legal counsel to the Violations Committee; and

WHEREAS, the Board of Trustees specifically intends that the rules, policies, and procedures related to the jurisdiction and composition of the Violations Committee and the processing of DOR violation enforcement cases shall apply to cases currently pending before the Violations Committee and prospectively to all new cases brought before the Violations Committee; however, this resolution shall have no retroactive effect to cases previously found in violation of the DOR or subject to any prior enforcement rules, policies, and procedures adopted by the Board of Trustees, including but not limited to the prior recording of any lien, the prior pursuit of foreclosure of any such lien, and/or the prior pursuit of any other legal or equitable action against any property previously found to be in violation by the Code Enforcement Board, Violations Committee, or Board of Trustees; and

WHEREAS, the Board of Trustees desires to provide for a conflict clause, severability clause, and effective date.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AS FOLLOWS:

Section 1: Intent.

It is the intent of this resolution to promote, protect, and improve the health, safety, and welfare of the citizens of Barefoot Bay Recreation District, by acknowledging and delegating authority to the Violations Committee to assist the Board of Trustees in the enforcement of any of the specified provisions of the DOR and to provide an equitable, expeditious, effective, fair, and inexpensive method of enforcing said provisions of the DOR.

Section 2: Authority.

This resolution is enacted pursuant to the authority granted by Ordinance No. 84-05 of the Brevard County Board of County Commissioners, Chapter 418, Florida Statutes, and the DOR.

Section 3: The Violations Committee.

- (a) The Board of Trustees hereby acknowledges the authority granted by the DOR to the Violations Committee of the Barefoot Bay Recreation District and, in doing so, delegates that the Violations Committee, on behalf of the Board of Trustees, shall have the power to determine if violations of specified provisions of the DOR exist and to render Recommended and Final Orders in accordance with the procedures as outlined herein.
- (b) The Violations Committee shall be comprised of five regular members and two alternate members who shall serve on the Violations Committee in the absence of the regular members. The Chairman of the Violations Committee shall have the authority to designate which alternate member shall have voting authority upon the absence of any regular member.
- (c) Members of the Violations Committee shall be lot owners of the Barefoot Bay Recreation District.
- (d) The Board of Trustees shall appoint the members of the Violations Committee for terms of three years.
- (e) A member of the Violations Committee may be reappointed upon approval of the Board of Trustees.
- (f) An appointment to fill any vacancy on the Violations Committee shall be for the remainder of the unexpired term of the office. If any member fails to attend three successive meetings, the Violations Committee shall immediately declare the member's office vacant, and the Board of Trustees shall promptly fill such vacancy.

- (g) The Violations Committee members may be suspended and/or removed for cause by the Board of Trustees. Cause shall include but is not limited to, poor performance, negligence, inefficiency or inability to perform assigned duties, violations of the provisions of this instrument or of the DOR, misconduct, habitual drug use, or conviction of a crime.
- (h) The Violations Committee members shall elect a Violations Committee Chair, who shall be a voting member, from among the members of the Violations Committee. The presence of three or more members shall constitute a quorum of the Violations Committee. Members shall serve without compensation, but may be reimbursed for such travel, mileage, and per diem expenses as may be authorized by the Board of Trustees and Florida Law.
- (i) The provisions of Section 286.011, Florida Statutes, "Florida's Government in the Sunshine Law," and Chapter 119, Florida Statutes, relating to public records, shall apply to the Violation Committee.
- (j) The Violation Committee shall meet on the second and fourth Friday of each month. The Chairman of the Violations Committee may cancel meetings without convening the full Violations Committee if no cases are set for hearing on any scheduled meeting date.

Section 4: Powers of the Violations Committee

The Violations Committee shall have the power to:

- Adopt rules for the conduct of its hearings in accordance with the general requirements of due process.
- Request alleged violators and witnesses attend its hearings.
- Request evidence to its hearings.
- Take testimony under oath.
- Issue Findings of Fact, Final Orders, and Recommended Orders as provided in Section 7 of this resolution.

Section 5: Conflict of Interest

The following provisions shall apply to the members of the Violations Committee:

- (a) If a member of the Violations Committee has a conflict of interest with regard to an alleged violation, that member of the Violations Committee shall not vote on the violation and must comply with the requirements of Section 112.3143, Florida Statutes, related to voting conflicts. A conflict of interest may be, but is not limited to, any measure that may cause the Violations Committee member, or any family member or business associate of the Violations Committee

member, or any corporate entity that the Violations Committee member is associated with, any special private gain or loss.

- (b) No Violations Committee member shall communicate with any owner outside of a hearing concerning a violation on that owners' property. This restriction shall extend to any person appearing or interceding on behalf of an owner, whether or not such person may have a direct personal or financial interest in the property involved in the alleged violation.
- (c) Violation on the part of a member of the Violations Committee of the provisions of this section may result in immediate removal of such member from the Violations Committee by the Board of Trustees.

Section 6: DOR Enforcement Staff.

The DOR Enforcement Staff (hereinafter "Staff") are employees of Barefoot Bay Recreation District hired by the Community Manager to serve as such. Said DOR Enforcement Staff shall constitute the Board of Trustees' designated representative in accordance with Article III, Section 13 of the DOR.

Section 7: Enforcement Procedure.

- (a) Either Staff or a resident filing a complaint with Staff may initiate enforcement proceedings for alleged violations of the DOR. No member of the Violations Committee may initiate such enforcement proceedings.
- (b) Upon receiving a resident filed complaint, or upon random patrol, Staff shall determine whether a specific DOR violation exists. If Staff determines that a violation of the provisions of the DOR exists, Staff shall notify the owner of the property and shall provide a reasonable time to correct the violation, not to exceed 180 days.
- (c) Should the violation continue beyond the time specified for correction, Staff shall schedule the case for a hearing before the Violations Committee. Staff shall provide a Statement of Violation Letter and a Notice of Hearing to the owner of the property. Notice may be served by hand delivery to the occupant of the Lot or the record owner of the lot as shown on the Brevard County Tax Rolls; mailed by certified U.S. Mail, return receipt requested, to the occupant of the lot at the address on which the violation exists; or mailed by certified U.S. Mail, return receipt requested, to the address of the owner as shown on the Brevard County Tax Rolls. All Notices shall be deemed served upon mailing regardless of whether said Notice is received or refused by the recipient. If notice cannot be confirmed by certified U.S. mail, return receipt requested, notice may also be achieved by posting a copy of the Notice of Hearing in a conspicuous location upon the subject property on which the violation exists at

least three (3) days prior to the hearing and at the main Barefoot Bay Recreation District administrative office. Proof of such posting shall be by affidavit of the person posting the notice which affidavit shall include a copy of the notice posted and the date and places of its posting.

- (d) The Violations Committee shall hold a hearing to determine whether the violation exists. The hearing shall be quasi-judicial in nature, and the Violations Committee shall consider testimony and evidence presented by both Staff and the owner. Formal Rules of Evidence do not apply to quasi-judicial hearings held by the Violation Committee; however, general requirements of due process shall be utilized.
- (e) In cases involving alleged violations of Article III, Section 2 of the DOR, upon the finding of a violation, the Violations Committee shall issue a Findings of Fact and Final Order describing the nature of the violation; providing a method and reasonable time to cure the violation; and authorizing District Staff to take action to remedy the violation and lien the subject property in violation for expenses incurred in accordance with Article III, Section 2 (D) of the DOR. The Final Order of the Violations Committee shall be the final decision of Barefoot Bay Recreation District as to said violation. Any party may appeal a Final Order of the Violation Committee to the 18th Circuit Court for Brevard County or other appropriate court of jurisdiction. Any such appeal must be filed within thirty (30) days of rendition of the Order. For purposes of this section, rendition occurs when a copy of the executed Final Order is received and recorded by the Clerk to the Violation Committee. An owner/respondent is solely responsible for all costs and filing obligations related to such appeal, including but not limited to the costs of obtaining a verbatim record of the proceedings appealed pursuant to Sec. 286.0105, Florida Statutes. Nothing herein shall prohibit the Violation Committee from also rendering a Recommended Order in cases involving an alleged violation of Article III, Section 2 of the DOR if the Violations Committee determines that further legal or equitable action should be taken should the violation not be corrected within the reasonable time provided in addition to the Final Order rendered. Any Recommended Order issued by the Violation Committee shall be presented to the Board of Trustees as provided in subsection (f) below.
- (f) In all other violation cases not involving Article III, Section 2 of the DOR, upon the finding of a violation, the Violations Committee shall issue a Findings of Fact and Recommended Order describing the nature of the violation; providing a method and reasonable time to cure the violation; and providing a recommendation to the Board of Trustees as to whether further legal or equitable action should be taken should the violation not be corrected within the reasonable time frame provided. If the violation is not corrected in accordance with the method and reasonable time to cure as provided in the Findings of Fact and Recommended Order, Staff shall schedule the consideration of Findings of Fact and Recommended Order to be heard by the Board of Trustees. Staff shall

provide notice of the Board of Trustees meeting at which the violation will be considered to the owner by the same method of notice provided in subsection (c) herein.

- (g) The Board of Trustees may consider a Findings of Fact and Recommended Order at a regularly scheduled meeting of the Board of Trustees. The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Findings of Fact and Recommended Order issued by the Violations Committee. The owner may not present new or additional evidence, but shall be given an opportunity to be heard. If the Board of Trustees concurs with the Violations Committee that a violation has been established, the Board of Trustees shall have the authority to bring an action for injunctive or other appropriate legal or equitable relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings any such legal action to enforce the DOR and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to bringing such action.
- (h) If a repeat violation of the DOR is found, Staff shall notify the owner, but is not required to give the owner a reasonable time to correct the violation prior to providing a Statement of Violation Letter and Notice of Hearing to the owner of the property. A repeat violation shall be a violation of a specific provision of the DOR by the same property owner previously found in violation of the same provision of the DOR by the Violations Committee.
- (i) If Staff has reason to believe a violation of the DOR or the condition causing the violation of the DOR presents a serious threat to the public health, safety, and welfare, or if the violation is irreparable or irreversible in nature, Staff shall make a reasonable effort to notify the owner and may immediately proceed to a quasi-judicial hearing before the Board of Trustees which shall determine if curative action or legal or equitable action is necessary.

Section 8: Provisions of the DOR that are to be enforced by the Violations Committee

The provisions of the DOR over which Violations Committee may make Findings of Facts and Recommended Orders are ARTICLE II, ARCHITECTURAL REVIEW AND CONTROL and ARTICLE III, RESTRICTIONS ON USE OF LOTS. The authority and procedures contained herein are in addition to any legal or equitable remedy provided for in the DOR.

Section 9: Legal Counsel

The Violations Committee may utilize an attorney who is a practicing member of the Florida Bar, either residing or practicing in Brevard County, to represent the Violations Committee when required. The attorney for the Violations Committee shall be appointed and compensated by the Board of Trustees. In no case, however, shall the attorney for the Violations Committee be the same attorney as the attorney for the Board of Trustees or be a member of the same firm as the attorney for the Board of Trustees.

Section 10: Board of Trustees Initiated Enforcement Action

- (a) The Board of Trustees may, in its discretion, and upon its own initiative, hold a hearing to determine whether a violation of the DOR exists without utilizing the Violations Committee in any case. In such a case, the Board of Trustees shall hold a quasi-judicial hearing and shall consider testimony and evidence presented by Staff, the owner, and any other relevant party.
- (b) Notice of the violation and Board of Trustees hearing to consider the same shall be provided to the owner in accordance with Section 7 (c) herein.
- (c) If the Board of Trustees determines that a violation exists, the Board of Trustees shall have the authority to take curative action in accordance with Article III, Section 2 of the DOR or to bring an action for injunctive or other appropriate relief in a court of competent jurisdiction in Brevard County, Florida to remedy the violation. If the Board of Trustees brings such legal action to enforce the DOR and is deemed to be the prevailing party in such action, the Board of Trustees shall be entitled to an award of attorney's fees and court costs incident to such action.

Section 11: Conflicting Provisions.

All resolutions or parts of resolutions in conflict herewith are hereby repealed and all resolutions or parts of resolutions not in conflict herewith are hereby continued in full force and effect. Specifically, this resolution is intended to supersede and replace Resolution 2008-01 in its entirety.

Section 12: Severability.

If any provision of this resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not effect the other provisions or

applications of the resolution which can be given effect without the invalid provision or application, and to this end, the provisions of this resolution are declared severable.

Section 13: Prospective Application.

The rules, policies, and procedures related to the jurisdiction and composition of the Violations Committee and the processing of DOR violation cases, shall apply to cases currently pending before the Violations Committee and prospectively to all new cases brought before the Violations Committee. This resolution shall have no retroactive effect to cases previously found in violation of the DOR or subject to any prior enforcement rules, policies, and procedures adopted by the Board of Trustees, including, but not limited to, the prior recording of any lien, the prior pursuit of foreclosure of any such lien, and/or the prior pursuit of any other legal or equitable action against any property previously determined by any Code Enforcement Board, Violations Committee, or Board of Trustees to be in violation.

Section 14: Effective Date

This resolution shall take effect immediately upon adoption.


The foregoing resolution was moved for adoption by Trustee Guinther. The motion was seconded by Trustee Cavaliere and, upon being put to a vote, that vote was as follows:

Chairman, Joseph Klosky	___Y___
Trustee, Louise Crouse	___Y___
Trustee, Thomas Guinther	___Y___
Trustee, Brian Lavier	___Y___
Trustee, Frank Cavaliere	___Y___

The Chairman thereupon declared this resolution duly passed and adopted this 28th day of July, 2015.

BAREFOOT BAY RECREATION DISTRICT

By: 
JOSEPH KLOSKY, Chairman

Attest: 
THOMAS GUINTHER, Secretary

Board of Trustees

Meeting Agenda Memo

Date: Tuesday, September 26, 2023
Title: **2024 BOT and Quarterly Townhall Meeting Schedule**
Section & Item: 11.C
Department: Administration, District Clerk
Fiscal Impact: N/A
Contact: Kent Cichon, Community Manager, Stephanie Brown, District Clerk
Attachments:
Reviewed by General Counsel: N/A
Approved by: Kent Cichon, Community Manager



Requested Action by BOT

Staff recommends the BOT approve the proposed dates for the regularly scheduled BOT and Quarterly Townhall meetings in calendar year 2024 and authorize staff to advertise them in the Florida Today.

Background and Summary Information

Listed below for approval are the dates for the 2024 BOT regular meetings. All meetings are still being held on the 2nd Thursday and the 4th Tuesday of the month at 1pm. Also listed are tentative Quarterly Townhall Meeting dates. Please choose one date from each month for approval.

January 11, 2024
January 23, 2024
February 8, 2024
February 27, 2024
March 14, 2024
March 26, 2024
April 11, 2024
April 23, 2024
May 9, 2024
May 28, 2024
June 13, 2024
June 25, 2024
July 11, 2024
July 23, 2024
August 8, 2024
August 27, 2024
September 12, 2024
September 24, 2024
October 10, 2024
October 22, 2024
November 14, 2024
December 12, 2024

Tentative Quarterly Townhall Meeting Dates

(Choose one)

Wednesday, April 3rd, 9am

Thursday, April 25th, 9-11am & 7-9pm

(Choose one)

Tuesday, July 2nd, 9-11am

Tuesday, July 9th, 9-11am & 7-9pm

Thursday, July 25th, 9-11am & 6-8pm

(Choose one)

Tuesday, October 4th, 9-11am & 6-8pm

Tuesday, October 24th, 9-11am & 6-8pm



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: September 26, 2023

Subject: Manager's Report

Resident Relations

ARCC Meeting 9/12/2023

- 1 Old Business – approved
- 14 Consent Permits – approved
- 9 Other Permits – approved

VC Meeting 9/8/2023

- 7 Cases – came into compliance
- 1 Case – DOR is working with the homeowner
- 7 Cases – found to be in violation

Food & Beverage

- A reminder that there will be a grand opening on Thursday, October 26th to officially celebrate the opening of the Cabana Bay bar and reopening of Pool #1 with a ribbon cutting ceremony at 4pm. After the ceremony, there will be a light appetizer buffet, and the Allen Wronko band will play on the Lake Side Stage until 7:30pm.
- Lift your spirits at our annual Halloween Party on Friday, October 27th. The Lounge and Lake Stage area is creep'n it real with the Real Deal band from 7-10:30pm. They are bat to the bone. Please come as you aren't as prizes are awarded for best costumes. Don't forget you can goblin up some screamin' good food at the freak truck.

Property Services

- Pools
 - Completed painting the columns at Pool #1
 - Continued to solicit bids for the reconstruction of the ADA ramp and shower stall entrance floor of Pool #1
 - Ordered fence materials and continued to solicit bids for the construction of a concrete surface for the new smoking section of Pool #1
 - Received ashtrays and benches for the new smoking section of Pool #1
 - Repaired the ADA lift at Pool #3
- Repaired multiple issues with the Beach's water system
- Investigated options to repair the East Lake Trail
- Continued to solicit bids for the Administration Building floor replacement
- Installed the new donation benches
- Replaced all the flags at the Veterans Center

Golf-Pro Shop

- Sod replaced on several greens
- Pro Shop closes at noon on September 29th for the annual asset inventory
- A revised fees & charges schedule will be effective October 1, 2023
 - The FY24 season new and renewal memberships will be accepted
 - Applications may be picked up after September 20, 2023 and will not be accepted prior to October 1, 2023
 - Please remember to bring in your BBRD ID badge
 - Provide updated insurance paperwork if a trail fee is being added
 - Contact the Pro Shop with questions at 772-664-3174
- Tournaments
 - Sunday Morning Scramble Christmas Event
 - October 21st with an 8:30am Shotgun Start (108 players max)
 - 4-person scramble
 - Sign up in the Pro Shop and call 772-664-3174 with questions
 - 9 & 18-Hole Ladies Shotgun
 - October 24th with an 8:30am Shotgun Start
 - Must be a member of either the 9 or 18-hole leagues
 - Call the Pro Shop at 772-664-3174 with questions