



# BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting  
April 13, 2018  
1 P.M. –Building D&E

## Meeting Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on April 13, 2018 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Lavier called the meeting to order at 1:00 P.M.

## Thought for the Day

Mr. Lavier 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 both past and present.

## Pledge of Allegiance to the Flag

Led by Mr. Cavaliere.

## Roll Call

Present: Mr. Lavier, Mr. Diana, Mr. Wheaton, Mr. Klosky and Mr. Cavaliere. Also present: Jason Pierman, SDS, Clark Bennett, Spectrum Municipal Services, John W. Coffey, Community Manager, Cliff Repperger, General Counsel, and Dawn Myers, District Clerk.

## Presentations

### Sue Cuddie, Resident Relations/HR Manager Retirement

On behalf of the Board of Trustees Chairman Lavier presented Ms. Sue Cuddie with a Distinguished Service Award for her service to the District over the last 10 years. Ms. Cuddie affirmed that she thoroughly enjoyed her years assisting residents and staff in the Bay and will miss working in this community.

## Minutes

*Mr. Diana made a motion to approve the minutes from March 27, 2018. Second by Mr. Cavaliere. Motion carried unanimously.*

## Treasurer's Report

Mr. Cavaliere read the Treasurer's Report for April 13, 2018.

*Mr. Diana made a motion to approve the Treasurer's Report as written. Second by Mr. Wheaton. Motion carried unanimously.*

## Audience comment On Agenda Items

Ms. Roberta Kessler stated her concerns about the cleanliness of the buildings and inquired about who runs the community, whether it is the Board of Trustees or the Community Manager. She specifically had complaints about the cleanliness of the bathrooms in the buildings and on the golf course, the tables and chairs in Building A as well as the walkway in front of 19<sup>th</sup> Hole. She also commented on the absence of



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bathrooms at the BBRD Beach and suggested any money spent on new activities on the Bay, such as fireworks, should be applied to update cleanliness in the community buildings first.

Ms. Jeanne Osborne asked that the Board please keep the residents informed about plans to demolish Building D/E to construct a new building. She maintained that the expense to replace Building D/E with a new building complex is a heavy one to place on the residents. She asked that the Board please reconsider this since there are many buildings that are open during the summer and this proposal has not proven to be justified.

Ms. Carol Joseph asked for approval to place a 2<sup>nd</sup> Little Library in the community as the first one has been very successful. She also asked for approval to provide information on any updates regarding the library such as the current fundraiser and upcoming events. Board consensus to add a second Little Library in the community.

## **Unfinished Business**

### **2002 Diner Lease Assignment Decision**

Mr. Cavaliere stated his position regarding the Board decision last meeting while he was excused to provide 50% off of three month's rent to the new owners of 2002 Restaurant. He explained that he was disappointed to hear a Board member coaching the store owner into asking for a discount on their rent. In the past few years, he stated we have raised golf fees, storage fees, social membership fees and assessments, and speaking as a resident we should not be working to give reductions in our leases. He maintained that for the record, he would not have agreed with the decision to allow the lease reduction were he present at that meeting.

Mr. Wheaton stated that the reasoning behind that decision was to assist the new owner in establishing a successful business since they were starting up during a slow time in the season. Mr. Diana and Mr. Lavier both agreed that the approval was in the spirit of community support as the new owner is planning to invest a lot of money into cleaning up and upgrading 2002 Restaurant. Mr. Klosky agreed that in the past we have helped new residents establish themselves in the shopping center and this was no exception.

### **Fireworks over the Bay Discussion**

Continued from the last meeting Mr. Lavier re-presented the proposal to have the Food & Beverage Manager and the Property Services Manager explore the concept to provide fireworks for the residents of Barefoot Bay as part of the Sunday Street Party on July 1, 2018.

Ms. Kathy Mendes gave two quotes she received from fireworks vendors; Fireworks Florida and Zambelli's Fireworks. Fireworks Florida offered a 7-11 minute show for \$7500 and \$11,000 for 11-18 minute show. Zambelli's is roughly \$1,000 a minute but will work within whatever budget has been established.

Mr. Lavier asked if HOA would be willing to help with expenses. Mr. Roger Compton stated that the residents have shown interest in enjoyable events such as the festival and the fireworks. He stated that he couldn't say specifically right now about a donation but would take the topic back to HOA Board for their input.

*Mr. Cavaliere made a motion to proceed with exploration of the fireworks display and bring the information back to a subsequent meeting. Second by Mr. Diana. Mr. Klosky opposed. Motion carried 4-1.*



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*Mr. Cavaliere made a motion to provide \$10,000 seed money to help fund the fireworks display and have the money replaced with contributions from fundraisers. Second by Mr. Diana. Motion carried unanimously.*

*Mr. Cavaliere made a motion to approve Zambelli's Fireworks as they have a 10 million-dollar insurance policy. Second by Mr. Wheaton. Motion carried unanimously.*

### **ABM Contract Extension**

Staff was directed in January of this year to pursue the contract extension terms with ABM and if it was not satisfactory then we would go out for RFP.

Mr. Diana was in favor of the contract extension and stated that the golf course looks better than it has in a long time. Mr. Wheaton commented on weeds and inquired about replacing the greens. Mr. Ernie Cruz replied that weed control does not differ from one contractor to the next as the grass is growing in a specific progression. He explained that weeds are a fact of life on the course and the different weeds that come up are addressed as they appear. Discussion ensued regarding greens maintenance.

*Mr. Klosky made a motion to approve the Renewal and Amended Service Agreement with ABM for golf course, softball field and lawn bowling maintenance services and authorize Chairman Lavier to sign the agreement. Second by Mr. Diana. Mr. Wheaton opposed. Motion carried 4-1.*

### **New Business**

#### **Selection of Projects to be Financed**

Mr. Coffey proposed that the Board redefine the list of projects to be considered for financing. He presented two lists for the Trustees to choose from and an option to create a new list. He recommended consideration of the storage unit on Falcon Drive as this particular project will require a referendum.

*Mr. Cavaliere made a motion to remove the Storage Unit for Falcon Drive from both lists. Second by Mr. Wheaton. Motion carried unanimously.*

*Mr. Diana made a motion to use list F2 minus the storage unit from Falcon Drive to bring the total to 9.1 million. Second by Mr. Diana. Mr. Wheaton and Mr. Klosky opposed. Motion carried 3-2.*

Mr. Wheaton commented on the golf course irrigation project and repaving the Micco storage lot which in his opinion were both unnecessary.

### **Financing Options**

BBRD Financial Advisor, Mr. Clark Bennet presented two financing options for the Board to choose from; Tax Exempt Loans or Long-Term Bonds. He explained that a Long-term bond contains other aspects such as Bond Counsel, an Underwriter and an Underwriter Counsel. Both options require validation according to Mr. Bennett. He explained that the maximum payout for any year on a 30-year Bond will be \$625,000 and on a 15-year loan the maximum payout in any year would be \$848,000.

Ms. Jeanne Osborne commented on her approval of the longer pay back period as future residents can help pay for it rather than placing the entire weight of the financing on the residents today.

Ms. Louise Crouse asked if there is an advantage to borrowing for the projects as needed rather than taking out an exorbitant loan for an established project list that may change with changing Boards. She stated that she is concerned about lumping all the projects together and financing all projects at one time



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when those projects are subject to change. Mr. Bennett stated that borrowing in "piecemeal" fashion requires more in fees while interests rates will vary.

Mr. Jack Reddy stated that, in his opinion, it seems like the assessment will increase at least \$10 or more for a loan of this amount and he is not in favor of the Board approving it without a collective vote from the residents.

*Mr. Cavaliere made a motion to proceed with the 30-year Bond Issue. Second by Mr. Diana. Mr. Klosky and Mr. Wheaton opposed. Motion carried 3-2.*

Mr. Diana requested an explanation regarding the opposition of the vote for the long term bond.

Mr. Klosky stated he is not in favor of either option.

Mr. Wheaton stated that if the projects to be financed were whittled down to a lower number he would consider a bank loan that does not raise the assessment fee.

## **Bond Counsel Contract**

At the January 22nd BOT workshop, the need for BBRD to hire a Bond Counsel to facilitate the financing of certain capital projects was discussed. By consensus, the BOT asked SDS personnel to research available bond counsels and bring a proposed contract to a future meeting. Staff presented a proposal from Mr. Mark Mustian with Nabors Giblin & Nickerson. Mr. Jason Pierman clarified that the counsel fees are only contingent on the Bond Issue going forward.

*Mr. Cavaliere made a motion to authorize Bond Counsel with Nabors Giblin & Nickerson. Second by Mr. Diana. Mr. Klosky opposed. Motion carried 4 -1.*

## **Community Manager and SDS Evaluations**

Mr. Klosky reviewed the evaluations for the Community Manager and BBRD Management Company, SDS, which was recently completed by the Board of Trustees. He was pleased to report that overall Mr. Coffey and SDS received excellent feedback from the Trustees.

*Mr. Diana made a motion to accept the evaluations as presented. Second by Cavaliere. Motion carried unanimously.*

Mr. Lavier thanked Mr. Coffey and SDS for their hard work in managing Barefoot Bay's operations.

## **ARCC Guidelines**

Mr. Tom Nelson, Vice Chair of the ARC Committee reported on the changes to the ARCC Guidelines. He believes they are simplified and thanked Ms. Sue Cuddie for her help in revising them. Mr. Cavaliere stated that some aspects of the Guidelines were a little vague. He wasn't in favor of voting on the Guidelines at this meeting and questioned if this should be reviewed by General Counsel. He did not understand how ARCC can create a set of rules by committee vote only.

Mr. Cavaliere made a motion to bring the ARCC Guidelines to a workshop. Second by Mr. Diana.

Mr. Rich Armington requested clarification regarding the need for Board approval of the Guidelines. He was under the assumption that this was a finished document presented to the Board as adopted. He stated that he planned, beginning Monday, April 16, 2018, for the ARCC Guidelines to be put into effect. General Counsel clarified that the DOR does state that the ARCC can promulgate regulations in BBRD without approval by the Board. However, he went on to expand that the DOR also states that any disputes between the residents and the ARCC Guidelines can be brought before the Board for review.



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Mr. Ken Reed, Chairman of ARCC, addressed Mr. Cavaliere and stated that he is always available if he has a need for clarification on any part of the Guidelines.

Mr. Tom Nelson stated that the ARCC has spent weeks trying to simplify the Guidelines so they explain the DOR sufficiently and felt that it was shortsighted to suggest that they are vague. Mr. Cavaliere withdrew his motion to workshop the Guidelines.

## **Unused Shuffleboard Courts**

Mr. Roger Compton stated that a majority of the Barefoot By the Lake Planning Committee has recommended that the district convert the unused shuffleboard courts to green space and redirect the proposed mini golf project to the area behind the HOA.

*Mr. Diana made a motion to leave the shuffleboard courts as they are and proceed with the mini golf project in the area already planned. Second by Mr. Cavaliere. Motion carried unanimously.*

## **Seasonal Groundskeeper Positions**

Staff requested adding two seasonal (5 months) 40-hour a week positions to the Grounds Sub-department FY18 Budget to help raise the service level to the expectations of the residents. A Decision Point is included in the FY19 Working Draft Proposed Budget to make these positions a permanent part of Property Services staffing.

*Mr. Klosky made a motion to approve the addition of 0.85 FTE Groundskeeper positions to the FY18 Budget and authorize staff to bring a budget amendment back at a future meeting to move the required budget to Property Services: Grounds Sub-department. Second by Mr. Cavaliere. Motion carried unanimously.*

## **Request for Waiver of Guest Pass Requirement**

Ms. Kim Kopet of the Multiple Sclerosis Support Club, stated that the club members come there for help and support. She stated that these members are not well and survive only on social security she asked that the Board please consider waiving the non-resident fee for this club.

*Mr. Cavaliere made a motion to waive the guest pass fee for the Multiple Sclerosis Support Club. Second by Mr. Diana. Motion carried unanimously.*

## **Manager's Report**

### Resident Relations

#### **ARCC Updates**

- The ARCC met 27Mar18 to the review of the ARCC guidelines and approved all changes made and forwarded the new guidelines to the BOT. No further review meetings are scheduled at this time.
- The ARCC met on 3Apr18. There were 40 permits on the agenda, 34 were approved, 4 extensions were granted and 2 denied
- The ARCC will meet on 17Apr18 at 9am in the HOA office. There are 30 permits on the agenda.

#### **Violations Committee Updates**

- The Violations Committee met on 23Mar18. There were 14 cases on the agenda for that meeting. 5 cases came into compliance prior to the meeting. 9 cases were found in violation.
- The Violations Committee will meet on 13Apr18 at 10am.



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## Food & Beverage

- **Mother's Day Brunch update** – Tickets for our annual event will go on sale at the Lounge, the 19<sup>th</sup> Hole and Resident Relations on Monday, April 16.
- **BBRD's Cinco De Mayo Party** – The official BBRD south of the border event will be held on Sat., 05May18 Lakeside of the Lounge. Sax on the Beach plays from 5-9pm Lakeside of the Lounge. A Mexican menu will be offered from 4-8pm. Tickets are not required.
- **BBRD's 3rd annual Kentucky Derby Party** – Everyone is invited to the 19th Hole on 05May18 starting at 5pm to kick off the run for the Triple Crown. Dress in your Derby best for prizes, sip on mint juleps and eat Kentucky oven browns. Tickets are not required. Karaoke will not be held on this night (due to the Cinco De Mayo party Lakeside). As always, flyers with all the details are posted.

## Golf-Pro Shop

- 9-Hole Tuesday will end on 10Apr18 and resume 06Nov18
- Course Aerification
  - Mon., 30Apr18 Back Nine and Putting Green Closed
  - Tues., 01May18 Front Nine and Driving Range Closed
- Staff is currently in the planning phase for the many R&M/Capital projects that will be conducted on the course this summer.

## Property Services

- Completed small stormwater projects on Marlin Circle and Cobia Court
- Continued work on the remaining 2 bocce ball courts
- Prepped site for New Administration Building construction
  - Removed light by sidewalk
  - Trimmed trees
- Secured vendor to address persistent leaks in Shopping Center roof
- Installed sod @ the 19th hole
- Work resumed on the Pool#1 walkway roof
- Edged Barefoot Blvd.

## General Information

- **New Fire Prevention Code Requirements to Impact BBRD** – As attached, beginning in the next few months all gatherings of 50 or more people will require a BBRD staff person to attend as a “crowd monitor.” Gatherings of more than 250 people will require one staff person per every 250 attendees. Currently, some pool hosts are certified as crowd monitors. Staff will be developing cost estimates for additional custodian hours in the FY19 Budget in advance of the 17Apr18 BOT Budget workshop.
- **FY19 Budget Review and Adoption Process Update** – Public meetings and workshops include the following:
  - Budget Workshops #1: Tues., 17Apr18, Bldg. D/E, 7pm
  - Budget Workshops #2: Thurs., 19Apr18, Bldg. D/E, 2:30pm
  - Budget Workshops #3: Tues., 01May18, Bldg. D/E, 2:30pm
  - Budget Workshops #4: Thurs., 03May18, Bldg. D/E, 7pm
  - Authorization for FY19 Proposed Budget Mailout: BOT Regular Meeting, 22May18, Bldg. D/E, 7pm



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- Adoption of FY19 Assessment Rate and FY19 Budget: BOT Regular Meeting, 26Jun18, Bldg. D/E, 7pm
- FY19 WDPB Documents can be reviewed or obtained as follows:
  - Paper copies of the FY19 WDPB are available for inspection at the Old Administration Building and Resident Relations' Office
  - The "Homeowner's Version" is available free to all residents at the Old Administration Building.
  - Electronic versions each document are available at [www.bbrd.org](http://www.bbrd.org) on Fri., 30Mar18.
- Pre-construction work on the New Administration Building has begun. A link to a live view of the construction will be available no later than early next week on the [www.bbrd.org](http://www.bbrd.org) website.

Ms. Sue Reddy inquired about why the Board approved the discounted rent for the new owners of the 2002 Restaurant, yet the Board rejected the proposal from Dr. Shaw when he posed a similar request 2 years ago. She asked for the rental fee amount that was agreed on with the new owners. Mr. Lavier explained that the Doctor's request included the district providing upgrades to the unit as well as a discounted rental rate. Mr. Coffey stated that he will provide Ms. Reddy with the amount of rent on the agreement with the new owners of 2002 Restaurant.

## **Attorney's Report**

No Report

## **Incidental Trustee Remarks**

Mr. Cavaliere remarked on the constant bickering and trustee bashing from the Community in the Tattler. He recommended the residents that have questions or concerns come to the Board meetings and speak to the Trustees from the podium directly. Mr. Cavaliere asked that the residents try to be nicer to the elected officials so they will maintain quality people working for their community.

Mr. Klosky thanked the Trustees for filling out and providing their evaluations. He thanked SDS and Mr. Coffey for all they have done for the community.

Mr. Wheaton clarified that he enjoys being a Trustee and does a lot of research in an effort to save the district money and make the community a better place. He stated that is the only reason he is here.

Mr. Diana commented on the trash and cigarette butts around the Lounge and Pool 1. He asked that residents be courteous to each other by not dropping butts and trash around the pool and Lounge area. He recommended staff add the purchase of two more 1 million BTU heaters for Pool 2 and 3 to the budget and reminded residents not to place signs in the county median as it will be removed. Mr. Diana asked that the decorative swan in the lake with a broken head please be addressed and replaced.

Mr. Lavier suggested that the letter submitted to the Board by an absent resident be attached to the meeting minutes. He also addressed his evaluation of Mr. Coffey stating that he believes his evaluations



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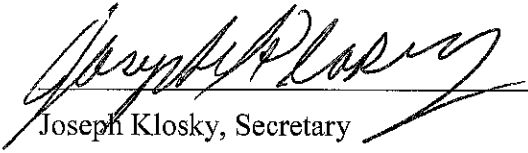
are honest and concise. He clarified that he has a good relationship with Mr. Coffey and he is aware that he is welcome to ask him for clarification on any portion of the evaluation.

### Adjournment


The next meeting will be on Friday, May 11, 2018 at 1PM in Building D/E.

*Mr. Cavaliere made a motion to adjourn.*

Meeting adjourned 3:39PM.



Joseph Klosky, Secretary



Dawn Myers, District Clerk



Richard Schwatlow  
636 Marion Circle

Page I

772-202-4144

Mr Coffey if I can not make  
the BOT meeting Fri 13-April 18  
can you ask the BOT member to  
read the two agenda items.

Unfinished Business  
Fire Works over the Bay

At the March 27<sup>th</sup> Board of Trustees  
meeting, a suggestion was made that  
the Bay have a Fireworks Display over  
our lake on the Fourth of July. This  
would be a new and unforeseen expense.

Although I fully support this  
Idea, I would suggest the 2019  
Budget has no room for this type  
of expense. It would only be  
possible by running special fun  
raisers or looking for local donors  
Just My thoughts on controlling  
expenses

( New Business

( Community Manager and SDS Evaluation

During my time in the Bay

I have had many conversations with

Mr Coffey, Mrs Myers, the BOT and many

staff members At all times the

conversations were courteous, polite

and helpful

We all have the right to our

own opinions, but when you are

someone talking about ~~one~~ that person should

be there, don't just write a article in  
the Tattler

Mr Coffee, the BOT and all the

staff I believe you are doing what

you feel is right for the Bay and

it's residents

Thank you

Rich Schwatlow

636 Merlin Circle

772-2024144