

BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting Friday, February 12, 2016 1 P.M. –Building D&E

The Barefoot Bay Recreation District held a Regular Meeting on February 12, 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.

Ms. Wright led the Pledge of Allegiance to the Flag.

Roll Call

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

Employee Milestone Recognition Award

Mr. Klosky recognized the employees reaching 5, 10 and 15 year milestones this quarter. Each employee received a certificate of recognition, Barefoot Bay pin and Barefoot Bay Bucks to be redeemed for one day off per every 5 year milestone achieved.

Rose Lohr	15 years
John Morris	10 years
Pat Pfohl	10 years
Stephen Ledoux	10 years
Robert Whittier	10 years
Robert King	5 years
Phillip Wheeler	5 years

Minutes

Mr. Cavaliere made a motion to approve the minutes from January 26, 2016. Second by Mr. Diana. Motion carried unanimously.

Treasurer's Report

Mr. Cavaliere presented the Treasurer's Report for February 12, 2016.

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

Audience Participation (Agenda items only)

None brought forward

Old Business

None brought forward



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New Business

BOT/HOA Workshop Follow-up Discussion

The Board of Trustees met in a joint workshop with the HOA on February 2, 2016 to continue the discussion that took place on April 23, 2014 regarding cooperation to implement DOR fining. At the workshop, the Board of Trustees requested the topic be placed on the next agenda for discussion and possible action.

Tom Guinther commended both the Board of Trustees and the HOA for keeping Barefoot Bay the community we can be proud of, however he is not favor of the HOA implementing the fining process as this is not the answer to the problem of enforcement. He noted how the DOR Enforcement office has improved operations to the highest possible level and even HOA Attorney Klemm stated at the workshop that "fining is not the answer". Mr. Guinther asked that the HOA respectfully decline their offer to introduce fining to the current DOR Enforcement process.

Carol Joseph urged the Board to try a different approach. Most people follow the rules. A small number are still non-compliant and this must be addressed. She reminded the Board that the residents voted for change. The HOA has the authority to fine why not try this method to bring the small minority into compliance.

Nancy Eisele was in favor of allowing the DOR Enforcement office the opportunity to continue making progress with the violations. She commended the HOA for their efforts in other aspects of maintaining Barefoot Bay but recommended that DOR Enforcement operations remain as they are without fining from the HOA.

Richard Schwatlow stated the HOA is not legally set up to collect fines. They would have to take the time to set up a charter to allow for it. He is not in favor of allowing the HOA to pursue authorization to fine for violations.

Leonard Pellegrino stated his opinion that the best way to approach the enforcement problem is to allow the HOA to fine. The Board of Trustees have the ability to grant the fining authority and should at least try this option. If the option does not work after a period of time the Board can always revoke the authority. He stated that the HOA should have fining capability with input from the Board to edit the DOR to protect the residents

Mr. Diana stated there were too many unanswered questions and there needed to be a collaboration to find out how the fines will be set up, how much we will fine, etc. before a decision could be reached.

Ms. Wright commented that we cannot move forward to seek answers until the Board gives the authority to proceed.

Mr. Lavier stated that the violations are at a 95% compliance rate now. He requested feedback from the HOA regarding what guarantee can be provided to make that 100%. Mr. Cavaliere stated that he is not in favor of HOA fining. It will confuse the situation in the eyes of the residents. He stated that the HOA Attorney commented on the fact that some legal issues may arise if the fines cannot be collected and the current 95% success rate is a great accomplishment.

Mr. Cavaliere made a motion to not proceed with amending the DOR to allow for fining from the HOA. Second by Mr. Lavier. Ms. Wright and Mr. Klosky opposed. Motion passed 3-2

Mr. Diana stated that he would like to table this agenda item until the Board and the HOA discuss the matter further. He would like to see the trustees and the HOA come together to work out the issues. Harold Wortman stated that the workshop was established to discuss the topic. The Board needs to make a decision today. After a decision is made we can proceed with unanswered questions. The HOA attorney did state that the DOR should be expanded and clarified at the workshop.



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Adoption of Amended Rules of Trustees

Ms. Wright made a motion to reconvene the workshop to address the issues that have not been discussed thoroughly.

Mr. Cavaliere was not in favor of having another workshop as we have deliberated on these items already and the public had already had a right to speak.

Mr. Klosky requested the existing committee members and any interested parties please send a resume or letter of interest to the District Clerk's office stating the committee on which you would prefer to be considered. He requested General Counsel please add this language as part of the Rules of Trustees.

General Counsel recommended the added language be placed under the Revision in Section 8 of the Rules of Trustees.

Mr. Lavier inquired about the particulars of the items Ms. Wright wanted to discuss further. Ms. Wright clarified that the language under Section 5 should be reviewed. Discussion ensued regarding clarification on Trustees chairing workshops and not being seated advisory committees. General Counsel recommended an exception to add the ARCC committee as it is in the DOR that a Trustee sit on that board. General Counsel read the resolution:

RESOLUTION OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING AND SUPERSEDING RESOLUTION 2015-07, BY ADOPTION OF A REVISED SET OF RULES FOR THE BOARD OF TRUSTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT WITH OTHER PROVISIONS; AND, PROVIDING FOR AN EFFECTIVE DATE.

Mr. Cavaliere made a motion to approve the resolution to amend the Rules of Trustees. Second by Mr. Lavier. Ms. Wright opposed. Motion passed 4-1.

Tom Guinther advised the Board to rethink the use of Robert's Rules at District Meeting. Mr. Guinther reminded the Board that it has functioned without Robert's Rules for 25 years. Ms. Wright asked for General Counsel's opinion. General Counsel stated that the Board loosely follows Robert's Rules currently. Though it may add a bit more formality into the meetings, he does not see a problem with its adoption into the Rules of Trustees.

Review of Guest Pass Policy

Mr. Diana stated that the \$1 guest pass is being abused and we should discuss revising the amount to \$3 a day and \$7 a week pass. He provided the Board with a copy of a recent facebook post from a resident inviting non- residents to a Food and Beverage event as long as they had a \$1 to cover the guest pass fee. Mr. Cavaliere agreed with Mr. Diana about misuse and about raising the fee to \$3 or even \$5.

Ms. Wright recommended the topic be discussed at a workshop. She stated that we could get important feedback from staff and residents regarding this topic.

Richard Schwatlow stated he was against raising the fees.

Mary Weller requested we move the topic to a separate committee to ensure more time for research and fact finding opportunities.

Ethel Ratnor stated that she has been in Barefoot Bay for 30 years and is in agreement with raising the fees to \$3. She has seen the misuse of the guest pass over time.

Carol Joseph requested a workshop as in the past to discuss this topic. We need staff input in order to make an informed decision as this is not a simple solution.



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Mr. Cavaliere suggested moving the option to purchase a pass from the pools to the office of Resident Relations as it was in the past. Mr. Lavier also agreed that there is abuse of the \$1 guest pass and agreed on the increase to \$3.

Mr. Cavaliere made a motion to raise the daily guest pass amount to \$3 and weekly pass to \$7 and take this topic to a workshop to discuss further. Second by Mr. Lavier. Motion passed unanimously.

Offer on 406 Raven.

General Counsel Repperger stated that he has acquired an offer for \$3000 to purchase this property from Mr. Diego Mederos. He requests approval to proceed with closing.

Mr. Diana made a motion to accept the offer. Second by Mr. Cavaliere. Motion passed unanimously.

Establishment of FY17 Budget Workshops Schedule

Staff began the annual budget preparation with the goal of a March 1, 2016 distribution date. At the May 24, 2016 the Board of Trustees are required to adopt a proposed budget for mail out to property owners and set a public hearing date. Per the Approved FY17 Budget Schedule budget workshops are needed for the Trustees to evaluate, revise if necessary and approve the FY17 Working Draft Proposed Budget. Staff has provided proposed dates for the Board to consider.

Apr 04, 2016 Bldg. A 2:30pm -4:30pm

Apr 20, 2016 Bldg. D/E 9am-noon

Apr 28, 2016 Bldg. D/E 9am-noon

May 03, 2016 Bldg. A 9am-noon

May 10, 2016 Bldg. D/E 9am-noon

Mr. Lavier made a motion to accept the workshops. Second by Mr. Diana. Motion carried unanimously.

Manager's Report

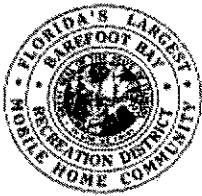
The DNA Architect for the Replacement Building F Project, believes he will be ready to present the floor plan and renders to BBRD in early to mid-March. Currently, three meeting room options are reserved. Trustee consensus was to reserve the date of March 14, 2016 Bldg. A 2:30-4:30pm for a joint Trustee and Facilities Planning Committee. The contract for the \$200,000 50% match grant was received from the Florida Department of Environmental Protection. Chairman Klosky will sign the contract and they will be returned for full execution by the DEP. Per the FY16 budget workshop discussions, Mr. Coffey requested that TLC develop a proposal for a parcel development plan. As approved by the Board on the FY17 Budget Calendar, copies of the FY17 WDPB will be delivered to Trustees and members of the Finance and Facilities Planning Committees on March 1, 2016. Paper copies for public inspection will be available in Building F and Resident Relations Office. An electronic copy will be posted on bbrd.org.

Attorney Report

No report

Trustee Liaison Report

Violations/ARCC Liaison - Mr. Klosky reported on the recent Violation's Committee Meeting with 17 cases in violation. Since January 1, 2016, 421 cases have been closed. At the ARCC committee Mr. Klosky noted 2 new home package permits.



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Property Services/Golf Liaison - Mr. Lavier reported on a successful Bayside High School Football Booster Club fundraiser with approximately \$4500 raised. He thanked everyone that participated for with the tournament. A great time was had by all. Tomorrow the Couples Gala Tournament will be held with dinner and dancing to follow in Building D/E. March 18, 19 and 20 BBRD Golf will hold the Club Championship Tournament at \$35 per person with tee times beginning at 7:30am. Sign up begins on March 1st in the Pro Shop. Property Services reported one of the two sheds ordered has been delivered, handicap door on Building A repaired, nature signs installed on the walking trail, the pump in lawn bowling has been replaced and the kayak storage is in place at the pier.

District Clerk Liaison - Steve Diana reported the District Clerk's office is working diligently.

Finance/HOA Liaison - Mr. Cavaliere reported on the success of the HOA Sock Hop. The HOA Card Party is scheduled for February 27th tickets are \$3 with snacks provided and subs provided by Subway. On March 1st tickets go on sale for the Ladies Luncheon and Style Show. Lunch will be by Flip Flop Ice Cream. Tickets are \$8 per person. The HOA ice cream social will take place in April at the HOA general meeting. The recent Finance Committee was presented informative bank financing options by SDS with more information to follow.

Food and Beverage Liaison - Ms. Wright stated in an effort to ensure resident enjoyment and comfort, local favorite Dreamer, will play on Feb 12th and on March 25th in Building A from 7-10:30PM. Tickets are now available for the "Foods You Love" musical event and buffet lakeside on February 27th. Tickets can be purchased at the 19th Hole, the Lounge and Resident Relations for \$10 each. On February 22nd tickets go on sale for the St. Patrick's Day event. Every Sunday through March there will be music at the pool and food available.

Trustee's Incident Remarks

Mr. Cavaliere discussed the problem with seating at the 19th Hole on Pasta Night. He reminded residents that there is limited space available in the 19th Hole. Mr. Cavaliere stated that the 19th Hole was created to serve golfers coming off the course. He suggested assessing the room we currently have and coming to a hard decision. He also discussed defining what is and isn't an amenity.

Ms. Wright asked that Building A be locked when not in use due to the recent misuse of this building by groups of young people.

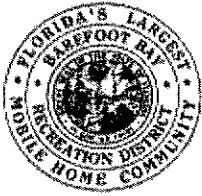
Audience Participation

Leslie Felson commented on the residents that are not picking up after their dogs. She stated that she has been picking up after other peoples dogs consistently. She asked that the trustees please do something about this.

Rich Schwatlow discussed the proposed buildings for Building D/E. He does not believe this is an unreachable goal. He urged the Board and residents to think about looking at it as an improvement to the Bay.

Resident James discussed videoing any misconduct by troublesome young people. He commented on the 19th Hole and leasing the space to another company.

Nancy Eisele reminded residents to come out to the New Homeowner's Orientation on the last Sunday of the month on Feb. 28th.



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The next meeting is scheduled for Tuesday, February 23, 2016 in Building D/E at 7PM.
Mr. Diana made a motion to adjourn. Second by Mr. Cavaliere. Meeting adjourned 2:52 p.m.

Steve Diana, Secretary

Dawn Myers, District Clerk