



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

December 9, 2016

1 P.M. –Building D&E

Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on December 9, 2016 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 both past and present.

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

Roll Call

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

Presentations

Retirement Recognition

Mr. Klosky and Golf Manager, Ernie Cruz presented Luann Henderson with a plaque in recognition of her retirement and thanked her for 12 years of outstanding contribution to the golf community and to the Barefoot Bay Recreation District.

Barefoot Bay Song

Mr. Ray Spencer performed his own song written about the joy and simple pleasures of living in Barefoot Bay. Mr. Spencer stated that he would like to donate the song, giving up all rights to it in exchange for the Board adopting it as the official Barefoot Bay song. He requested an official proclamation stating the song's dedication to the Bay. Mr. Klosky asked that the song dedication get placed on the next Board agenda for a formal presentation of the proclamation.

FPL Presentation

Mr. Jeffery West of FPL Solar Development Group, presented the plan for expansion of clean solar energy in Florida as it relates to Brevard County and Barefoot Bay. He informed the residents that FPL has switched to lean natural gas resulting in lower costs and cleaner emissions. FPL plans to continue to invest in solar as a cleaner alternative for energy. Mr. West introduced colleagues, Mark Getchens and Erin Walkowiak speak on the solar facility planned for the area close to Barefoot Bay. Ms. Walkowiak discussed the facility already in Brevard near the space center and the three large scaled plants near Tampa. FPL is proposing a solar project near Barefoot Bay and wanted to introduce the plans to the residents. A seventy-four and a half megawatt (equivalent to power the entire community) facility is planned for the area near Micco and Fleming Grant Rd. She explained the plant will offer the residents some solar energy use simply by being in close proximity. The plants are quiet and are surrounded with a natural barrier so



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they are not easily seen. They would like to work with the residents of Barefoot Bay during the development of the project. Updates will appear on their website and in the Tattler in the near future. They will be back in January for further information at an open house.

Minutes

Mr. Lavier made a motion to approve the minutes November 11, 2016. Second by Mr. Cavaliere. Motion carried unanimously.

Treasurer's Report

Mr. Cavaliere presented the Treasurer's Report for December 9, 2016.

Mr. Diana made a motion to accept the Treasurer's Report. Second by Ms. Wright. Motion carried unanimously.

Mr. Klosky asked the Board to approve amending the agenda allowing for the Audience Participation section at the end of the meeting to be brought up to the Audience Comments on Agenda Items section now, move the Unfinished Business Item 8B Safety Deposit Box Location after 9E Finance Committee Recommendation: New Banking and move Item 9P Guinther v. Barefoot Bay Recreation District up to the beginning of the New Business discussion. Ms. Wright made a motion to amend the agenda. Mr. Diana clarified that item 9B is not a resolution to a lawsuit rather it is a declaratory statement. Mr. Diana was in agreement and stated a motion is not needed. Board consensus to amend the agenda.

Audience comment on Agenda Items

Mr. Tom Guinther reiterated his statement regarding the significance of maintaining the committees from the last meeting. He stated that the residents appreciate having a voice on the committees that affect their community. Mr. Guinther stated he submitted a petition of over 100 golf members in favor of keeping the Golf committee as it is to Mr. Lavier. He commented on the recent declaration on the Guinther vs. Barefoot Bay case and why he filed this claim in the first place. He stated that his intention was to further clarify the question of the \$25,000 spending limit. The judge's denial of the summary judgment has left the subject unclear in his opinion leaving many unanswered questions. He recommended moving forward with the case while gathering ideas from the trustees and residents alike. He urged discussion for multiple plans of action for Building F and to not wait until the last minute for a resolution.

Ms. Jeanne Osborne asked that the committees be left alone as the trustees just installed them within the last year. She urged the Board to give them a chance to see where they are going in the future.

Mr. Greg Deslandes commented on the Replacement Building F Project. He urged the trustees to either formulate a discussion about moving the office to the current vacant office at the shopping center or develop at least three referendum questions to present to the residents: 1. repair the building 2. replace with a similar structure or 3. build a new concrete building.



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Unfinished Business

Review of Advisory Committees

Ms. Wright read a previous statement from Mr. Cavaliere regarding the significance of the committees in designing the new replacement Building F. She reiterated that she advocates for the committees as they are beneficial to the community. She stated that among other things, they are necessary for the review of the 5 year plan, the budget and other improvements in Barefoot Bay. Mr. Cavaliere stated that he is not proposing abolishment of the committees but would like to see a greater influence and direction from the Board of Trustees about where the committees stand and when they meet. He would like to see them under the HOA. Mr. Lavier reiterated that regarding the Golf Committee, he has attended these meetings for the last two years with no significant decisions being made. He stated that the Golf by-laws are part of the Golf Manager's job description therefore the golf committee should be obsolete. Mr. Diana stated that he appreciated the role of the committees and acknowledged that, though there have been missteps, he is against abolishment of the committees. He recommended tabling this discussion until the new Board of Trustees is sworn in and the new HOA Board is in place so discussion about the future of the committees can take place.

Mr. Diana made a motion to table this item until the second meeting in January. Second by Mr. Cavaliere. Motion carried unanimously.

New Business

DOR Violations

Case # 16-003542 944 PECAN CIRCLE

ARTICLE III, SECT. 2 (C) Condition of Prop. (C) Unauthorized items Occupied

Mr. Diana made a motion to send Case # 16-003542 944 PECAN CIRCLE to the attorney's office for equal and equitable action but hold until after the tax sale. Second by Mr. Cavaliere. Motion carried unanimously.

Lounge Canopies Replacement Award of Contract

Due to age and condition of the pool and lakeside canopies, they were unable to be reinstalled after being removed in preparation for Hurricane Matthew. Staff solicited a quote for \$7,515 from ABC Awning & Canvas and is awaiting a second quote from another vendor next week. Mr. Lavier questioned the canopy still being off at the 19th Hole. Matt Goetz, Property Services Manager, stated that time constraints have prevented the maintenance crew from reinstalling the canopy. Mr. Lavier suggested getting assistance from the final selected vendor.

Ms. Wright made a motion to award the contract to the lowest cost vendor. Second by Mr. Lavier. Motion carried unanimously.



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BFBHOA Fountain Request

The HOA is requesting the Board waive Barefoot Bay Policy Guideline #2 for Gift or Memorials (page 3-22) which requires all donors to provide the financial means to staff for procurement of the intended donation and subsequent installation. On behalf of the HOA, Mr. Bob Kahl stated that he would prefer to pay directly for the fountain and subsequent installation. Mr. Cavaliere stated that the incoming officers on the HOA Board have voiced a request to table this item until they can review the purchase further and determine whether the residents actually want to spend the money on the fountain or on something else. He suggested removing this item from the agenda as requested as this is a HOA matter. Mr. Diana suggested tabling the item until the second meeting in January after the new Board is in place so they have the opportunity to discuss what they want to do.

Mr. Greg Deslandes stated that the subject will be presented to the homeowners for their input at the December 13th HOA meeting.

Mr. Randy Loveland stated that the new Board plans to reach more homeowners than just the ones that show up to the meetings thereby getting a better idea of how the majority of the homeowners would like to spend this money.

Mr. Cavaliere made a motion to remove the water fountain donation request from the agenda. Second by Mr. Lavier. Ms. Wright opposed. Motion carried.

Golf Advisory Committee Recommendation: Membership Rates

The Golf Committee addressed a resident concern regarding the disparity between single and family membership fees. The Golf Committee discussed the subject at their last meeting but declined to make a decision. Mr. Lavier reiterated that Barefoot Bay membership fees are the lowest in the area according to a number of the members and suggested keeping the rates as they are. Mr. Cavaliere clarified that the resident concern was regarding the disparity between single and family member rates not the rates themselves. He asked that the Board ensure that the specific resident concern is addressed.

Mr. Lavier made a motion to keep the rates as they are. Second by Mr. Cavaliere. Motion carried unanimously.

Finance Advisory Committee Recommendation: New Banking

The Finance Committee have heard presentations regarding alternate banking options from several banks for the last six months. The committee recommends going with Oculina Bank. Mr. Cavaliere stated that we should not lock ourselves into one bank for all banking needs and suggested we give this decision back to staff to issue a RFP.

Mr. Cavaliere made a motion to leave the decision up to staff to issue a RFP. Second by Mr. Lavier. Motion carried unanimously.

Safety Deposit Box Relocation

Mr. Cavaliere made a motion for staff to authorize moving the safety deposit box to another branch of Bank of America while staff is researching RFP options, Second by Ms. Wright. Motion carried unanimously.



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Recreation Advisory Committee Recommendation: Soccer Field

The Recreation Committee was directed to pursue the costs and feasibility for a mini soccer field by the Board. At their last meeting the Committee made a recommendation not to investigate the soccer field option any further. Mr. Cavaliere suggested the District purchase cones, soccer balls and footballs for use by the Barefoot Bay youth.

Mr. Cavaliere made a motion to accept the Recreation Committee's recommendation and also purchase cones, soccer balls and footballs for the use by the Barefoot Bay youth. Second by Mr. Diana. Motion carried unanimously.

Replacement Golf Cart Award of Contract

Staff is requesting authorization to procure a Toro Workman GTX utility golf cart as a replacement for the current 2011 utility golf cart currently in use by Property Services. State bid pricing is \$8,679.73 and 21% less than retail.

Mr. Lavier made a motion to award contract of \$8,679.73 to WestcoTurf, based on state contracting price, for a Toro Workman GTX utility vehicle. Second by Mr. Cavaliere. Motion carried unanimously.

Resident Relations Postage Machine Lease Renewal

In the past staff has utilized one-year leases for the Resident Relations' Postage machine. Current annual renewal rate is \$357.00 plus tax (property tax). Recently a staff member discovered that Neopost, offers a two-year renewal at \$267.72 plus tax saving \$89.28 per year.

Mr. Diana made a motion to approve the two-year lease renewal with Neopost for \$267.72 plus tax. Second by Ms. Wright. Motion carried unanimously.

Confirmation of 2016 CCTV Project Change Order

Additional fiber and electrical needs for a third camera at the playground resulted in a change order for the fiber installation. A quote was solicited and approved however, requirements for the approval of the change order and total cost of the fiber were not followed per Barefoot Bay policy. Staff inadvertently signed off on the change order prior to receiving Board approval. Staff recommends the confirmation of the change order approval for additional fiber optic installation to Hunter Communications in the amount of \$2,711.23. Discussion ensued regarding the project delays.

Mr. Cavaliere made a motion to approve the change order with the stipulation that we look carefully at the CCTV system budget before spending on more cameras going forward. Second by Ms. Wright. Mr. Klosky and Mr. Diana opposed. Motion carried.

Building A Sound System Upgrade

Staff is currently working with vendors to solicit quotes which are anticipated to be under \$7,500 in costs for the ongoing sound issues in Building A. Due to the lack of a specific budget for the project the Board will need to authorize either use from contingency or from another project's available budget. Matt Goetz explained that the vendors are not in agreement about what the sound issue is but he is in process of working with them to investigate further.

Mr. Jack Reddy suggested the vendors attend a large meeting to evaluate the problems with the sound in Building A firsthand.



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Mr. Cavaliere made a motion that staff proceed with research for this project not to exceed \$7500. Second by Mr. Diana. Motion carried unanimously.

19th Hole Carpet Replacement

Trustee Klosky requested staff solicit quotes for the carpet replacement and place the issue on this agenda for consideration. Staff solicited the following quotes for tile carpet: \$3,408.60 Discount Carpet & Tile, Inc. and \$3,669.00 Empire Today.

Mr. Cavaliere made a motion to approve the quote for \$3,669.00 Empire Today at this meeting but wait for installation until May at which time we will address possible replacement ceiling tiles. Second by Mr. Lavier. Motion carried unanimously.

Appointment to the Facilities Planning Advisory

Mr. Diana made a motion to table this item until the first meeting in January. Second by Mr. Lavier. Mr. Diana moved for a recess due to the absence of Mr. Cavaliere.

Appointment to the Finance Advisory Committee

Appointment to the Security Advisory Committee

Appointment to the Violations Committee

Mr. Cavaliere made a motion to put all committee appointments on hold until the second meeting in January. Second by Mr. Diana. Motion carried unanimously.

Guinther v. Barefoot Bay Recreation District

On November 28, 2016, Judge George Maxwell III executed an Order denying BBRD's Motion for Summary Judgment in the above referenced case. There are numerous strategic options available to BBRD to address the Order. General Counsel Repperger desires the Board's advice concerning the litigation. He explained the order is not a final order as it doesn't address the issues in the order. Further clarification is needed. General Counsel recommends an Attorney-Client Session which will be held on December 19, 2016 beginning at 2:30 p.m. in Building A.

Mr. Cavaliere made a motion to approve the attorney-client session, Second by Mr. Lavier. Motion carried unanimously.

Manager's Report

Finance

Independent auditors from MSL will be on-site doing fieldwork on December 13-16, 2016.

As of November 23, 2016, \$933,183.24 in net receipts were received, representing 28% of the FY17 Budget

Resident Relations

Community Watch Program Update – The program started last month and is now in operation. Hours of operations will vary according to day of week and season to avoid establishing a pattern of patrol. The additional eyes on BBRD has been well received by BCSO deputies and concerned citizens.

Violations Committee Meeting – 17 cases were scheduled for today's meeting: 14 homeowners and 3 renters (2 came into compliance before the meeting).

ARCC Update:

November 15, 2016 meeting reviewed and approved 51 applications.



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November 29, 2016 meeting reviewed 41 applications and approved 40. One was denied and is pending additional information.

Badge Renewal Update – In an effort to give seasonal residents more time to update badges prior to leaving, beginning Monday 6Feb17, Resident Relations staff will issue the new 04/2018 stickers to property owners who have paid their 2016 taxes in full and are not on the restriction list.

Food & Beverage

Christmas Eve Hours

Lounge

Saturday, 24Dec16-Closes at 6pm.

Sunday, 25Dec16-Closed all day

19th Hole

Saturday, 24Dec16-Closes at 6pm.

Sunday, 25Dec16-Closed all day

New Year Eve Events

Lounge

In response to requests by residents, this year the New Year's Eve party will be an open event without tickets. There will be a pot luck buffet with music by Bob Coleman and the Coolers.

Weather permitting; the Coolers will set up Lakeside of the Lounge. Seats in the Lounge will not be reserved.

Sunday, January 1, 2017-Open from 3:00-9:00 p.m.

19th Hole

Tickets for the New Year's Eve party go on sale Monday, 12Dec16 at 10am at the 19th Hole. A 3 course small plate meal will be served. Steve Cole is playing 7:30pm until midnight.

Sunday, January 1, 2016-Open from 7:00 a.m.-9:00 p.m.

There will be another Motown Show on Saturday, 28Jan17 in Building A from 7-10pm. Tickets will go on sale Monday, December 26, 2016 at the Lounge, the 19th Hole and Resident Relations for \$10.

New tables and chairs have been ordered for the 19th Hole and are expected to be delivered on Monday, December 12, 2016.

Golf

Golf for Tots and Sadie Hawkins Tournaments were a great success.

The Bag Drop and signs were moved to the former site of the 10 minute parking area for golf visitor convenience. The 10 minute parking area will not be relocated.

ABM has added extra watering cycles to help to cool off over-seed during the unseasonably warm weather. Unfortunately, this will result in softer turf conditions until the irrigation settings are equalized.

Parking lot and driving range netting is back up and it looks great.

Working with Attorney Repperger regarding new fleet golf cart lease and swap out of carts (ETA is December 29, 2016).

"Golf Course Member Only Sale" Will be held on Wednesday December 14, 2016 from 5-8pm.



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Attorneys Report

General Counsel gave a status on the terms limit initiative requested by the Board and Mr. Diana specifically. The term limit imposed offers 3-2 year terms and after a full 2 year passes the individual becomes eligible to run again. General Counsel and Mr. Diana will meet with Representative Fine to confirm the support of the bill. He would suggest Mr. Diana attend the legislative delegation meeting on December 16th. Unanimous legislative vote is needed for it to move forward. He does not foresee any issues with support of the bill. General Counsel wished the Board and Barefoot Bay a Merry Christmas. He announced his donation to the Barefoot Bay Deck the Halls Committee in the name of the Trustees.

HOA Report

Mr. Harold Wortman reported the HOA served over 200 Thanksgiving dinners and made 24 home deliveries. At the next HOA meeting on December 13th please bring badges for voting purposes. A speaker from Alert Red will be on hand to discuss the emergency notification system. New Year's Eve tickets sold out within 3 days. The Bar will open at 6:30pm and the party goes until midnight with NiteFire providing the musical entertainment. Election Day for HOA is January 10th from 9am-6pm. Absentee ballots can be obtained at the HOA office on Monday and Wednesday 1pm-3pm.

Incidental Trustee Remarks

Mr. Klosky thanked everyone that participated in the 11th Annual Barefoot Bay Christmas Parade. He wished everyone a Merry Christmas and Happy Hanukah.

Mr. Diana thanked the Deck the Halls Decorating for continuing the Christmas decorations tradition started by Tim and Jan Hannify solely based donations. He also commended them for meeting and exceeding his challenge to the residents of Barefoot Bay to expand on what we already started. He thanked Mr. Klosky for all his work on the Christmas parade and wished the residents and staff a Merry Christmas and Happy New Year.

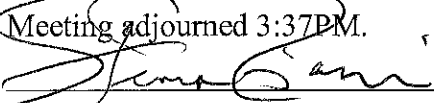
Ms. Wright read a written statement about her first year experience as a Trustee. She felt prepared to represent the residents and agreed to disagree with different ideas and opinions but was disappointed with the name calling and accusations made by Trustees and articles written in a local periodical. She asked for everyone to think, before they speak or write things. She said we all have different life experiences which makes us unique and gives us the ability to see things differently and wished everyone a Merry Christmas and a Happy Healthy New Year.

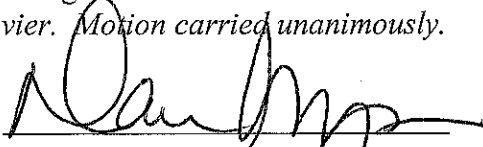
Adjournment

The next meeting will be on January 13, 2017 at 1PM in Building D/E.

Mr. Cavaliere made a motion to adjourn. Second by Mr. Lavier. Motion carried unanimously.

Meeting adjourned 3:37PM.


Steve Diana, Secretary


Dawn Myers, District Clerk