

**Barefoot Bay Recreation District
Regular Meeting of the Board of Trustees**

Friday, January 8, 2016

1:00 PM

1225 BAREFOOT BOULEVARD, BUILDING D/E



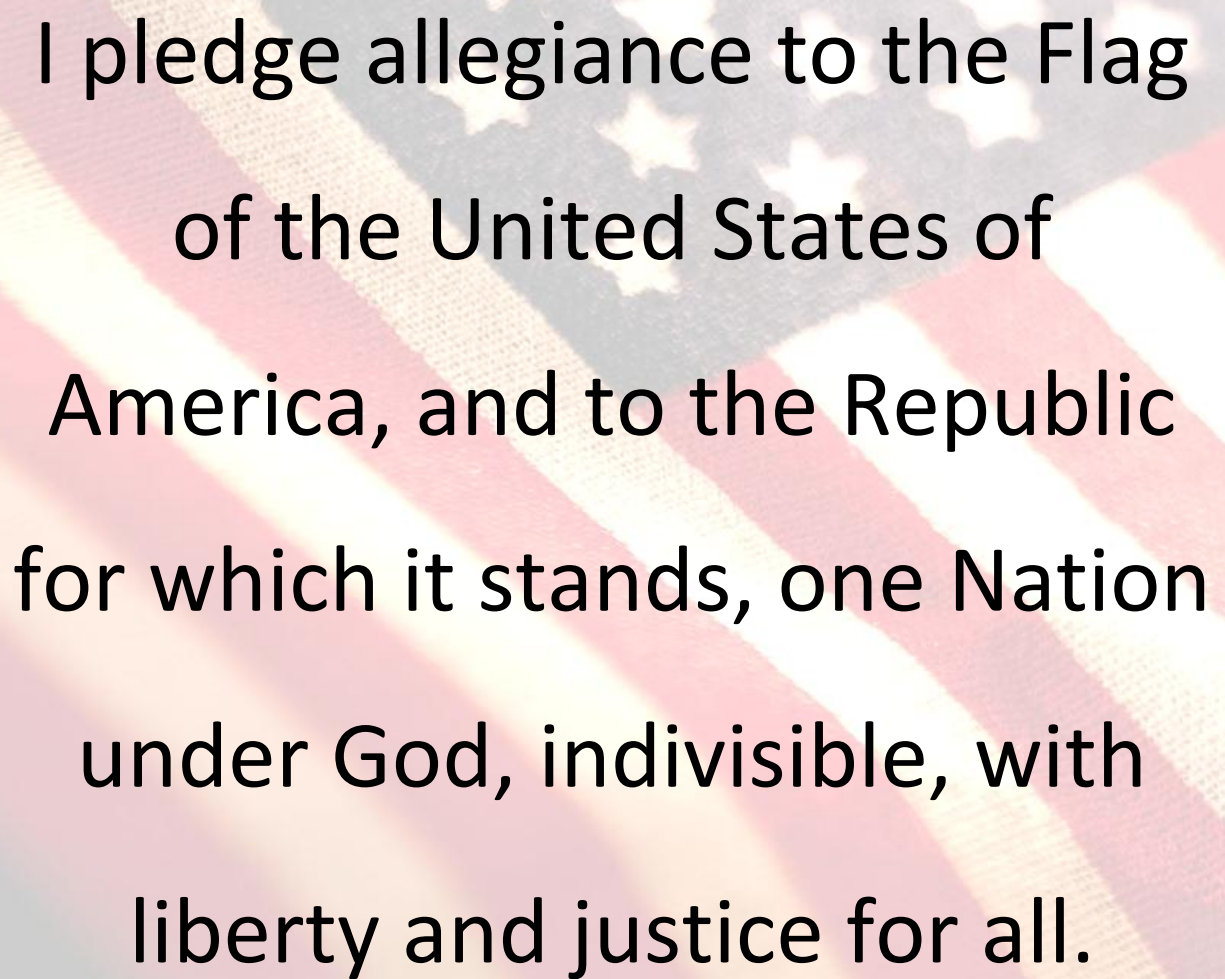
BAREFOOT BAY RECREATION DISTRICT

Barefoot Bay Recreation District Regular Meeting
Friday, January 8, 2016 1 P.M.
Building D&E

AGENDA

Please turn off all cell phones

1. Thought for the Day
2. Pledge of Allegiance to the Flag
3. Roll Call
4. Presentations and Proclamations
5. Approval of Minutes
6. Treasurer's Report
7. New Trustee Oath of Office and Reorganization of the Board
8. Audience comment on Agenda Items
9. Unfinished Business
10. New Business
 - A. Revision to ARCC Guidelines – Prefabricated Storage Units
 - B. Revision to Parking Violations and Suspensions
 - C. HOA Shed Replacement Request
 - D. DOR Violations
 - i. Case # 15-003179 837 LYCHEE DRIVE
 - E. Memorial Request – Palm Tree #14 Hole
 - F. Finance Committee Investment Comparison Discussion
11. Community Manager's Report
12. Attorney's Report
13. Committee/Liaison Reports
14. Incidental Trustee Remarks
15. Audience Participation
16. Adjournment



I pledge allegiance to the Flag
of the United States of
America, and to the Republic
for which it stands, one Nation
under God, indivisible, with
liberty and justice for all.

Roll Call

Trustees

Mr. Guinther

Mr. Klosky

Ms. Crouse

Mr. Cavaliere

Mr. Lavier

Also Present

General Counsel - Cliff Repperger

Community Manager - John W. Coffey

District Clerk - Dawn Myers

Approval of Minutes



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting Friday, December 11, 2015 1 P.M. –Building D&E

The Barefoot Bay Recreation District held a Regular Meeting on Friday, December 11, 2015 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 1:00 P.M.

Thought for the Day

Mr. Klosky asked for a moment of silence to honor our service personnel both past and present who have helped protect our country. He also asked that we remember our Barefoot Bay residents.

Mr. Guinther led the Pledge of Allegiance to the Flag.

Roll Call

Present: Mr. Klosky, Mr. Cavaliere, Ms. Crouse and Mr. Guinther. Mr. Lavier was excused. Also present: John W. Coffey, Community Manager, General Counsel Cliff Repperger and Dawn Myers, District Clerk.

Minutes

Mr. Cavaliere made a motion to approve the minutes from November 13, 2015. Second by Mr. Guinther. Motion carried unanimously.

Treasurer's Report

Ms. Crouse presented the Treasurer's Report for December 11, 2015.

Mr. Cavaliere made a motion to accept the Treasurer's Report. Second by Mr. Guinther. Motion carried unanimously.

Audience Participation (Agenda items only)

None brought forward

Old Business

DOR Violations

Case # 15-003059 710 BAREFOOT BOULEVARD

This case was in compliance for the violations issued as of the date of this meeting. However, Ms. Cuddie is keeping a close eye on the property for any other issues.

Case # 15-001409 1135 NAVAJO DRIVE

Attorney Tonya Young represented the law firm that owns the property. Ms. Young stated that her firm hired National Asset Protection Agency to remedy the violations. At this time their bid for a repair service has not been accepted. Ms. Young asked for more time to get the repairs fixed. Ms. Crouse was not in favor of extending the time any longer than 30 days for skirting however she stated the debris can be resolved immediately. Mr. Guinther was in agreement as there is no guarantee they will have the approved bid if extended another 30 days. Mr. Cavaliere was in agreement that there should be one more extension only.

Mr. Cavaliere made a motion to issue one more 30-day extension for the skirting with the written guarantee that the District will be reimbursed for any expenses if the agreement is not met. Second by Ms. Crouse. Mr. Cavaliere withdrew his motion. Ms. Crouse withdrew her second.

Mr. Guinther made a motion to forward Case #15-001409 1135 Navajo Drive to the attorney's office for equal and equitable action. Second by Mr. Cavaliere. Motion passed unanimously.



BAREFOOT BAY RECREATION DISTRICT

Case # 15-000147 635 HYACINTH CIRCLE

At the July 28, 2015 BOT meeting the Board of Trustees agreed to accept title to the property from the property owner. Since that time, Attorney Repperger has completed a title search, and in September has sent the property owner a residential sales agreement and a proposed deed. Despite additional correspondence and a promise to return the sales agreement in October, the owner has failed to do so. Ms. Cuddie requested the Board of Trustees consider the status of this case and determine if the property should be turned over to our attorney to pursue legal, equitable or other appropriate action.

Mr. Guinther made a motion to forward Case # 15-000147 635 Hyacinth Circle to the attorney's office for equal and equitable action. Second by Mr. Cavaliere. Motion passed unanimously.

Watercraft Storage at Pier Lease and Resolution for Policy Manual Amendment

General Counsel read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR AN AMENDMENT TO THE POLICY MANUAL ADOPTING RULES FOR STORAGE OF CANOES AND KAYAKS AT THE FISHING PIER; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Per Board request Mr. Coffey brought the issue of watercraft storage at the pier back to the agenda for consideration. Staff has researched options for kayak and canoe storage underneath the pier and found that single stack racks will hold up to ten watercrafts. There is room to place the double stack racks which doubles the storage capacity. He recommends required registration of approved watercrafts, a nominal processing fee and to implement a lottery system if over 20 applications are received. Ms. Crouse requested clarification in the language regarding how many spaces can be rented per property and questioned the exclusion of an age limit.

Mr. Cavaliere made a motion to approve the resolution to accept the canoe and kayak lease. Second by Mr. Guinther. Mr. Klosky and Ms. Crouse were opposed. Motion failed 2-2.

Ms. Crouse made a motion to proceed with the resolution to include the language; property owner and one space, under item number 3 of Exhibit A. Second by Mr. Guinther. Mr. Klosky opposed. Motion passed 3-1

New Business

ICMA RC 401 Money Purchase Plan Document Restatement

Staff recommends the Board authorize the Chairman to execute the legislative changes in the ICMA-RC plan adoption agreement.

Mr. Cavaliere made a motion to authorize the Chairman to sign the ICMA-RC Plan Adoption Agreement. Second by Mr. Guinther. Motion passed unanimously.

Manager's Report

Mr. Coffey reported \$2,276,913.64 or 65% of the FY16 assessment has been received to date. The Property Services roof gutters are now completed and the Garden Club shed was removed in anticipation of the new shed to arrive soon. Mr. Coffey reported the permit for the softball scoreboard is back to the County after a short delay for additional information and the tennis courts lights and fencing have been repaired. Staff is awaiting a new payroll system launch next month and the WiFi project is underway. The D/E fire alarm system will be installed within the next 2-3 weeks. The District insurance company will reimburse us with a check for \$11,208 minus the \$5000 deductible for the destroyed golf pump struck by lightning a few months ago. Mr. Coffey gave some highlights from the Stormwater Assessment Study, overall the system is in "generally good condition". He announced that Matt Nieder has joined ABM as the new superintendent.



BAREFOOT BAY RECREATION DISTRICT

Attorney Report

General Counsel Repperger will have more information on the reimbursement package for the entrance wall within the next few weeks. He presented his annual donation on behalf of the Board of Trustees.

General Counsel sponsored The Great Horned Owls at the Brevard Zoo in the name of each of the Trustees and Mr. Coffey.

Trustee Liaison Report

Mr. Klosky read the Property Services report and the Food and Beverage report. Ms. Crouse will hold the Finance committee on December 17th in Building C at 10AM. The Recreation Committee will meet on December 17th at 2PM. She suggested the Landscaping Committee meet again regarding the recommendation for landscaping in the area where the entrance wall was located. She has had feedback and concerns that nothing has been done in this area.

Mr. Guinther made a motion to have Ms. Crouse transfer the Landscaping Committee recommendations to the newly organized Landscaping Committee in January 2016. Second by Mr. Cavaliere. Motion passed unanimously.

Mr. Cavaliere discussed the recent meeting with the TLC architect regarding the proposed Building D/E complex. He also discussed the replacement Building F proposal. He acknowledged that there is some conflict regarding these issues that is resulting in some division within the community. Mr. Cavaliere voiced his opinion that the HOA is a great way to communicate information to the property owners. He asked that the key officers of the HOA please meet with him and put together a plan to collaborate on these issues and any other topics that may need addressing.

Mr. Guinther reported the ARCC committee met on November 24th to process seventeen applications, and approved sixteen. Eleven inspection reports were reviewed and one new home has been brought into the community. On December 8th fourteen applications were processed, fourteen approved and twenty-six inspection reports were reviewed. The Violations Committee saw eight cases, seven were found in violation one brought to compliance. He discussed resident confusion regarding the regulations on palm trees. Cutting live fronds off can damage the tree and he suggested trimming the dead limbs only. The officers are reporting correctly when they inspect the trees.

Trustee's Incidental Remarks

Mr. Klosky suggested cancelling the second meeting in December.

Mr. Cavaliere made a motion to cancel the second District meeting in December. Second by Mr. Guinther. Motion carried unanimously.

He thanked everyone for their help and support of the Christmas Parade this year. He was glad to see the great turnout and effort by everyone involved.

Ms. Crouse discussed an anonymous letter regarding the placement of directional signs to the pools on the FPL poles. The letter also addressed decorations being placed at the entrance to the community and along the trees and buildings although we are considered a government entity and should have no religious affiliation one way or the other. Ms. Crouse suggested we could revisit the request to the County regarding the signs and assured the writer that no District funds were used in the decorations which were purely donations. We can seek to form a committee of staff and residents to discuss decorations in the future. She discussed the transition of the Peek of the Week and recommended a discussion regarding this topic. Mr. Klosky stated the newsletter will continue with the future chair of the Recreation Committee.



BAREFOOT BAY RECREATION DISTRICT

Mr. Cavaliere thanked Mr. Guinther and Ms. Crouse for all their service to the community in the past eight years as trustees. He also thanked them for all their help extended to him in the past year on the Board.

Audience Participation

Mr. Steve Diana thanked Tim and Jan Hannify for their efforts in their Christmas decorations throughout the community. He also thanked Mr. Klosky for the great job on the Christmas parade this year.

Mr. Leonard Pelligrino discussed the future plans on the design for the Building D/E complex. He suggested a meeting room built on to the proposed replacement Building F which would reduce the amount of funds necessary for the proposed facility housing the 19th Hole and the ProShop. He suggested more attention and a focus on the much needed kitchen and dining areas in the 19th Hole.

Mr. Greg DesLandis requested clarification on why a referendum has not been issued for the replacement of Building F. General Counsel Repperger stated that there are case studies on this topic. He has issued memorandums on this issue and discussed this topic several times at the Trustee meetings. He stated that the plans he has reviewed, with the building in the same spot as it is now, does not require a referendum under the Charter.

Ms. Lee Wright thanked Ms. Crouse and Mr. Guinther for their service on the Board. She asked about the amount owed to the District by the insurance company for the removal of the entrance wall. General Counsel stated the amount is \$7,359.23. She inquired about replacing the boat from the entrance wall to the entrance of Veteran's Way. Mr. Coffey is open to suggestions from the residents about placement of the boat. She asked for guidance on what the process is for replacing the microphones in Building A. Mr. Cavaliere stated that this will be an item for discussion at the budget workshops. Mr. Coffey stated that we can lend some guidance on this and suggested inviting a sound technician to come in to assess the room for acoustics.

Ms. Nancy Eisele suggested replacing the boat with a golf cart at the entrance. She stated a survey from the trustees to the residents may save money on a referendum. She recognized Mr. Guinther and Ms. Crouse and all the members of the Board for their service to the community. She shared her appreciation for the time and effort they put into their roles and thanked them from the perspective of a resident who celebrated 30 years in the community last month.

Mr. Harold Wortman commented that he is optimistic about the HOA and the Board collaborating and working well together and cited examples of the two Boards working together. He was glad to see the trustees at the HOA meeting he is thankful for their support. He announced the HOA has extra copies of the recent political forum still available. Mr. Wortman stated he has an outline and legal opinion for DOR changes and asked the Board to meet in a workshop in January specifically to discuss fining and By-Law changes for the HOA. Mr. Cavaliere requested a copy of the outline prior to the workshop. Mr. Wortman stated that the HOA's attorney has recommended that the outline should not be distributed until the date of the workshop. The members of the Board were not satisfied with the outline of the document being withheld from the Board. Mr. Wortman stated that he could ask his attorney to release the outline to General Counsel Repperger.



BAREFOOT BAY RECREATION DISTRICT

The next meeting will be held on January 8, 2016 in Building D/E at 1PM.

Mr. Cavaliere made a motion to adjourn. Second by Ms. Crouse. Meeting adjourned 8:36 p.m.

Thomas Guinther, Secretary

Dawn Myers, District Clerk

Treasurer's Report

Barefoot Bay Recreation District
Treasurer's Report
January 8, 2016

General Fund

Balances as of 12/30/15

Operating Account, Bank of America	\$	2,476,371.49
Bank of America Money Market	\$	105,584.30
Undesignated Sub-total	\$	2,581,955.79

SBA Capital Improvement Account	(Committed)	0.27%	\$	83,040.94
	Interest		\$	-
SBA Reserve Account	(Committed)		\$	448,730.68
	Interest			-

Committed Sub-total **\$ 531,771.62**

Total General Fund	\$	3,113,727.41
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SBA Debt Fund	\$	691,395.87
	Interest	\$ -
Total Debt Fund	\$	691,395.87

Total of All Funds	\$	3,805,123.28
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Noted Expenditures Over \$10,000 From 12/4/15 to 12/31/15

Payroll	17-Dec	\$	51,015.99
Payroll Taxes		\$	14,169.81
United Health Care Employee Ins		\$	17,047.30
Bank of America Obligation #265 Small Bond		\$	44,561.17
ABM Landscape- Golf, Lawn, Soft Ball Maint		\$	37,556.75
TLC Engineering D&E Conceptual Design		\$	18,756.00
Total of Noted Large Expenditures		\$	183,107.02

December 2015

Monthly Banking Summary - Operating Account

Deposits:

Regular Deposits:	\$226,890.40
Brevard Co Tax Receipts	\$1,695,034.50
SBA Transfers:	
Money Market Transfers:	
Misc Income:	

Total Deposits: \$1,921,924.90

Debits:

Payroll:

Payroll:	\$147,730.43
Payroll Taxes:	\$42,458.06
Payroll Fees:	\$1,328.60
Workers Comp:	\$5,338.75

Transfers:

SBA Debt
SBA Capital
SBA Reserve
Money Market:

Insurance:

Premium Assign:	
United Healthcare	\$17,047.30
Employee Ins	\$1,774.54
Misc Ins:	\$3,003.70

Debt Payment \$44,561.17

Small bond payment

Utilities:

Propane:	
Florida Power:	\$7,061.96
Water, Sewer:	\$4,198.78

Telephone/Internet:	\$4,363.38
Waste Disposal:	\$1,527.14

Professional:

SDS:	\$11,458.78
Gray - Robinson:	\$6,979.41
Engineering:	
Other Professional:	\$6,179.89
Golf Course Maintenance:	\$46,996.75
Security Monitoring	

Capital Expenses:	\$9,733.21
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Pool #3, shed TLC engineering

Other

Bank Fees:	\$362.24
Sales Tax:	\$9,695.70
Copier Expenses:	\$1,435.11
Maintenance/Service Contracts:	
Computer:	\$10,112.54
Music:	\$5,150.00
Stormwater:	\$1,089.00
Wells Fargo Golf Cart Lease:	\$2,343.00
Property Tax:	\$28,470.68
Security Sheriff	\$1,200.00
Unbroken Out Exp:	\$132,650.95

Total Debits:	\$554,251.07
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Banking Summary 2015-2016

	Regular Deposits	Brevard Co Tax Receipts	SBA-MM Transfer	FEMA Income	Other Income	Total Deposits	Total Debits		Balance
Sept Balance									\$746,628.32
October	\$392,575.86	\$108.23				\$392,684.09	\$454,380.33		\$684,932.08
November	\$764,108.17	\$63,567.25	\$118,456.43			\$946,131.85	\$517,484.60		\$1,113,579.33
December	\$226,890.40	\$1,695,034.50				\$1,921,924.90	\$554,251.07		\$2,481,253.16
January						\$0.00			
February						\$0.00			
March						\$0.00			
April						\$0.00			
May						\$0.00			
June						\$0.00			
July						\$0.00			
August						\$0.00			
September						\$0.00			
1st Q total	\$1,383,574.43	\$1,758,709.98	\$118,456.43	\$0.00	\$0.00	\$3,260,740.84	\$1,526,116.00	#	
2nd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#	
3rd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#	
4th Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	#	
Year Total	<u>\$1,383,574.43</u>	<u>\$1,758,709.98</u>	<u>\$118,456.43</u>	\$0.00	\$0.00	<u>\$3,260,740.84</u>	<u>\$1,526,116.00</u>		

Banking Summary 2015-2016

	Payroll					Transfers			
	Payroll	Payroll Taxes	Payroll Fees	Workers Comp	Transfer to Reserve	Transfers to Debt Fund	Transfers to Capital Fund	Transfers to Money Mkt	Premium Assignment
Sept Balance									
October	\$92,916.22	\$26,641.88	\$476.90	\$21,555.00					
November	\$96,661.79	\$27,956.68	\$478.00	\$5,338.75					
December	\$147,730.43	\$42,458.06	\$1,328.60	\$5,338.75					
January									
February									
March									
April									
May									
June									
July									
August									
September									
1st Q total	\$337,308.44	\$97,056.62	\$2,283.50	\$32,232.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2nd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3rd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4th Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Year Total	<u>\$337,308.44</u>	<u>\$97,056.62</u>	<u>\$2,283.50</u>	<u>\$32,232.50</u>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Banking Summary 2015-2016

	Insurance			Utilities					
	Employee Health Ins	Other Employee Ins	Misc Ins	Propane	FPL	Water Sewer	Telephone Internet	Waste Disposal	SDS
Sept Balance		life, dental	aflac						
October	\$17,103.12	\$1,520.75	\$4,752.11	\$141.19	\$6,816.55	\$3,348.52	\$3,350.10	\$5,241.09	\$16,179.28
November	\$17,047.30	\$973.67	\$3,003.70	\$11.00	\$5,879.32	\$3,066.07	\$2,819.85	\$1,980.64	\$14,452.04
December	\$17,047.30	\$1,774.54	\$3,003.70		\$7,061.96	\$4,198.78	\$4,363.38	\$1,527.14	\$11,458.78
January									
February									
March									
April									
May									
June									
July									
August									
September									
1st Q total	\$51,197.72	\$4,268.96	\$10,759.51	\$152.19	\$19,757.83	\$10,613.37	\$10,533.33	\$8,748.87	\$42,090.10
2nd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3rd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4th Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Year Total	<u>\$51,197.72</u>	<u>\$4,268.96</u>	<u>\$10,759.51</u>	<u>\$152.19</u>	<u>\$19,757.83</u>	<u>\$10,613.37</u>	<u>\$10,533.33</u>	<u>\$8,748.87</u>	<u>\$42,090.10</u>

Banking Summary 2015-2016

	Professional							
	Gray Robinson	Other Pro.	Architect Engineer	Note Payments	Capital Expenses	Other Service Contracts	Bk Fees	Sales Tax
Sept Balance								
October	\$6,521.82	\$1,349.84	\$7,222.50		\$31,562.00	\$11,994.87	\$288.24	\$5,923.78
November	\$8,593.23	\$115,609.68			\$45,093.44	\$1,800.00	\$372.19	\$27,463.88
December	\$6,979.41	\$6,179.89		\$44,561.17	\$9,733.21		\$362.24	\$9,695.70
January								
February								
March								
April								
May								
June								
July								
August								
September								
1st Q total	\$22,094.46	\$123,139.41	\$7,222.50	\$44,561.17	\$86,388.65	\$13,794.87	\$1,022.67	\$43,083.36
2nd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3rd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4th Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Year Total	<u>\$22,094.46</u>	<u>\$123,139.41</u>	<u>\$7,222.50</u>	<u>\$44,561.17</u>	<u>\$86,388.65</u>	<u>\$13,794.87</u>	<u>\$1,022.67</u>	<u>\$43,083.36</u>

Banking Summary 2015-2016

				Miscellaneous Expenses (Continued)			
	Copier Expenses	Computer Expenses	Security/Sheriff	Music	Canals & Storm Water	Wells Fargo Cart Lease	Property tax
Sept Balance							
October	\$946.12	\$ 1,304.75	\$1,080.00	\$4,900.00	\$1,089.00	\$4,686.00	
November	\$946.12	\$ 3,155.05	\$3,042.01	\$5,755.00	\$1,089.00	\$2,343.00	
December	\$1,435.11	\$ 10,112.54	\$1,200.00	\$5,150.00	\$1,089.00	\$2,343.00	\$28,470.68
January							
February							
March							
April							
May							
June							
July							
August							
September							
1st Q total	\$3,327.35	\$14,572.34	\$5,322.01	\$15,805.00	\$3,267.00	\$9,372.00	\$28,470.68
2nd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3rd Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
4th Q total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Year Total	<u>\$3,327.35</u>	<u>\$ 14,572.34</u>	<u>\$5,322.01</u>	<u>\$15,805.00</u>	<u>\$3,267.00</u>	<u>\$9,372.00</u>	<u>\$28,470.68</u>

Banking Summary 2015-2016

	d)	
	ABM Maint	Unbroken Out Expenses
Sept Balance		
October	\$37,556.75	\$137,911.95
November	\$37,556.75	\$84,996.44
December	\$46,996.75	\$132,650.95
January		
February		
March		
April		
May		
June		
July		
August		
September		
1st Q total	\$122,110.25	\$355,559.34
2nd Q total	\$0.00	\$0.00
3rd Q total	\$0.00	\$0.00
4th Q total	\$0.00	\$0.00
Year Total	<u>\$122,110.25</u>	<u>\$355,559.34</u>

Audience Participation Agenda items only

Unfinished Business

New Business

Meeting Date
January 8, 2015



Agenda	
Section	9
Item No	A

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Revision to ARCC Guidelines – Prefabricated Storage Units

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: Review and Approve Proposed Resolution and proposed language regarding Prefabricated Storage Units.

Summary Explanation and Background:

Pursuant to the Article II, Section 2 of the Deed of Restrictions: The ARCC shall have the authority to promulgate regulations relating to all construction and landscaping for lots within Barefoot Bay.

Such regulations may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration or change to the regulations shall be given in writing to the Recreation District as soon as practicable after adoption thereof by the ARCC.

A copy of any such amendment, modification, alteration or change to such a regulation shall be maintained in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee.

Background:

Barefoot Bay documents are silent on the use of prefabricated storage units. An argument has been made that these storage units can be considered a customary outdoor item. Therefore, in order to regulate the placement, size and number of these storage units, the ARCC unanimously voted at their meeting held on December 8 to add the following language to ARCC Guidelines under the Miscellaneous section.

Prefabricated storage unit

Only one prefabricated (plastic) storage unit, placed adjacent to the home, only in the carport or covered patio, no larger than twenty (20) square feet, will be considered a customary outdoor item for the purpose of Article 3 Section 2C of the DOR.

Exhibits Attached: Draft ARCC Guidelines

Contact: Sue Cuddie, Resident Relations Manager

Fiscal Impact:

Contract/Agreement Reviewed by Attorney: Yes

Acting Community Manager's Approval:



Guidelines for use by
THE ARCHITECTURAL REVIEW & CONTROL COMMITTEE

JANUARY 2015

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

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

1. All additions to any property.
2. All property renovations to existing structures except:
 - a. Awnings for windows.
 - b. Replacement of A/C pads.
3. Replacement of A/C units.

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

ARCHITECTURAL REVIEW & CONTROL

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

An Architectural Review & Control Committee shall be established to enforce the provisions the Amended and Restated Deed of Restrictions ("DOR"), Article II. The ARCC shall consist of five (5) members, who shall be appointed as follows:

The Board of Trustees of the Recreation District shall appoint a Member of the Board of Trustees to serve as Chairman of the ARCC.

- A. Three additional members of the ARCC shall be appointed as follows: One (1) by the Board of Trustees and Two (2) by the Association, all of whom shall be Lot owners
- B. The fifth member shall be a management employee of the Recreation District and shall serve as Secretary of the ARCC.

The term of the members of the ARCC shall be for an indefinite period. Each member shall serve at the pleasure of the authority which made his or her appointment, and each member shall serve on the ARCC until he or she is replaced, resigns or otherwise leaves office. The ARCC shall hold an organizational meeting each year as soon after January 1 as is practicable. The ARCC shall select a Vice-Chairman from among its membership at the organizational meeting. The ARCC shall also adopt such rules and procedures as it may deem to be appropriate; provided, however, that such rules may not be inconsistent with the provisions of Article II of the DOR.

The ARCC consist of a 5 member committee. In order to conduct the business of the committee, a quorum must be present. A quorum will exist when a simple majority (3) voting members are present. Each member of the committee shall have one (1) vote on each permit application.

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

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

1. The said building or other structure complies in all respects with the Provisions of this instrument; and
2. The said building or other structure is in conformity and harmony with such written rules as may from time to time be adopted by the ARCC.

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

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

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

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

When an application for repairs or construction is denied, the applicants have an opportunity to appeal to the Architectural Review Control Committee once and will be given a chance to modify or revise the type of repairs or construction proposed to comply with the Deed of Restrictions Architectural Review Control Committee guidelines. It is the resident's responsibility to notify the Architectural Review Control Committee of Intent to Appeal. In the event that a dispute arises in the interpretation by the ARCC of any requirements of Article II of the DOR or of the regulations provided for herein after, such dispute shall be resolved by a majority vote of the Recreation District, whose decision shall be final and binding.

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

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

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

1. A patio roof, including posts and fascia, fabricated of aluminum or other approved material. Minimum requirement – Sixty (60) square feet.
2. A garage or a carport roof, including posts and fascia, fabricated of aluminum or other approved material.
3. A utility room, fabricated of aluminum or other approved materials. A utility room is a building designed to house common household tools and equipment, and for general storage. The base of the building is a concrete slab. It may be used for housing a washer, dryer, and automatic hot water heater. A utility building must be structurally attached by full roof to the modular coach (mobile home) or carport at eave level. A utility room shall conform to all specific dimensions as approved and recorded by the ARCC.
4. A patio slab made of poured concrete, brick pavers, or other approved material. Minimum requirement – Sixty (60) square feet.
5. A covered concrete carport slab having a minimum unobstructed area (except for steps) of eleven (11) feet by eighteen (18) feet.
6. A concrete driveway extending from the carport slab to the curb of the adjacent street which driveway shall include a widened or flared area as it approaches the street. All driveways and parking areas shall be of poured and reinforced concrete material.
7. Skirting material sufficient to completely enclose the entire base of the home. The skirting may be stucco skirting, stone skirting, outdoor Hardi Board skirting, or other approved material.
8. Central water, sewer and electricity connected to the home.
9. Landscaping with appropriate plants, grass, shrubs and/or trees in compliance with regulations adopted by the ARCC.
10. No dock, wharf, landing, boathouse or other structure shall extend from any Lot over or on any lake, canal, waterway or drainage easement.
11. Each home shall be complete, set up on piers, shall be leveled, and shall have a running gear and tongue of the manufactured or modular home removed as appropriate to the style of home being installed..
12. Each manufactured or modular home shall be tied down in accordance with all applicable building codes and with such installation inspection as required by law.
13. No manufactured or modular home installed on any Lot shall be more than four (4) years old.
14. A final survey showing the location of the home shall be submitted to the ARCC.
15. A Lamp Post approved by the ARCC shall be installed in front of all Residences and maintained in operational condition. Said Lamp post shall be illuminated from dusk to dawn during any time that the residence is occupied.
16. The address number of all Residences shall be affixed to the front of the carport or garage in such a manner as to be clearly visible and legible from the public or private way on which the home fronts. The numerals of the address number shall not be less than three (3) inches in height and one-half (1/2) inches in width.
17. A utility building (Minimum size 48 square feet)

- B. Manufactured or modular homes installed upon lots within Barefoot Bay shall be installed only by contractors who are duly licensed for such installations by appropriate governing authorities.
- C. All installation shall meet all the applicable construction codes of Brevard County and the State of Florida, and shall meet all requirements of Article II of the DOR.
- D. The length of time to complete construction on Architectural Review Control Committee permits shall be four (4) months.
- E. No more than one manufactured or modular home shall be placed on each Lot within Barefoot Bay. Two or more sections of a manufactured or modular home may be joined to form a single dwelling unit.
- F. No manufactured or modular home installed on any Lot after July 1, 1999, shall be less than 20 feet in width and or less than 34 feet in length, including the hitch.
- G. All manufactured or modular homes placed on any lot in Barefoot Bay shall have complete sanitary facilities including lavatory, wash basin, tub or shower and kitchen sink. All homes shall be connected to public sewer and a public water supply in conformity with all requirements of applicable government agencies.
- H. Prior to sodding, provisions shall be made for property line drainage swales. Said swales shall be designed to carry run-off water from rear and sides of the home to the front curb-gutter.

DOR Article II, Section 4. Setbacks

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

1. **Corner Lots**

Rear Setback - 7 ½ feet

Side Setback from Adjacent lot- 7 ½ feet

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

2. **Interior Lots**

Rear Setback - 7 ½ feet

Side Setback - 7 ½ feet

Front Setback - 10 feet

Measurement of setbacks shall not include air conditioners, walkways, reception antennas and steps where no vertical supports are used. Vertical supports are posts supporting a roof. The maximum width of walkways in a setback is 36".

Specification, Definitions and Approved Materials

Air Conditioning Units Specification

All A/C Units on Barefoot Bay residential lots are required to be placed on an A/C pad, specifically, ground level concrete material unless specific property is in a flood zoned area designated by Brevard County and the National Flood Insurance Program of the Federal Emergency Management Agency.

Antennas and Satellite Dishes.

(A) As used in this section, the following terms shall have the following meanings:

1. **"Reception Antenna"** shall mean any device used for receipt of audio or video programming services, including direct broadcast satellite services and radio and television broadcast services. A reception antenna which has transmission capability which is designed for the viewer to select or use video programming is a reception antenna within the meaning of this definition, provided that it meets the standards of the Federal Communications Commission ("FCC") for radio frequency emissions. The support structure, cabling, guy wires, conduits, wiring and other accessories necessary for proper installation maintenance and use of a reception antenna shall be considered part of the antenna.

2. **"Transmitting Antenna"** shall mean any device used for the sending or transmission of audio or video signals.

(B) Installation of transmitting antennas on the exterior of residences within Barefoot Bay shall be prohibited on and after August 31, 1997. Any transmitting antenna located on residential property in the Recreation District on August 31, 1997, shall be permitted to remain in place and utilized by it Owner until such antenna is destroyed, removed, or damage in an extent of more than 75 % of its value. Upon such destruction, removal, or damage, such antenna shall not be replaced or repaired.

(C) No reception antenna shall be installed on the exterior of any structure within Barefoot Bay unless and until written notice of such installation is submitted to the ARCC. The said written notice shall demonstrate that the proposed installation complies with all rules and regulations of the FCC and with these rules and regulations. Any such notice submitted by a tenant shall be accompanied by the written joinder and consent of the Lot Owner.

(D) All reception antennas installed within Barefoot Bay Recreation District shall meet the following requirements:

1. Direct broadcast satellite reception antennas shall not exceed forty inches in diameter.

2. Antennas shall be located in a place shielded from direct view from the street; provided however, that nothing in this rule shall be deemed to require that the installation be in a location from which an acceptable quality signal may not be received.

3. Antennas shall be installed solely on property owned by the Lot Owner submitting the notice described in paragraph (c) of this section, and no part of any antenna installation shall encroach upon common area of the Recreation District or on the property of any other Owner within Barefoot Bay.

4. No part of any antenna shall be located within seven and one-half (7 ½) feet of the side lot line or rear lot line of any Lot; provided, however, that nothing in this rule shall be deemed to require that the installation be in a location from which an acceptable quality signal may not be received.

5. No antennas shall be installed in a location which is higher than is absolutely necessary for reception of an acceptable quality signal.

6. Antennas shall be installed and secured in a manner which complies with all applicable local and state laws and regulations and manufacturer's instructions.

7. Each antenna shall be secured such that it does not jeopardize the safety of any structure or the safety of any person.

(E) The Owner of reception antenna shall not permit the antenna to fall into disrepair or to become a safety hazard and the Owner shall be responsible for all maintenance and repair of the antenna.

(F) Each Owner of a reception antenna shall be responsible for all costs associated with the antenna, including, but not limited to:

1. The cost to repair, replace, maintain, move and remove the antenna.
2. The damages to common property, other Lots and any other property damage by the installation, maintenance or use of the antenna.
3. The costs of injury to any persons who may be injured as a result of the installation or use of the antenna.

Carport and Driveway

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

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

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

Approved materials

New language: Approved materials-Carport- Framework constructed of aluminum, -concrete block or wood. (All wood including post & poles must be covered with aluminum, vinyl or paint to match home.)

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

Decks

Decks are an optional addition not requiring a roof. Decks must be abutting the home, - raised decks must have matching guard rails and steps; ground level decks railing is allowed. All open decks build within the “box” of home must be skirted to match the home. They are constructed out of pressure-treated wood, composite deck board, poured concrete or other approved material.

Fencing¹

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

Picket fence definition:² A picket fence is a type of vinyl fence that has evenly spaced vertical boards made of vinyl material. Each picket is attached to horizontal rails. The space between each picket must be at least the width of the picket.

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

Meter pedestals may not be enclosed and fences must be set back a minimum of one foot to allow emergency access to pedestal.

Article II, Section 5 of the DOR³ permits only chain link and vinyl picket fencing consistent with the approval of DOR ballot amendment question number 6 approved by the lot owners of Barefoot Bay on April 5, 2011. Article II, Section 5 of the DOR does not permit privacy stockade fences (a fence of closely fitted vertical boards) regardless of material.

Generators and Propane tanks

Emergency generators, propane tanks, and other liquid type fuel tanks⁴ are approved subject to concealing them with approved landscaping, 4 ft. high vinyl walls, 6 ft. vinyl lattice walls or underground.

Gutters

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

Lamppost

Location: the lamppost should be located between the front of the house and the front property line, near the front lawn side of the driveway. The lamppost must be on the owner's property and not in the front right-of way.

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

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

Color of Bulb: The color of the bulb must be white, clear or yellow.

Color of Lamppost: The color of the lamppost must be black or white unless other color approved by ARCC.

¹ Promulgated rule approved by ARCC June 7, 2011 , presented to BOT July 8, 2011

² Promulgated rule approved by ARCC November, 25, 2014, presented to BOT December 12, 2014

³ Promulgated rule approved by ARCC November, 25, 2014, presented to BOT December 12, 2014

⁴ Promulgated rule approved by ARCC August 30, 2011, presented to BOT September 27, 2011

Electric eye sensor lights are approved.

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

Landscaping & Privacy Materials

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

- A. **Privacy Landscaping materials** defines a barrier or opaque screen which is utilized on the side of carports, around decks, or runs along any lot line or parallel to any lot line. Such barrier or opaque screen may not exceed six (6) feet in height and may be constructed of vinyl panels, painted wood or vinyl lattice. No cumulative total of feet for all barriers on any one property may exceed thirty two (32) feet.⁵ Said barrier or opaque screen shall comply with the provisions of Sec. 62-2109 Code of Ordinances of Brevard County, Florida.⁶

Porch (Patio)

Definition of Porch (Patio)

A porch (patio) is a covered area structurally attached to the outside of the mobile home. The porch (patio) floor is a concrete slab. The following are recognized types:

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

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

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

Approved Materials for porch (Patio)

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

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

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

Roof

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

⁵ Promulgated Rule approved March 19, 2013 and presented to the Board of Trustees March 26, 2013.

⁶ Promulgated Rule approved August 14, 2012 and present to the Board of Trustees August 28, 2012.

Skirting Material

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

Siding Materials

Approved siding materials for manufactured/modular homes, garages and accessory buildings are stucco, vinyl, aluminum, coated engineered wood panel⁷, hardi board lap siding or other approved material.

Steps

Entrance steps to the home must be constructed of concrete.

Utility Building

Definition of Utility Building

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

Materials

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

Dimensions

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

Construction

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

Used Mobile Homes

A used mobile home must meet the Manufactured Housing Construction and Safety Standards established promulgated by the U.S. Department of Housing and Urban Development (HUD) in 1976 and amended by HUD in 1994. In addition, no used mobile home shall be permitted in Barefoot Bay

⁷ Promulgated Rule approved January 17, 2012, presented to Board of Trustees December 9, 2011

having a year model, as shown on the Florida Motor Vehicle Certificate of Title as “year make”, more than four (4) calendar years prior to the year of submittal of the application form to the ARCC.

In addition, applicant must provide the following:

- a. A copy of Motor Vehicle Certificate of Title, State of Florida, in applicant’s name. (A double-wide requires two (2) certificates.)
- b. Close-up photographs, in color, of end and full side views (4 pictures) of the home at present site. (Minimum size of photos – 3’ x 4”.)
- c. Upon arrival of the used home, the serial number of the home will be verified. A member of the ARCC should be notified of arrival of the unit.

Miscellaneous

Painting of wood

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

Maintenance of Exterior of Homes⁸

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 the ARCC shall be used.

Gazebo ⁹

Does not need to be structurally attached to the home, must be anchored down, must meet setback requirements, must be maintained in good condition and must meet Brevard County requirements.

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

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

Prefabricated storage unit¹⁰

Only one prefabricated (plastic) storage unit, placed adjacent to the home, only in the carport or covered patio, no larger than twenty (20) square feet, will be considered a customary outdoor item for the purpose of Article 3 Section 2C of the DOR.

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

- (A) In the event that the ARCC determines that there is a violation of the provisions of Article II of the DOR on any lot in Barefoot Bay, the ARCC shall give written notice to the Owner of such Lot specifying the nature of such violation and giving the Lot Owner a reasonable time of not less

⁸ Promulgated Rule approved August 14, 2012 and presented to Board of Trustees August 28, 2012

⁹ Promulgated Rule approved June 5, 2012 and presented to Board of Trustees June 8, 2012. Move from Porch (Patio) section approved by ARCC on December 29, 2015.

¹⁰ Promulgated Rule approved December 8, 2015 and presented to Board of Trustees January 8, 2016

than 21 days to cure or correct such violation. Such written notice shall be either: delivered personally to one of the record owners of the Lot in question as shown on the Brevard County tax rolls, or mailed by certified U.S. Mail, return receipt requested, to the address of such Owner as shown on the Brevard County tax rolls.

- (B) In the event that the ARCC determines that the Owner to whom such a notice of violation has been given has not corrected the violation within the time set forth in the notice, the ARCC may, in its discretion, elect to forward the issue of such violation to the Board of Trustees of the Recreation District for further action. If the Board of Trustees of the Recreation District concurs that legal action is necessary to cause the alleged violation to be corrected, the Recreation District shall thereafter have the authority to bring an action for injunctive and other appropriate relief in a court of competent jurisdiction in Brevard County, Florida. If the Recreation District brings such legal action to enforce the provisions of Article II of the DOR, the Recreation District shall be entitled to an award of attorney's fees and court costs incident to such action.

Meeting Date
January 8, 2015



Agenda	
Section	9
Item No	B

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Revision to Parking Violations and Suspensions

Dept/Office: Resident Relations/DOR Enforcement

Requested Action: Review and Approve Proposed Resolution and proposed language.
<p>Summary Explanation and Background:</p> <p>On September 23, 2014 the Board approved Resolution 2014-12 which created a procedure which results in a suspension of social membership for homeowners who have been given three administrative notices of violation for parking on the grass.</p> <p>The proposed Resolution revises Resolution 2014-12 to expand the ability to give notice by either posting the vehicle or mailing a notice to the homeowner. In all cases, any combination of three notices will result in suspension of all social, family and golf memberships for a period of three months. A subsequent violation will result in suspension for one year. In addition, the revisions to the resolution are expanded to include violations of Article III, Section 3(A), effectively applying the same penalties to commercial vehicles, recreational vehicles, and abandoned vehicles.</p>
Exhibits Attached: Proposed Resolution, Proposed change to policy manual
Contact: Sue Cuddie, Resident Relations Manager; Cliff Repperger, District Attorney
Fiscal Impact: None
Contract/Agreement Reviewed by Attorney: Yes
Acting Community Manager's Approval:

RESOLUTION 2015-

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; AMENDING RESOLUTION 2014-12; PROVIDING FOR AN AMENDMENT TO THE POLICY MANUAL TO ALLOW FOR SUSPENSION OF SOCIAL, FAMILY, AND GOLF MEMBERSHIPS FOR VIOLATIONS OF ARTICLE III, SECTION 3 (A) AND (D) OF THE AMENDED AND RESTATED DEED OF RESTRICTIONS FOR BAREFOOT BAY; AMENDING THE ADMINISTRATIVE NOTICE PROCESS FOR SAID VIOLATIONS AND SUSPENSIONS; PROVIDING THAT SAID VIOLATIONS MAY ALSO BE PROCESSED AS DEED OF RESTRICTION VIOLATION ENFORCEMENT CASES; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Barefoot Bay Recreation District Board of Trustees has last adopted Resolution 2015-04 amending the established Policy Manual for the residents of Barefoot Bay in relation to the operation of the Recreational Facilities of Barefoot Bay; and,

WHEREAS, Part Three of the Barefoot Bay Recreation District Policy Manual (hereinafter "Policy Manual") implements General Rules Applicable to District Facilities; and,

WHEREAS, by way of Resolution 2014-12, the Barefoot Bay Recreation District Board of Trustees amended Part Three of the Policy Manual be made to allow for the suspension of social, family, and golf memberships for violations of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay; and,

WHEREAS, the Board desires to Amend Resolution 2014-12 to provide an alternate administrative notice process and to expand the suspension of privileges to violations of Article III, Section 3 (A) of the Amended and Restated Deed of Restrictions for Barefoot Bay; and,

WHEREAS, all properties within the platted subdivision of Barefoot Bay shall be held, sold, and conveyed subject to the terms and conditions of the Amended and Restated Deed of Restrictions for Barefoot Bay which shall be binding upon all parties having any right, title or interest in any lot within Barefoot Bay; and,

WHEREAS, Article IV, Section 8 of Ordinance 84-05 of the Board of County Commissioners of Brevard County, Florida ("Barefoot Bay Recreation

District Charter”) provides that the Barefoot Bay Recreation District Board of Trustees shall have the power to adopt and enforce rules for the use of the recreational facilities owned or operated by the District; and,

WHEREAS, the Barefoot Bay Recreation District Board of Trustees has determined that compliance with the Amended and Restated Deed of Restrictions for Barefoot Bay by lot owners in Barefoot Bay is necessary in order to maintain the quality of life in Barefoot Bay and to adequately ensure the protection of the health, safety, and welfare of the residents of Barefoot Bay; and,

WHEREAS, the Barefoot Bay Recreation District Board of Trustees has determined that given the unique nature of and issues associated with enforcement of violations of Article III, Section 3 (A) and (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay (Parking of Vehicles) a separate administrative enforcement process is necessary to assist in ensuring compliance apart from any routine Deed of Restrictions violation enforcement procedures as previously adopted by the Barefoot Bay Recreation District Board of Trustees by way of Resolution 2008-1, Resolution 2015-16, or as subsequently amended, and,

WHEREAS, the Board of Trustees of Barefoot Bay Recreation District has determined that the possible suspension of privileges to use recreational facilities owned and operated by the District will serve as an effective and reasonable additional administrative means of ensuring compliance with Article III, Section 3 (A) and (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay;

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

Section 1: Section 3.0, Part 3-5 of the Policy Manual for Barefoot Bay Recreation District is hereby amended to add language as provided in Exhibit “A” attached and specifically incorporated hereto this Resolution.

Section 2: Administrative Notice Process.

Upon observation of violations of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay (~~parking on lawn, grass, and landscaped areas~~Parking of Vehicles), DOR Enforcement Staff ~~shall~~may post vehicles in violation on any lot in Barefoot Bay with notice of said violation. Staff shall record the location, date/time, and tag number of each vehicle parked in violation of the aforesaid section. In lieu of posting the vehicle, DOR Enforcement Staff may send a Notice of Violation via First Class U.S. Mail to the address on record with the Brevard County Property Appraiser advising the lot owner of the location, date/time, tag number, and including a photo the vehicle parked in violation of Article III, Section 3 (A) or (D) of the Amended and

Restated Deed of Restrictions. Failure of the owner to receive any mailed notice shall not invalidate any suspension imposed pursuant to this Resolution.

Every twenty-four (24) hour period shall constitute a separate violation of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay. After each twenty-four (24) hour period, a new notice of violation may be posted, or mailed, and recorded.

Should any vehicle(s) on any single lot be posted with three (3) administrative notices or should Staff provide mailed Notice of any three (3) violations of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions within any thirty (30) day period, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for thirty (30) days.

Upon the suspension being confirmed by Staff, Staff shall send, by ~~f~~First eClass U.S. mMail, a letter to the lot owner at the address on record with the Brevard County Property Appraiser advising the lot owner that all social, family, and golf memberships have been suspended. Said letter shall advise the owner of owner's right to appeal the suspension pursuant to the Special Magistrate procedure applicable to District Management suspensions.

For any subsequent posted violation of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring of the same lot, subsequent to the issuance of the initial thirty (30) day suspension, and within one (1) year from the date of the initial posted notice, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for six (6) months. Staff shall send, by first class mail, a letter to the lot owner at the address on record with the Brevard County Property Appraiser advising the lot owner that all social, family, and golf memberships have been suspended. Said letter shall advise the owner of owner's right to appeal the suspension pursuant to the Special Magistrate procedure applicable to District Management suspensions.

For any subsequent posted violations of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring on the same lot at any time subsequent to the issuance of any six (6) month suspension, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for one (1) year for each subsequent posted violation. Staff shall send, by first class mail, a letter to the lot owner at the address on record with the Brevard County Property Appraiser advising the lot owner that all social, family, and golf memberships have been suspended. Said letter shall advise the owner of owner's right to appeal the suspension pursuant to the Special Magistrate procedure applicable to District Management suspensions.

Section 3: Non-exclusive Enforcement Process.

The administrative enforcement process outlined herein is strictly administrative in nature as to social, family, and golf memberships. The process outlined in this Resolution is not intended to be the sole exclusive remedy of the District in enforcing violations of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay. Nothing herein shall be interpreted to prohibit enforcement of violations of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay in accordance with the procedures outlined in Resolution ~~2008-4~~2015-16, as may be subsequently amended, or as otherwise provided by law or right. The District may, at its sole discretion, pursue multiple concurrent enforcement processes to ensure compliance, including, but not limited to, pursuing said violations by way of Resolution ~~2008-4~~2015-16, as may be subsequently amended.

Section 4: 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 5. 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 6. Effective Date. This Resolution shall become effective immediately.

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

The Chairman thereupon declared this Resolution Done, Ordered,
and Adopted this _____ day of _____ 2015.

BAREFOOT BAY RECREATION DISTRICT

By: _____
JOSEPH KLOSKY
CHAIRMAN

ATTEST:

By: _____
THOMAS GUINThER
SECRETARY

29. Where any vehicle located on any residential lot has been cited three (3) times ~~posted with three (3) administrative notices of~~ and determined by DOR Enforcement Staff to be in violation of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay related to prohibited parking of vehicles, within any thirty (30) day period, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for thirty (30) days. For any subsequent ~~posted~~ cited violation of Article III, Section 3 (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring of the same lot, subsequent to the issuance of the initial thirty (30) day suspension, and within one (1) year from the date of the initial ~~posted~~ Notice of Violation, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for six (6) months. For any subsequently cited ~~posted~~ violations of Article III, Section 3 (A) or (D) of the Amended and Restated Deed of Restrictions for Barefoot Bay occurring on the same lot at any time subsequent to the issuance of any six (6) month suspension, all social, family, and golf memberships affiliated with the lot shall be automatically suspended for one (1) year for each subsequently cited ~~posted~~ violation. An owner may appeal any notice of suspension issued pursuant to the provisions of Paragraph 17 herein.

EXHIBIT “A”

Meeting Date
Jan. 08, 2016



Agenda	
Section	9
Item No	C

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: HOA Shed Replacement Request

Dept/Office: Administration and Property Services

Requested Action: Consideration of Use of Contingency or Fund Balance to Replace Shed used by HOA

Summary Explanation and Background:

Earlier this year, HOA representatives complained about a dent and water infiltration in the shed they use behind Building A. Eventually, BBRD staff obtained a copy of the key and addressed the issues. The shed is an aged residential unit that is not designed to be water tight and no longer meets BBRD standards for storage units (as of 2014 BBRD standards require pre-fabricated units meet hurricane wind speeds). On December 21, 2015, The HOA President requested that the BOT consider replacing the shed as part of the FY17 Budget. Subsequently, on 23Dec15, Ms. Weglein requested via e-mail for the BOT to consider replacing the shed as soon as possible.

Currently, there is no dedicated budget for additional shed replacements. However, the Capital Department Contingency line-item has an available balance of \$10,214.86 and/or the BOT could use Fund Balance to procure a replacement shed if they are so inclined.

Staff requests direction from the BOT regarding this matter.

Exhibits Attached: HOA Correspondences

Contact: John W. Coffey, Community Manager and Matt Goetz, Transitional P.S. Crew Leader

Fiscal Impact: Up to \$2,700.00

Contract/Agreement Reviewed by Attorney: N/A

Acting Community Manager's Approval:



Barefoot Bay Homeowners Association, Inc.

625 Barefoot Blvd.
Barefoot Bay, FL 32976
barefootbayhoa@gmail.com
www.barefootbayhoa.org

December 21, 2015

TO: John Coffey
FROM: Wilma Weglein
SUBJECT: Request For New HOA Shed

Per our conversations over the past few months, I am putting in a formal request for a new shed replacing the one, which is old and has been leaking over the years.

Thank you for putting this request through the FY17 5yrFM&CIP process.

Wilma

John Coffey

From: jweglein@cfl.rr.com
Sent: Wednesday, December 23, 2015 10:45 AM
To: John Coffey
Subject: BBHOA Shed

John:

With regard to our conversations, I would appreciate your including on the January agenda the purchase of a new shed for the HOA.

Thanks,

Have a Wonderful Christmas!

Wilma

Meeting Date

01/08/2016

**Agenda**

Section 9

Item No. D

Agenda Report***Barefoot Bay Recreation District Board of Trustees***

#2956

Subject: Case # 15-003179 837 LYCHEE DRIVE**Dept/Office:** Resident Relations/DOR Enforcement

Requested Action: To consider the Violations Committee's finding and recommendation to bring an action for legal, equitable or other appropriate action with failure to comply.

If the Board of Trustees brings any such action to enforce the DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien.

Summary Explanation and Background: The Violations Committee met on 12/11/2015 and found ARTICLE II, SECT. 3 (A)(15) ADIR (Lamp Post). The respondent has been given until 12/25/2015 to bring the property into compliance.

Staff has signed Affidavit of Notices, First Class and Certified mailing of Order of Finding and Recommended Order and Notice of Hearing and Affidavit of Non-Compliance.

There are no delinquent taxes on the property.

Pursuant to the Violations Committee Order, the property was inspected and found to be still in violation.

Exhibits Attached: *Findings of Fact of Recommended Order Issued by the Violations Committee * Notice of Board Hearing * Photographs

Contact: Susan Cuddie, Paul Ingardia, Thelma Gruseck, Thomas O'Donnell

Fiscal Impact:

Contract/Agreement Reviewed by Attorney ___ YES X NO ___ N/A

Acting Community Manager Approval:



Dec 28, 2015

R
12/29/15

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 15-003179

#2956

DUNIGAN, YVONNE S,

837 LYCHEE DR

BAREFOOT BAY, FL 32976

Respondent(s),

RE: 837 LYCHEE DRIVE

AFFIDAVIT OF NON-COMPLIANCE

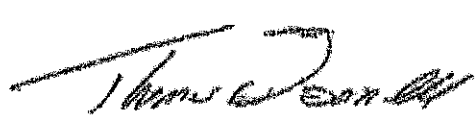
STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared Thomas O'Donnell, Deed of Restrictions Enforcement Officer for the Barefoot Bay Recreation District who, after being duly sworn, deposes and says.

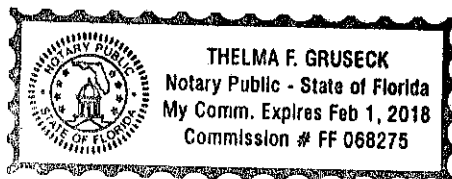
1. That on the 12/11/2015 the Violations Committee held a public hearing and issues its Order in the above-styled matter.
2. That, the pursuant to said Order, Respondent was to have taken certain corrective action to bring the property into compliance.
3. Said Order further provided for a recommendation of a Review before the Board of Trustees of the Barefoot Bay Recreation District for further action if the required corrective action has not been taken as ordered.
4. That pursuant to said Order, a re-inspection was performed.
5. That the re-inspection revealed that the corrective action ordered by the Violations Committee has **not** been taken.

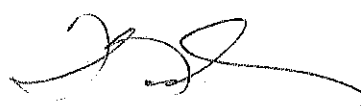
FURTHER AFFIANT SAYETH NAUGHT.

Dated December 29, 2015.


Thomas O'Donnell, DOR Enforcement Officer,

The forgoing instrument was acknowledged before me on December 29, 2015, by Thomas O'Donnell, who is personally know to me and who did take an oath.




Thelma F. Gruseck, Notary Public
State of Florida at Large

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 15-003179

#2956

DUNIGAN, YVONNE S,
837 LYCHEE DR
BAREFOOT BAY, FL 32976

Respondent(s),

VIOLATIONS COMMITTEE FINDINGS OF FACT AND RECOMMENDED ORDER

AND

NOTICE OF DISTRICT HEARING

THIS CAUSE having come on for the public hearing before the Violations Committee on 12/11/2015 after due notice to the Respondent and the Violation Committee having heard testimony under oath and receiving evidence, thereupon issues this Finding of Fact and Recommended Order as follows:

- A. The Respondent(s) DUNIGAN, YVONNE S, et. al. is/are the owner(s) of that certain parcel of real property located at 837 LYCHEE DRIVE , Barefoot Bay, FL 32976 (the "Property")
- B. Based upon the testimony heard and the evidence presented, the Violation Committee concluded that there is a violation of ARTICLE II, SECT. 3 (A)(15), ADIR (Lamp Post), Lamppost light is not working

ORDER

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

1. Respondent(s) shall by December 25, 2015 come into compliance with the violation cited herein by having the lamppost light repaired.
2. Should the Respondent(s) fail to comply with this Recommended Order by December 25, 2015 the Respondent(s) is advised that the matter will be forwarded to the Board of Trustees with the Violation Committee's findings and recommendations along with a status report from DOR Enforcement Staff for the Board of Trustees to make a determination as to whether to proceed with legal action. Based on the nature of the violation found to exist in this matter, should the violation not be corrected within the time provided herein, the Violations Committee does recommend legal or equitable action, or other appropriate action, be taken by the Board of Trustees.
3. The Respondent is further advised that he/she shall contact the DOR staff and schedule an inspection to confirm the compliance with this Order has been achieved. Upon compliance, an Order of Compliance shall be issued by the Violations Committee and the Respondent shall be deemed in compliance with the violation(s) cited herein.
4. The Respondent(s) are further advised that should a repeat violation occur, the Respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

DONE AND ORDERED this 12/11/2015 at Barefoot Bay Recreation District Brevard County, Florida.

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


M. Joy Liddy, Chair

John Atta, Vice Chair

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
OF
FINDINGS OF FACT AND RECOMMENDED ORDER ISSUED BY THE VIOLATIONS
COMMITTEE**

Pursuant to Resolution 2008-1 of the Board of Trustees of The Barefoot Bay Recreation District adopted the 22nd day of January, 2008; Section 7: Enforcement Procedure.

Notice is hereby given that a Hearing will be conducted before the Barefoot Bay Board of Trustees at 1:00 P.M. on January 08, 2016 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.

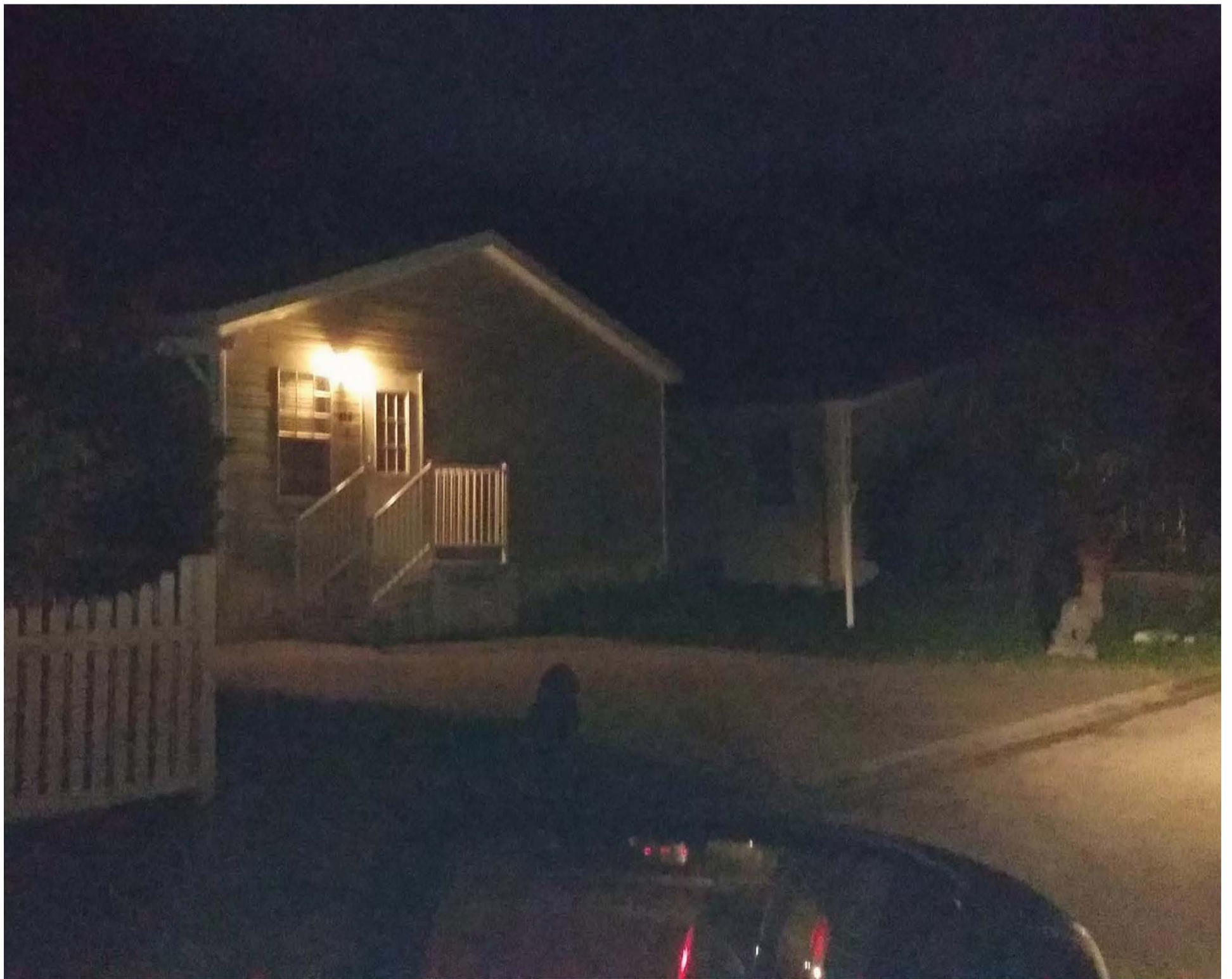
IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE BOARD OF TRUSTEES WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED SUCH PERSON MUST PROVIDE A COURT REPORTER, 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 771-664-4722.

December 10, 2015

Deed of Restrictions STAFF





Meeting Date
January 8, 2016



Agenda
Section 9
Item No "*****G"

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Adondia Palm Tree Donation Request

Dept/Office: Golf

Requested Action: Acceptance of Donation Request
<p>Summary Explanation and Background:</p> <p>Ms. Michelle Carr is requesting a donation of an Adondia Palm (Christmas Palm) planted along the 14th Hole and down the left side in memory of her father Richard Carr.</p> <p>The tree is in accordance with BBRD guidelines for acceptable foliage. Ms. Carr has agreed to donate \$450 for the purchase and installation of the tree.</p> <p>Staff recommends the Board of Trustees accept Ms. Carr's donation.</p>
Exhibits Attached: Completed Gift and/or Memorial Request Form, Picture of Palm
Contact: Ernie Cruz, Golf Operations Manager
Fiscal Impact: Donation N/A
Contract/Agreement Reviewed by Attorney: N/A
Acting Community Manager's Approval:



Barefoot Bay Recreation District
625 Barefoot Boulevard, Building "F"
Barefoot Bay, FL 32976-9233
Phone 772-664-3141
Fax 772-664-1928

Gift and/or Memorial Request Form

In accordance to Item 3.5 Guidelines for Gift or Memorials located in Policy Manual

Donor Information (please list all)		
Name <i>Michelle Carr</i>		
Street Address <i>2203 Industrial Way</i>		
Town/Zip <i>Elko, NV 89801</i>		
Telephone # <i>775-340-7090</i>	Alternate Phone #	E-mail address <i>gantries@aol.com</i>
In Memory of <i>Richard (Dick) Carr</i>		
Description of Requested Gift/Memorial, including proposed location (may attach separate sheet)		
<i>Request Adonidia (AKA... Christmas Palm) planted on hole #14 down left side in memory of my father Richard Carr.</i>		
Donations: All Donations must be submitted to the Administration office for purchase by District Staff.		
Memorials: Barefoot Bay Recreation District will make reasonable efforts to contact the donor or their heirs in advance of the removal of a memorial so that donors may replace the item. However, Barefoot Bay Recreation District will not be held responsible if unable to contact donor prior to removal.		
I acknowledge that I have read and agree to abide by <i>Guidelines for Gift and or Memorials for the Barefoot Bay Recreation District</i>		
Signature of Donor <i>Michelle Carr</i>		Date <i>12/30/15</i>
FOR OFFICE USE ONLY		
Memorial Name:	Date	
Approved By:	Date Approved	
Memo:		



Meeting Date
January 8, 2016



Agenda	
Section	9
Item No	F

Agenda Report
Barefoot Bay Recreation District Board of Trustees

Subject: Finance Committee Investment Comparison

Dept/Office: Finance Committee

Requested Action: Discussion Only
<p>Summary Explanation and Background:</p> <p>The Finance Committee has been working since August to bring an educated proposal to the Trustees to respond to questions of investment income and investments. This action was requested by the Board as the responsibility of the Finance Committee to recommend investment options with a focus on moving away from total investment with SBA and looking for increased interest over the SBA plans.</p> <p>The Finance Committee met with 3 separate investment companies who recommended a plan for Barefoot Bay based on the criteria that the investment must be safe, secure and offer liquidity. The summary offers brief information from those investment firms and a recommendation with explanation that the recommendation for investments be with Edward Jones using a tiered CD purchase in smaller increments and shorter maturity terms.</p>
Exhibits Attached: Investment Comparison Chart
Contact: Louise Crouse, Finance Committee Chair
Fiscal Impact: 25% of Committed Reserve Fund Balance
Contract/Agreement Reviewed by Attorney: N/A
Acting Community Manager's Approval:

Finance Committee Recommendation for Investment Options

	Florida Community Bank	Benjamin Edwards	Edward Jones
Investment Plan Using 25% of Reserves approx \$125,000.00	CDs and Money Market investments	CDs Bond Funds	Tiered CD 6mth @ \$25,000 =.5% 30mth CD @ \$25,000= 1.5% Purchase 1 CD @ 6 mths @ \$25,000, 1@12 mth, 1@18mth, 1@24 mt,1@30mth
Assets, Safety, Security	Fully insured FDIC	FDIC- Interest added at maturity	maximize interest, minimize risk and fully liquid every 6mths.
Cost of Investment	None- built into plan payout	None- built into plan payout	None-built into plan payout
Non-Revolving Line of Credit Construction Loan	Yes	Not available	Not Available
Other	Some banking options like remote deposit, check processing Full activity reporting	Some banking options Full activity reporting, quarterly	Other product lines for investments Full activity reporting, on line, quarterly yearly and with withdrawals

Members: Hurrol Brinker, Kimi Cheng, Nancy Eisele, Jeanne Osborne, Bob Peet, Bill Sherwood, Wilma Weglein, Louise Crouse (Chairperson)

The committee recommends pursuing investment of 25% of the Reserve fund with Edward Jones Investment plan with a tiered CD purchase plan.

The plan offers the highest interest rate of .5% compared to .27% at SBA and increased with longer term investments to 1.5% or more for 30 mth CD

Local contact at Sebastian Fl. Higher asset backing than banking institutions. Full reporting for Finance Department needs

Fully accessible funds with limited penalty for early withdrawal due to 6 month increments. Good starting plan for investments

Diversification- current funds in SBA only. Edward Jones did not experience downturn in 2008 which caused the freeze in assets for Barefoot Bay

Edward Jones requires limited need for multiple signatories, monitoring, asset management, reporting and Finance Department involvement in day to day operations

Wells Fargo, Bank of America and Valley National were contacted for investment plans and declined to present any information. Government Funding is generally in much larger investment amounts (several million) compared to \$125,000 for Barefoot Bay Reserve Fund investments.

Summary submitted through input of the Finance Committee- Louise Crouse, Chairperson

27-Dec-15

Manager's Report

Attorney's Report

Trustees Liaison Reports

Incidental Remarks from Trustees

Audience Participation

Adjournment