



**BAREFOOT BAY  
RECREATION DISTRICT**

Barefoot Bay Recreation District Regular Meeting  
March 14, 2024 at 1:00 PM

Agenda

Please turn off all cell phones

- 1. Thought of the Day**
- 2. Pledge of Allegiance to the Flag**
- 3. Roll Call**
- 4. Additions or Deletions to the Agenda**
- 5. Approval of the Agenda**
- 6. Presentations and Proclamations**
  - A. Employee Milestones
  - B. Founders Day Proclamation
- 7. Approval of Minutes**
  - A. February 27, 2024 BOT Minutes
- 8. Treasurer's Report**
  - A. Treasurer's Report
- 9. Audience Participation**
- 10. Unfinished Business**
- 11. New Business**
  - A. DOR Violations
    - i. DOR Violation 24-000149 1211 Marigold Drive
    - ii. DOR Violation 23-001195 1056 Wren Circle
    - iii. DOR Violation 23-001196 1056 Wren circle
    - iv. DOR Violation 23-002633 379 Dolphin Circle
    - v. DOR Violation 22-003252 410 Plover Drive
- 12. Manager's Report**
  - A. March 14, 2024 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

## Milestone Anniversaries

Mary Barry	Resident Relations	5 Years
Claudia D'Amelio	Food and Beverage	5 Years
Nanette Martinsen	Property Services	5 Years

# *Barefoot Bay Recreation District*

## PROCLAMATION

**WHEREAS,** In 1968, the Gulf Acceptance Corporation, purchased the original one thousand acres with the vision for a Polynesian-themed recreation community that would become known as Barefoot Bay; and

**WHEREAS,** When the beautiful Polynesian-style clubhouse opened its doors in June, 1971, only 40 families were residing in Barefoot Bay but grew to 400 residents by 1973; and

**WHEREAS,** In 1980, Avatar Holdings assumed management of the Bay, and in 1984 Barefoot Bay officially became a Special Recreation District with their own Charter authorized and agreed upon by the Brevard County Commissioners and the Board of Trustees was created. In 1996, Avatar sold the amenities to the residents of Barefoot Bay; and

**WHEREAS,** The Recreation District has continued to grow and expand, with three pools, an 18-hole golf course, fishing pier, beach, a lounge, the 19<sup>th</sup> Hole sports bar and restaurant, as well as hosting a variety of entertainment and recreational activities; and

**WHEREAS,** the population has expanded to 9,808 and 4,865 lots to become the largest manufactured home community in the State of Florida; and

**NOW, BE IT RESOLVED,** by the Board of Trustees of Barefoot Bay Recreation District that Wednesday, March 13, 2024, is proclaimed:

## FOUNDERS DAY

and the Board of Trustees encourages all residents of Barefoot Bay Recreation District to join together in recognition and appreciation for the residents, past and present, as well as to celebrate our long and rich history as a treasured and distinctive community.

**PASSED AND ADOPTED** by the Board of Trustees of Barefoot Bay Recreation District this 14<sup>th</sup> of March 2024.

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

**BY:** \_\_\_\_\_  
**Bruce Amoss, Chairman**





# Barefoot Bay Recreation District

## Board of Trustees Meeting

February 27, 2024

3pm –Building D/E

### Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on February 27, 2024, Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Amoss called the meeting to order at 3PM.

### Thought of the Day

“Not everything that is faced can be changed, but nothing can be changed until it is faced.” James Baldwin.

### Pledge of Allegiance to the Flag

Led by Ms. Van Berschot.

### Roll Call

Present: Mr. Amoss, Mr. Klosky, Mr. Grunow, Ms. Hansen, and Ms. Van Berschot. Also, present, Kent Cichon, Community Manager, Cynthia Mihalick, Interim District Clerk, Garrett Olsen, General Counsel, Charles Henley, Finance Manager, Matt Goetz, Property Services Manager, Kathy Mendes, Food and Beverage Manager, and Bill Balash, Interim Golf Manager.

### Additions or Deletions to the Agenda

None

### Approval of the Agenda

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

### Presentations and Proclamation

None.

### Approval of Minutes

*The minutes of the Regular BOT Meeting dated February 8, 2024, were approved as written.*

### Treasurer's Report

*The Treasurer's Report for February 27, 2024, was submitted by Mr. Grunow and approved as written.*

### Audience Participation

Gary Coleman, 842 Lychee Drive – Spoke in support of starting a dog park and suggested locating it at the park on Kiwi.

Bill Parker, 1040 Sebastian Road - Asked about the recent DOR violation enforcement activity with dogs and would like to know about problems that exist. He spoke in favor of allowing dogs off leash near Holy Cannoli and Kiwi Park.



# Barefoot Bay Recreation District

Cathy Tocci, 422 Papaya Circle – Spoke in favor of establishing a dog park.

Nancy Eisele, Barefoot Blvd. – Announced that resident Marjorie Burt had passed away at 97. She also thanked everyone who was involved with the Barefoot by the Lake Festival.

Rob Allen, Tattler, Barefoot Circle – Apologized for mistakenly printing an article on the front page that incorrectly stated that emergency reserves are down to \$15,000. He also spoke about insurance companies viewing manufactured homes as depreciating assets and the difficulties of replacement in the event of a hurricane being cost prohibitive. He suggested looking into alternative options, such as allowing tiny homes or permanent homes.

Kim Yoest, 616 Papaya Circle – Spoke in favor of establishing a dog park.

Annette Bean, 1002 Ginger Lane – Spoke in favor of allowing dogs off leash behind RJ's and the shopping center, but felt it was not necessary to erect a fence. She asked if there had been an incident to cause the recent DOR enforcement. Mr. Amoss told the resident that there have been incidents of dog attacks and Brevard County has a leash law.

Warren Wiehler, 414 Avocado Drive – Spoke in favor of establishing a dog park at Kiwi Park.

Mr. Amoss suggested residents attend Townhall meetings or budget workshops to have a dialogue with Trustees about dogs off leash.

## **Unfinished Business**

None

## **New Business**

### **Proposed New BOT Regular Meeting Times**

Trustee Grunow requested that the BOT consider changing the regular meeting times to one regular BOT meeting be scheduled one evening each calendar quarter. Mr. Grunow advised the Board that he has had several discussions about the fact that we do not have evening meetings. He felt that the demographics in the community have changed, and we should consider one evening meeting per quarter.

Mr. Amoss's opinion is that since it's a business meeting it should be held during business hours. All meetings are recorded and can be played back. The four Townhall meetings each year are held with staggered times so more residents can attend. He felt the Budget meetings should also be held during business hours, except for the required public meeting held for the assessments and suggested that meeting be held after business hours.

*Consensus of the Board is for regular meeting times to remain as currently scheduled.*



# Barefoot Bay Recreation District

Mr. Olsen will bring an agenda item to the first meeting in March requesting a change to the meeting time of the fourth Tuesday meeting from 1pm to 3pm.

## **Asphalt Repair and Sealcoat**

The FY24 Budget included \$36,000 to sealcoat the Building A parking lot and asphalt repair and sealcoat the Building D/E parking lot. Written bids have been obtained from three vendors. Staff recommends the Board of Trustees award the contract to All Florida Striping Inc.

Mr. Grunow asked to have an ADA consultation for the parking lot striping. Mr. Cichon stated the striping in Building A will be over the exact same stripes. Mr. Goetz confirmed that Building A exceeds ADA requirements and Building D/E will be restriped to current standards.

*Mr. Klosky made a motion to award a contract to sealcoat Building A parking lot and repair and sealcoat Building D/E parking lot in the amount not to exceed \$32,040 to All Florida Striping, Inc., and authorize the Community Manager to sign the contract. Second by Ms. Hansen. Motion passed unanimously.*

## **BBRD Volunteer Policy – Resolution 2024-03**

Mr. Cichon stated that residents and past members of the BOT have expressed interest in permitting residents to volunteer in various capacities within the community. Staff researched and developed a comprehensive volunteer policy. Initial volunteer opportunities include: Host, Prep Cook, Event Clerk and Workshop Keeper.

Resolution 2024-03 read by Mr. Olsen:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT ESTABLISHING A VOLUNTEER PROGRAM BY ADOPTING A VOLUNTEER PROGRAM GUIDE AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Hansen asked if current District employees could participate in the volunteer program. Mr. Cichon confirmed that they cannot.

Mr. Olsen expressed concerns about ensuring compliance when adopting this policy. The Department of Labor has a fine line between volunteer duties and a worker who should be compensated. The job descriptions for Host, Prep Cook, Event Clerk would be considered an opt-in special event opportunity. There are no restrictions with the Federal Fair Labor Act on what type of work someone can volunteer to do. Mr. Olsen felt this will be a good starting point for this program.

Mr. Grunow asked if the program will affect our liability insurance. Mr. Cichon stated that there have been lengthy discussions with our past provider and current provider and, after reviewing the documents, the insurance company approves of the program.

Ms. Hansen expressed her concern about the Workshop Keeper position, as well as peeling vegetables and carrots because someone could get hurt that way.

Mr. Cichon advised the Board that there are no guarantees that a volunteer will not get injured.



# Barefoot Bay Recreation District

*Ms. Hansen made a motion to approve Resolution 2024-03, Adopting the BBRD Volunteer Policy. Second by Mr. Klosky. Motion passed unanimously.*

## **Valley National Bank: Qualified Depository**

On December 8, 2022, the Board of Trustees authorized the establishment of a banking relationship with Valley National Bank. Valley National Bank requires a public entity resolution form, which was supplied by the bank, when there is a change of members of the Board of Trustees.

*Mr. Klosky made a motion to allow to approve Resolution 2024-02 to continue authorizing Valley National Bank to act as a depository for BBRD. Second by Mr. Grunow. Motion passed unanimously.*

## **Lightning Detector and Warning System**

On June 27, 2023, the BOT adopted the BBRD FY24 Budget, which included a budget of \$37,000 for a reliable lightning detector and warning system to increase the safety of the residents and guests enjoying the outdoor amenities.

- FLASH Scientific Technology Inc. \$4,788/Year
- Systematic Technologies LLC \$31,325 which includes an estimated cost of \$4,350 for equipment installation)

Mr. Amoss discussed the features of the two options with the Board. He felt Option 1 was the better fit for our needs at the Golf Course and Pools. The cost would be annual with no contract. If we find it does not suit our needs, we could just not renew.

Mr. Klosky and Ms. Van Berschot spoke in support of Option 1. Ms. Hansen agreed and felt that the technology could be out of date quickly with Option 2.

Mr. Grunow stated that he was surprised there were no state bids for lightning detection systems. He also was concerned that there are too many human points of failure possible with the FLASH System. Mr. Grunow felt more research should be done.

*Ms. Van Berschot made a motion to award a contract to FLASH Scientific Technology Inc. for \$4,788 per year for a lightning detector and warning system and authorize the BOT Chairman to sign the contract or purchase agreement. Second by Ms. Hansen. Motion passed 4-1. Mr. Grunow dissents.*

Ms. Hansen asked that we continue to research additional products as they become available. Mr. Cichon suggested that the Board could have lightning detection vendors do a presentation in the future, either in person or by a zoom meeting, and the board can decide whether to stay with Flash Scientific Technology or go with another vendor.

## **Special Magistrate Agreement with John Cary, Esq.**

Mr. Olsen informed the Board that according to our Policy Manual, residents can appeal decisions that have been made by staff. The appeal goes to a designated magistrate. The magistrate used in previous cases is now the Brevard County attorney. Mr. Olsen reached out to Mr. John Cary, former General Counsel for Barefoot Bay. He offered his services to us at a very competitive rate of \$150 per hour.



# Barefoot Bay Recreation District

Ms. Hansen asked if this was pay as you go with no retainer. Mr. Olsen confirmed that was correct and the losing party of the appeal will pay for the services.

*Ms. Hansen made a motion to approve the Agreement with John Cary, Esq. for Special Magistrate services and authorize the Chairman to execute the Agreement. Second by Mr. Klosky. Motion passed unanimously.*

## **Disability Fee Waiver Application Policy Discussion**

Mr. Cichon read the agenda memo in which Mr. Olsen recommended the Board consider proposed language for the future amendment to the Policy Manual to provide for a definition of “Disabled Dependent” and corresponding policy for the creation of an application for fee waiver requests for Disabled Dependents. Mr. Olsen recommended the following:

“Disabled Dependent” shall mean any individual, regardless of age, who is incapable of total self-support due to a physical or mental handicap and requires the supervision of an adult guardian to participate in recreation activities or enjoy District amenities due to their physical or mental handicap.

Policy language:

District staff shall utilize the Disabled Dependent fee waiver application approved by the Board of Trustees to process fee waiver requests. Any individual who is authorized to utilize District facilities and/or amenities may, on behalf of a Disabled Dependent, apply for a fee waiver for the Disabled Dependent. The applicant for such a waiver must be a family member or guardian of the Disabled Dependent. Following the approval of a fee waiver application under this section, the Disabled Dependent shall enjoy access to District facilities and amenities equal to the access enjoyed by the Disabled Dependent’s family member or guardian.

Mr. Grunow felt that we need to be very specific with the language in the Policy Manual. Ms. Van Berschot requested that the Disabled Dependent policy also apply to visitors.

Mr. Henley advised of an ongoing problem with caretakers of disabled residents utilizing the facilities. Caretakers are being allowed to use facilities at no cost. Mr. Amoss suggested the policy should state that the caretaker must live in the same residence as the disabled resident. Mr. Olsen recommends allowing a resident who affirms when they update their badge annually that they require the supervision of a caretaker or guardian. Once verified, we could add a sticker to their badge to inform the Pool Host. Mr. Cichon said staff should not be put in a position to make the decision whether a person qualifies as a Disabled dependent.

Mr. Olsen will update the recommended policy language to include any individual who is authorized to utilize district facilities or amenities.

The Board was in consensus to amend the definition of Disabled Dependent to include a requirement that the adult guardian needs to live in the same residence as the disabled dependent and show proof of need to qualify for the fee waiver.

Mr. Olsen will prepare a resolution to present at the next meeting.



# Barefoot Bay Recreation District

Mr. Olsen advised the Board that if there is someone that has a disability that needs to utilize a caretaker to access our facilities, we are required by ADA to allow reasonable accommodation to use the facilities.

## **Manager's Report**

### Finance

Assessment received – 81.8% collected or \$3,792,468

### Resident Relations

#### **ARCC Meeting 2/13/2024**

- 21 Consent Items – all approved
- 17 Other Permits – all approved

#### **VC Meeting 2/9/2024**

- 4 cases – all found to be in violation

The Violations Committee has two (2) vacant Alternate positions, and we are requesting residents that are interested in filling these positions to submit their resumes and letters of interest to the District Clerk.

### Food & Beverage

- This Thursday, February 29<sup>th</sup> there will be a bourbon tasting and cigar event at the 19<sup>th</sup> Hole from 4:30-7:30pm. Come out and sip a new bourbon, purchase a cigar, and take in our local popular musician Allen Wronko who is always on fire!
- Tickets are on sale for corned beef dinners or sandwiches during the annual St. Patrick's Day celebration lakeside of the Lounge. Tickets for food may be purchased at the Lounge, the 19<sup>th</sup> Hole, or Administration Building. A full day of St. Paddy's events is planned by Barefoot Bay Food & Beverage and the Irish Club on March 17, 2024.

### Food & Beverage (continued)

- The 2024 Winter Beats series reaches a crescendo of excitement with the final shows in April. The country's premiere celebrity illusionists, the Edward Twins, transform themselves into a non-stop parade of stars on April 4<sup>th</sup> and Barefoot Bay's favorite Doo Wop dance night is held on April 12<sup>th</sup>. Tickets went on sale today for the Doo Wop and there are a few tickets remaining for the Edward Twins.

### Property Services

- Set up and dismantling of the Barefoot by the Lake Festival
- Refueled all of the festival rental equipment
- Serviced BBRD equipment
- Constructed a new podium for Building A
- Located and repaired a leak at the Dottie Lane Garden Club





# Barefoot Bay Recreation District

- Regraded the East Lake walking trail
- Assisted with the Administration Building flooring replacement
- Assisted in the return of the old Golf Course leased golf cart fleet and battery chargers and receipt of the new Golf Course leased golf cart fleet and battery chargers

## Golf-Pro Shop

- The 6<sup>th</sup> Annual CVO Golf Tournament on Saturday, March 9<sup>th</sup>, is nearly sold out. This event is a 4 Person Scramble with an 8:30am Shotgun start. The deadline to sign-up is Tuesday, March 5<sup>th</sup>. Hole Sponsor donations for the CVO event are available for purchase in the Pro Shop. The cost per sign is \$40.00.
- The Barefoot Bay Club Championship will be held March 22<sup>nd</sup> & 23<sup>rd</sup>. This event is open to all Barefoot Bay Golf Course members with an active GHIN Handicap. Sign-up began on Friday, February 23<sup>rd</sup>.
- Our golfers have spoken, and the Golf Course has listened. Three retired tournaments from the past will be unretired and added to our 2025 Tournament Calendar (Night Golf, Sadie Hawkins, and the Chairman's Cup – F.K.A. the Mixed Team Championship). The Ladies Invitational, which was also retired, will be back next month.
- For details about these events call the Golf Pro Shop at 772-664-3174.
- As the new era of the Golf Course continues, a new Yamaha Golf Cart Fleet arrived Friday, February 2<sup>nd</sup>, to replace the old fleet, and has been a welcome improvement to our golfers' experience.
- Brightview Maintenance
  - Brightview continues to troubleshoot to keep our existing irrigation system up and running. Recent issues with old, missing, and loose wiring have been discovered and are being addressed. An example of this was the discovery of pump heaters that were never wired and put into use. These heaters are critical to prevent moisture build-up in the pump motors which prolongs their life span.
  - Plugging on some of the bare areas of the greens due to poor drainage has started and will continue until completed. Plugs are currently being taken from the practice putting green.
  - The areas of concern on fairways 4 and 10 that were rototilled and seeded have germinated and are showing significant improvement.

Mr. Cichon also informed the Board that Property Services assisted with the Administration Building flooring, new carpeting, tiles, baseboards, and transition strips, which is largely complete. He also received notification from Brevard County that they have scheduled the pre-construction meeting for the Beach Restroom project.

## **Attorney's Report**

Mr. Olsen thanked Ms. Van Berschot for assisting a resident with a DOR case. The CVO assisted the resident at 526 Persimmon Drive, and the resident is now almost in compliance.



# Barefoot Bay Recreation District

## **Incidental Trustee Remarks**

Mr. Grunow informed the Board that an Eagle Scout is taking on the project of building three red, white and blue flag retirement boxes. The boxes will be located at the CVO Office, Veterans Center and one by Pool #1. He also reminded everyone that the Veterans Service Center has evening hours on Wednesdays from 7 - 9pm.

Mr. Klosky has been receiving several phone calls about the County Water Department being closed and also being unresponsive. When Brevard County purchased the water utility, part of the agreement was that they would keep an office with regular business hours Monday-Friday. The residents are also upset because the County raised the water bill by 13 percent, and the District must follow CPI. Mr. Klosky requested that our attorney reach out to the Barefoot Bay Water and Sewer District. Mr. Olsen agreed to review the purchase agreement document and asked Board members to send him an email with the complaints they have received from residents. Mr. Klosky also wished everyone a Happy St. Patrick's Day.

*Consensus of the Board is to ask Mr. Olsen draft a letter to the Barefoot Bay Water District from the Board of Trustees.*

Ms. Hansen thanked everyone who came to the meeting and reminded everyone that the Budget Workshop is March 19<sup>th</sup> and hopes everyone will attend.

Ms. Van Berschot informed the audience that CVO and Barefoot Angels will hold a CPR/AED class on March 8<sup>th</sup> from 2 - 4pm. Janine Bryant is the coordinator of Helping Hands and did most of the work assisting the resident at 526 Persimmon Drive. The CVO plans to do a candidate series prior to the election, where candidates come to Barefoot Bay and answer questions.

Mr. Amoss thanked everyone who attended today and thanked Mr. Cichon for staying through the weekend with the flooring contractor.

## **Adjournment**

The next regular meeting will be Thursday, March 14, 2024, at 1pm in Building D/E.

Mr. Amoss adjourned.

Meeting adjourned at 5:00 pm.

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Elaine Van Berschot, Secretary

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Cynthia Mihalick, Interim District Clerk



# Barefoot Bay Recreation District

## Treasurer's Report

March 14, 2024

### Cash and Investments Balances in General Fund as of 2/29/24

Petty Cash/Cash Drawers	<b>Total Petty Cash:</b>	\$ 5,600.00
<b>Non Interest Bearing Accounts</b>		
MB&T Operating Account		219,867.92
<b>Interest Bearing Accounts</b>		
MB&T Money Market Account		432,077.81
Valley National Bank		2,786,670.07
FL Class		214,416.93
SBA Reserve Account		754,602.15
<b>Investment Accounts (At Market Value)</b>		
FL Trust - Short Term Bond Fund		113,366.68
<b>Total Cash Balances in General Fund:</b>		<b>\$ 4,526,601.56</b>

### Total Daily Deposits and Assessments Received for 2/20/24 -2/29/24

Daily Deposits:	\$ 135,229.70
Interest Deposits:	-
Assessments Received:	-
<b>Total Deposits Received:</b>	<b>\$ 135,229.70</b>

### Expenditures for 2/20/24 - 2/29/24

Check Number	Vendor	Description	Check Amount
1320	Florida Blue	Monthly Premium Acct # K2462	\$ 32,524.32
1322	Florida Power & Light Co	Monthly Electric 12/30/23-1/31/24	9,035.07
1331	Special District Services, Inc	Monthly Managment Fees February	14,811.93
1339	US Foods	Food/Bev Paper/Food Paper/Soft Drinks	9,873.18
1347	Superior Fence and Rail of Brevard	Deposit Fence for Basketball Court	14,503.42
	PayChex	Net Payroll - PPE 2/25/23	82,292.95
	US Treasury	Payroll Tax PPE 2/25/24	22,787.75
<b>Total Expenditures \$5,000 and above:</b>			<b>185,828.62</b>
<b>Expenditures under \$5,000:</b>			<b>47,973.72</b>
<b>Total Expenditures:</b>			<b>\$ 233,802.34</b>

## Board of Trustees

## Meeting Agenda Memo

Date: Thursday, March 14, 2024  
Title: **DOR Violation 24-000149 1211 Marigold Drive**  
Section & Item: 11.A.i  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Sally-Ann Biondolillo, DOR/ARCC Coordinator Resident Relations, Kent Cichon, Community Manager  
Attachments: 24-000149 BOT Statement of Violation, BCAC Case 141602, BCAC Citation 220113 Failure to Properly Secure, BCAC Citation 220114 Property Damage  
Reviewed by General  
Counsel: No  
Approved by: Kent Cichon, Community Manager



### Requested Action by BOT

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

### Background and Summary Information

Violation Article III Section 4 (E) - Pets

The case was opened on 01/17/2024 after a dog attack was reported on 1/8/2024.

The Brevard County Animal Control was called and created their case number 141602. They did issue citations and fines; C220113 Failure to Properly Secure Animal and C220114 Animal Causing Property Damage.

The case was presented to the Violations Committee on 02/09/2024 and was found to be in violation and requested that the case be presented to the Board of Trustees at their next appropriate scheduled meeting.

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 24-000149

#2795/ 24-000149

MUNGER, LANCE B

1211 MARIGOLD DR

SEBASTIAN, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **ARTICLE III, SECT. 4 (A) (B) (C) (D) (E) Pets**

(A) Property Owners and their lessees, tenants, guests and invitees shall be responsible for the control of any pets owned by them while such pets are within Barefoot Bay. All pets shall be on a leash while being walked or exercised within Barefoot Bay outside the confines of the Owner's residence or completely enclosed fenced areas of a residential lot. The Owner of any pet shall be responsible for the immediate removal and proper disposal in accordance with any local, state or federal law of any bodily waste deposited by a pet on any property within Barefoot Bay. (B) Animals, livestock, or poultry of any kind shall not be raised, bred, or kept on any lot, except that two (2) dogs or two (2) cats or one (1) dog or one (1) cat or other small domesticated household pets which are kept inside the home provided they are not boarded, stabled, kenneled, or bred for commercial purposes. Swine, fowl and livestock (cows, horses, sheep, goats, etc.) shall not be kept on any lot in Barefoot Bay. No feral cat colony shall be maintained by any lot in Barefoot Bay. (C) No dog houses, kennels or animal cages of any kind shall be allowed outside of any home on any Lot within Barefoot Bay. (D) No Dangerous Dogs, as classified by the Brevard County Animal Services and Enforcement, pursuant to Sec. 14-49, Code of Ordinances of Brevard County, Florida, or as such section may be amended, shall be allowed to be maintained on any lot in Barefoot Bay. (E) No person shall knowingly keep or harbor any animal which is known to attack or harm any person or pet while walking or riding on streets or lots within Barefoot Bay.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 63 Lot # 7

1211 MARIGOLD DRIVE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s): DANGEROUS DOG**

**DATE OF VIOLATION FIRST OBSERVED:** Jan 17, 2024

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

via First Class

via Certified return receipt requested.

January 30, 2024 via Posted Notice.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** March 07, 2024

Deed of Restrictions Staff

February 29, 2024

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

**Notice** is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **01:00 PM** on **March 14, 2024** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**.

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

**The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding 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 Violation 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 Deed of Restrictions 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.

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**February 29, 2024**

Deed of Restrictions STAFF

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 24-000149

#2795 / 24-000149  
MUNGER, LANCE B,  
1211 MARIGOLD DR  
SEBASTIAN, FL 32976

Respondent(s),

**RE: 1211 MARIGOLD DRIVE  
Barefoot Bay, FL 32976**

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, certified with electronic delivery confirmation, a copy of which is attached hereto.
3. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



\_\_\_\_\_  
Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by Mary Barry, who is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public  
State of Florida at Large



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

Enforcement Officer Name and ID#		Date/Time	Case Number
Hunter Kaufman #4430		01/05/2024 1240	141602

	Victim/ Witness Name/Address/Date of Birth	Driver License Number/ State	Citation Number
Add Row	Robert Cole 1414 Gardenia Drive, Barefoot Bay, 32976	S95231703 MA	C220113/C220114
Delete Row	01/23/1955		
Add Row	Alice Cole 1414 Gardenia Drive, Barefoot Bay, 32976	S39442991 MA	C220113/C220114
Delete Row	02/22/1954		
Add Row	Todd Durand 1418 Gardenia Drive, Barefoot Bay, 32976	D653-816-59-228-0 FL	C220113/C220114
Delete Row	06/28/1959		
Add Row	AEO Vickers 1515 Sarno Road, Melbourne 32935	ID 5298 FL	C220113/C220114
Delete Row			

	Citation Number	Offense	County Ordinance/Statute #
Add Row	C220113	Failure to Properly Secure Animal	14-55
Delete Row			
Add Row	C220114	Animal Causing Property Damage	14-58
Delete Row			

**Initial Reason for the Visit:**

Canine Ella (993589) was not properly secure and attacked and killed a feline causing property damage per witness affidavit.

**Reason for Issuing the Citation and Statements Made by the Victim/Owner:**

Canine Ella (993589) was not properly secure and attacked and killed a feline causing property damage per witness affidavit.

*Hunter Kaufman* #4430  
Signature of Officer

Hunter Kaufman #4430

Print Name of Officer

1/5/24, 12:40 PM

brevardsheriff.shelterbuddy.com/forms/dispatch/citation.aspx?citationid=220113

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

## ANIMAL ENFORCEMENT CIVIL CITATION

CITATION NUMBER C 220113

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

VIOLATION / OFFENSE DATE AND TIME: 1/4/2024 11:30		VIOLATION NUMBER: 141602
NAME (FIRST, M.I., LAST): Lance Munger		
ADDRESS: 1211 Marigold Drive, , BAREFOOT BAY Florida 32976		
TELEPHONE: 989 326 0703	DOB: 5/10/1952	SEX: Male
DL OR OTHER ID NUMBER: M528522521700	EXPIRATION DATE: 5/10/2027	ISSUING STATE: FL
ANIMAL NAME: Ella	AGE: 2 Year(s) 0 Months 0 Weeks	SEX: Female
COLOR: Brown Brindle / White	PRIMARY BREED: Mixed Breed	

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

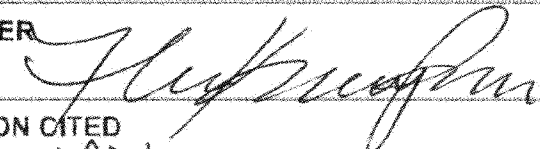

1414 Gardenia Drive, BAREFOOT BAY, FL, 32976, United States

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

DESCRIPTION OF CHARGE	FEE
14-55 1st Offense - Failure to Properly Secure Animal	\$55.00
PAY THIS AMOUNT: \$55.00	

## FACTS CONSTITUTING PROBABLE CAUSE

Canine Ella (993589) was not properly secure per witness affidavit.

SIGNATURE OF OFFICER Hunter Kaufman, 4430  #4430	DATE / TIME 1/5/2024 12:40
SIGNATURE OF PERSON CITED 	DATE / TIME 1/5/24 1240

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

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

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

1/5/24, 12:39 PM

brevardsheriff.shelterbuddy.com/forms/dispatch/citation.aspx?citationid=220114

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

## ANIMAL ENFORCEMENT CIVIL CITATION

CITATION NUMBER C 220114

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

VIOLATION / OFFENSE DATE AND TIME: 1/4/2024 11:30		VIOLATION NUMBER: 141602
NAME (FIRST, M.I., LAST): Lance Munger		
ADDRESS: 1211 Marigold Drive, , BAREFOOT BAY Florida 32976		
TELEPHONE: 989 326 0703	DOB: 5/10/1952	SEX: Male
DL OR OTHER ID NUMBER: M526522521700	EXPIRATION DATE: 5/10/2027	ISSUING STATE: FL
ANIMAL NAME: Ella	AGE: 2 Year(s) 0 Months 0 Weeks	SEX: Female
COLOR: Brown Brindle / White	PRIMARY BREED: Mixed Breed	

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

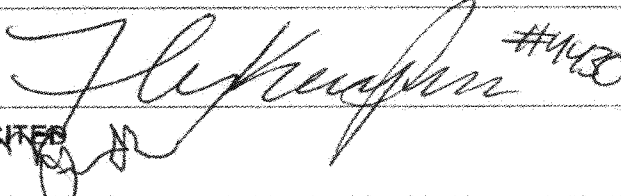
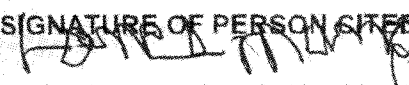
1414 Gardenia Drive, BAREFOOT BAY, FL, 32976, United States

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

DESCRIPTION OF CHARGE	FEE
14-58 1st Offense - Animal Causing Property Damage	\$100.00
PAY THIS AMOUNT: \$100.00	

## FACTS CONSTITUTING PROBABLE CAUSE

Canine Ella (993589) was not properly secure and attacked and killed a feline causing property damage per witness affidavit.

SIGNATURE OF OFFICER Hunter Kaufman, 4430	 #4430	DATE / TIME 1/5/2024 12:34
SIGNATURE OF PERSON CITED 		DATE / TIME 1/5/24 1235

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

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



## Board of Trustees

## Meeting Agenda Memo

Date: Thursday, March 14, 2024  
Title: **DOR Violation 23-001195 1056 Wren Circle**  
Section & Item: 11.A.ii  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Sally-Ann Biondolillo, DOR/ARCC Coordinator Resident Relations,  
Kent Cichon, Community Manager  
Attachments: 23-001195 BOT Statement of Violation  
Reviewed by General  
Counsel: No  
Approved by: Kent Cichon, Community Manager



### Requested Action by BOT

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

### Background and Summary Information

Article III, Section 2 (C) (D) Condition of Prop. (C) Unauthorized Items.

The case was opened May 23, 2023. 10 inspections have been performed on this property; 9 photos have been taken. Staff has executed an Affidavit of Notice and a Statement of Violation with photos. This property was found in violation by the Violations Committee on June 23, 2023. This property is under Social Membership suspension. The Respondent has been notified by First Class Mail, Certified Mail and the property posted.

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-001195

#1668/ 23-001195

HOOVER, STERLING R, JR

1030 GOLDFINCH CT

SEBASTIAN, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items**

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 138 Lot # 38  
1056 WREN CIRCLE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Unapproved items/Debris must be removed. (plywood)

**DATE OF VIOLATION FIRST OBSERVED:** May 23, 2023

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

via First Class

via Certified return receipt requested.

June 08, 2023 via Posted Notice.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** March 07, 2024

Deed of Restrictions Staff

February 29, 2024



1056 Wren Cir. Unapproved items/Debris must be removed.  
02/03/2024



1056 Wren Cir. Unapproved items/Debris must be removed.  
12/01/2023

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

**Notice** is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **01:00 PM** on **March 14, 2024** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**.

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

**The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding 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 Violation 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 Deed of Restrictions 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.

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**February 29, 2024**

Deed of Restrictions STAFF

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-001195

#1668 / 23-001195  
HOOVER, STERLING R, JR,  
1030 GOLDFINCH CT  
SEBASTIAN, FL 32976

Respondent(s),

**RE: 1056 WREN CIRCLE  
Barefoot Bay, FL 32976**

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, certified with electronic delivery confirmation, a copy of which is attached hereto.
3. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



\_\_\_\_\_  
Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by Mary Barry, who is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public  
State of Florida at Large

## Board of Trustees

## Meeting Agenda Memo

Date: Thursday, March 14, 2024  
Title: **DOR Violation 23-001196 1056 Wren circle**  
Section & Item: 11.A.iii  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Sally-Ann Biondolillo, DOR/ARCC Coordinator Resident Relations,  
Kent Cichon, Community Manager  
Attachments: 23-001196 BOT Statement of Violation  
Reviewed by General  
Counsel: No  
Approved by: Kent Cichon, Community Manager



### Requested Action by BOT

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

### Background and Summary Information

Article III, Section 11 and Section 2 (D) Exterior Maintenance. The case was opened May 23, 2023. 10 inspections have been performed on this property; 10 photos have been taken. Staff has executed an Affidavit of Notice and a Statement of Violation with photos. This property was found in violation by the Violations Committee on June 23, 2023. This property is under Social Membership suspension. The Respondent has been notified by First Class Mail, Certified Mail and the property posted.

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-001196

#1668/ 23-001196

HOOVER, STERLING R, JR

1030 GOLDFINCH CT

SEBASTIAN, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **ARTICLE III, SECT.11 and SECT 2(D) Exterior Maintenance**

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

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes or the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 138 Lot # 38

1056 WREN CIRCLE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Exterior maintenance: siding damage needs repair.

**DATE OF VIOLATION FIRST OBSERVED:** May 23, 2023

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

via First Class

via Certified return receipt requested.

June 08, 2023 via Posted Notice.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** March 07, 2024

Deed of Restrictions Staff

February 29, 2024





1056 Wren Cir. Exterior maintenance: siding damage needs repair.  
02/03/2024



1056 Wren Cir. Exterior maintenance: siding damage needs repair.  
12/01/2023



**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

**Notice** is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **01:00 PM** on **March 14, 2024** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**.

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

**The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding 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 Violation 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 Deed of Restrictions 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.

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**February 29, 2024**

Deed of Restrictions STAFF

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-001196

#1668 / 23-001196  
HOOVER, STERLING R, JR,  
1030 GOLDFINCH CT  
SEBASTIAN, FL 32976

Respondent(s),

**RE: 1056 WREN CIRCLE  
Barefoot Bay, FL 32976**

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, certified with electronic delivery confirmation, a copy of which is attached hereto.
3. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



\_\_\_\_\_  
Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by Mary Barry, who is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public  
State of Florida at Large

## Board of Trustees

## Meeting Agenda Memo

Date: Thursday, March 14, 2024  
Title: **DOR Violation 23-002633 379 Dolphin Circle**  
Section & Item: 11.A.iv  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Sally-Ann Biondolillo, DOR/ARCC Coordinator Resident Relations,  
Kent Cichon, Community Manager  
Attachments: 23-002633 BOT Statement of Violation  
Reviewed by General Counsel:  
Counsel: No  
Approved by: Kent Cichon, Community Manager



### Requested Action by BOT

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

### Background and Summary Information

Article III, Section 2 (C) (D) Condition of Prop (C) Unauthorized Items. The case was opened October 25, 2023. 9 inspections have been performed on this property; 9 photos have been taken. Staff has executed an Affidavit of Notice and a Statement of Violation with photos. This property was found in violation by the Violations Committee on January 5, 2023. This property is under Social Membership suspension. The Respondent has been notified by First Class Mail, Certified Mail and the property posted.

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-002633

#3084/ 23-002633

VAN BERSCHOT, ERIC

379 DOLPHIN CIR

BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items**

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # Lot #

379 DOLPHIN CIRCLE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Unapproved items/ Must be removed.

**DATE OF VIOLATION FIRST OBSERVED:** Oct 25, 2023

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

via First Class

via Certified return receipt requested.

via Posted Notice.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** March 07, 2024

Deed of Restrictions Staff

February 29, 2024



379 Dolphin Unapproved items/ Must be removed.  
02/12/2024



379 Dolphin Unapproved items/ Must be removed.  
01/12/2024

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

**Notice** is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **01:00 PM** on **March 14, 2024** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**.

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

**The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding 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 Violation 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 Deed of Restrictions 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.

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**February 29, 2024**

Deed of Restrictions STAFF

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-002633

#3084 / 23-002633

VAN BERSCHOT, ERIC,

379 DOLPHIN CIR

BAREFOOT BAY, FL 32976

Respondent(s),

**RE: 379 DOLPHIN CIRCLE**

Barefoot Bay, FL 32976

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA

COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer James Trevelino for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, certified with electronic delivery confirmation, a copy of which is attached hereto.
3. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



James Trevelino, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by James Trevelino, who is personally known to me and did take an oath.

Notary Public  
State of Florida at Large

## Board of Trustees

## Meeting Agenda Memo

Date: Thursday, March 14, 2024  
Title: **DOR Violation 22-003252 410 Plover Drive**  
Section & Item: 11.A.v  
Department: Resident Relations, DOR  
Fiscal Impact: N/A  
Contact: Sally-Ann Biondolillo, DOR/ARCC Coordinator Resident Relations,  
Kent Cichon, Community Manager  
Attachments: 22-003252 BOT Statement of Violation  
Reviewed by General  
Counsel: No  
Approved by: Kent Cichon, Community Manager



### Requested Action by BOT

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

### Background and Summary Information

Article III, Section 2 (C) (D) Condition of Prop. (C) Unauthorized Items. The case was opened December 1, 2022. 14 inspections have been performed on this property; 23 photos have been taken. Staff has executed an Affidavit of Notice and a Statement of Violation with photos. This property was found in violation by the Violations Committee on January 13, 2023. This property is under Social Membership suspension. The Respondent has been notified by First Class Mail, Certified Mail and the property posted.



**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 22-003252

#0428/ 22-003252

JOHANSON, RANDY LAWRENCE

410 PLOVER DR

BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items**

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 85.D Lot # 12

410 PLOVER DRIVE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Unapproved items/Debris must be removed.

**DATE OF VIOLATION FIRST OBSERVED:** Dec 01, 2022

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

December 01, 2022 via First Class

via Certified return receipt requested.

via Posted Notice.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** March 07, 2024

Deed of Restrictions Staff

February 29, 2024



410 Plover Dr. Unapproved items / Debris  
02/07/2024



410 Plover Dr. Unapproved items / Debris  
02/07/2024

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
NOTICE OF HEARING  
OF  
BOARD OF TRUSTEES**

**Notice** is hereby given that a **Hearing** will be conducted before the Barefoot Bay Board of Trustees at **01:00 PM** on **March 14, 2024** at **1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**.

The purpose of this **Hearing** will be to consider the Recommended Order of the Violations Committee to the Board of Trustees for your Case.

**The Board shall not conduct a full de novo quasi-judicial hearing on the violation, but shall consider the Finding 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 Violation 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 Deed of Restrictions 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.

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD (FS 286.0105).**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**February 29, 2024**

Deed of Restrictions STAFF

**BAREFOOT BAY BOARD OF TRUSTEES  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 22-003252

#0428 / 22-003252

JOHANSON, RANDY LAWRENCE,  
410 PLOVER DR  
BAREFOOT BAY, FL 32976

Respondent(s),

**RE: 410 PLOVER DRIVE  
Barefoot Bay, FL 32976**

**AFFIDAVIT OF NOTICES**

STATE OF FLORIDA  
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared, Deed of Restrictions Enforcement Officer Mary Barry for the Barefoot Bay Recreation District, who after being duly sworn deposes and says:

1. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the respondent at the above address by **First Class mail**.
2. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was mailed to the above respondent by **Certified mail**, certified with electronic delivery confirmation, a copy of which is attached hereto.
3. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was **Posted** at the above referenced address a copy of which is attached hereto.
4. That on or about the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, a Statement of Violations and a Notice of Hearing was emailed to the Mortgage Servicer for above referenced address, a copy of which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



\_\_\_\_\_  
Mary Barry, DOR Inspector

The Foregoing instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by Mary Barry, who is personally known to me and did take an oath.

\_\_\_\_\_  
Notary Public  
State of Florida at Large



## Barefoot Bay Recreation District

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

Phone 772-664-3141  
[www.bbrd.org](http://www.bbrd.org)

**Memo To:** Board of Trustees

**From:** Kent A. Cichon, Community Manager

**Date:** March 14, 2024

**Subject:** Manager's Report

### Finance

Assessment received – 81.8% collected or \$3,792,468

### Resident Relations

#### **ARCC Meeting 2/13/2024**

- 20 Consent Items – all approved
- 10 Other Permits – all approved

The Violations Committee has two (2) vacant Alternate positions, and we are requesting residents that are interested in filling these positions to submit their resumes and letters of interest to the District Clerk.

### Food & Beverage

- A full day of St. Paddy's events is planned by Barefoot Bay Food & Beverage and the Irish Club on this Sunday, March 17, 2024. Tickets are on sale for corned beef dinners or sandwiches served during the event and can be purchased at the Lounge, the 19<sup>th</sup> Hole, or Administration.
- A Country Dance night is planned for Saturday, March 30<sup>th</sup> in Building A from 7-10pm. Dougie, from Good Times Entertainment, will play all the country hits for line dancing or cheek to cheek. Donna, the country line dance instructor, will be on hand leading the dances. A \$5 ticket gets you in on all the fun and can be purchased at the Lounge, the 19<sup>th</sup> Hole, and Administration.
- Limited tickets are available for the Edward Twin's on April 4<sup>th</sup> and can be purchased in Administration. Barefoot Bay's favorite Doo Wop dance night held on April 12<sup>th</sup> is sold out.

### Property Services

- Re-striped the Micco RV Storage Lot
- Re-striped the Shopping Center and painted all curbs and car stops
- Installed new “WET FLOOR” signs at various locations
- Installed shoe scrubbers for the Pickleball Courts
- Re-sealed all roof penetrations on the 19<sup>th</sup> Hole by re-caulking all the screws
- Repaired a water leak at the Softball Field
- Demolished the old parts storage area at the Brightview workshop
- Took delivery of a new shed and commenced the build of a new office and breakroom for Brightview

### Golf-Pro Shop

- The Barefoot Bay Club Championship will be held March 22<sup>nd</sup> & 23<sup>rd</sup>. This event is open to all Barefoot Bay Golf Course members with an active GHIN Handicap. Sign-up deadline is Tuesday, March 14<sup>th</sup>.
- The Golf Course is experiencing a busy season averaging approximately 200 players a day. Golfers are encouraged to book their tee time in advance of the day they wish to play. Members may book up to 4 days in advance and Non-Members may book up to 3 days in advance.
- For event details or to book a tee time, call the Pro Shop at 772-664-3174.
- Brightview Maintenance
  - Brightview’s continued efforts to troubleshoot our existing irrigation system have made progress. Since the last report, an electrician performed a diagnostic evaluation of the electrical components supporting the system. As a result, a faulty transformer was replaced and antiquated fuses have been replaced with an updated breaker switch system. Additionally, amperage settings were adjusted to match the pump requirements to protect the motors from unnecessary overload, thus prolonging their life. An exhaust fan system has been installed to reduce the moisture build-up in the pump house. The wiring of the pump heaters, to also reduce moisture build-up, has been scheduled.
  - A new pot bunker was installed right of 18 green where the grass plants used to be. Two chipping areas were added around the practice putting green and grass plants were added around the bigger chipping area to give a defining look.
  - The drainage that was installed on Hole 3 has dried the chronic wet areas at the beginning of the fairway.