



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting Friday, January 8, 2016 1 P.M. –Building D&E

The Barefoot Bay Recreation District held a Regular Meeting on January 8, 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. Crouse led the Pledge of Allegiance to the Flag.

Roll Call

Present: Mr. Klosky, Mr. Cavaliere, Ms. Crouse, Mr. Lavier. Mr. Guinther was excused. Also present Jason Pierman SDS, John Coffey, Community Manager and Dawn Myers, District Clerk.

Minutes

Mr. Cavaliere made a motion to approve the minutes from December 11, 2016. Second by Ms. Crouse. Motion carried unanimously.

Treasurer's Report

Ms. Crouse presented the Treasurer's Report for January 8, 2016.

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

Mr. Klosky presented Ms. Crouse and Mr. Guinther (not present) with a plaque of appreciation for their dedication and commitment serving the Barefoot Bay Community for eight years on the Board of Trustees.

Trustees Swearing In

18th Judicial Circuit Court Judge Jessica Recksiedler swore in Trustee Elects, Lee Wright and Steve Diana to their seats on the Barefoot Bay Recreation District Board of Trustees.

Reorganization of the Board

Mr. Lavier nominated Mr. Klosky for Chairman. No other nominations were heard.

Mr. Klosky - Chairman

Ms. Lee Wright nominated herself for 1st Vice Chair.

Mr. Cavaliere nominated Ms. Wright for 1st Vice Chair.

Ms. Wright - 1st Vice Chair

Mr. Cavaliere nominated Mr. Lavier for 2nd Vice Chair. No other nominations were heard.

Mr. Lavier - 2nd Vice Chair

Mr. Cavaliere nominated Mr. Steve Diana for Secretary. No other nominations were heard.

Mr. Diana – Secretary

Mr. Cavaliere - Treasurer

Audience Participation (Agenda items only)

None brought forward



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Old Business

None brought forward

New Business

Revision to ARCC Guidelines – Prefabricated Storage Units

Ms. Cuddie requested the Board review and approve the proposed language regarding Prefabricated Storage Units. 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, 2015 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.

Mr. Cavaliere made a motion to accept Staff recommendation. Second by Ms. Wright. Motion carried unanimously.

Revision to Parking Violations and Suspensions

Ms. Cuddie addressed the Board regarding Board approved Resolution 2014-12 from September 23, 2014 which created a procedure that results in a suspension of social membership for homeowners who have been given three administrative notices of violation for parking on the grass. The proposed Resolution revises Resolution 2014-12 and expands 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.

General Counsel read the resolution:

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.

Mr. Cavaliere made a motion to accept staff's recommended amendments to the Policy Manual. Second by Mr. Lavier. Motion carried unanimously.

HOA Shed Replacement Request

On December 21, 2015, HOA President Wilma Weglein requested that the Board consider replacing a previously damaged shed as part of the FY17 Budget. Subsequently, on December 23, 2015, Ms. Weglein requested via e-mail that the Board 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 Board could use Fund Balance



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to procure a replacement shed if they are so inclined. Bob Kahl commented on the matter by requesting that the Board replace the shed as the current one was given to the HOA in 2011 and is now dented and leaking. Mr. Cavaliere recommended budgeting for two sheds as the second shed could be used for Little Theatre and Christmas decorations.

Mr. Diana made a motion to authorize \$2700 for the procurement of a new shed for the HOA. Second by Ms. Wright.

Mr. Diana amended his motion to include procurement of an additional shed for a total of two sheds. Second by Ms. Wright. Motion carried unanimously.

DOR Violations

Case # 15-003179 837 LYCHEE DRIVE

Violation of ARTICLE II, SECT. 3 (A)(15) ADIR (Lamp Post). The respondent was given until 12/25/2015 to bring the property into compliance

Mr. Cavaliere made a motion to send Case # 15-003179 837 LYCHEE DRIVE to the attorney for equal and equitable action. Second by Mr. Diana. Motion carried unanimously.

Adondia Palm Tree Donation Request

Michelle Carr is requesting approval of her donation of an Adondia Palm (Christmas Palm) at a cost of \$450 for labor and materials. The tree will be planted along the 14th Hole and down the left side in memory of her father Richard Carr. Staff recommends the Board accept Ms. Carr's donation.

Mr. Lavier made a motion to accept the memorial donation request. Second by Mr. Diana. Motion carried unanimously.

Finance Committee Investment Comparison

Ms. Crouse addressed the Board. 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. The Finance Committee met with three separate investment companies Florida Community Bank, Benjamin Edwards and Edward Jones who recommended a plan for Barefoot Bay based on the criteria that the investment must be safe, secure and offer liquidity. The summary presented offered 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

Mr. Diana made a motion to accept the financial committee recommendations. Second by Mr. Cavaliere. Motion carried unanimously.

Manager's Report

Mr. Coffey announced that the 5 Year Financial Model and Capital Improvement Plan will be delivered to Trustees, Finance Committee members and Facilities Planning Committee members tonight and sent electronically to those individuals with email accounts. Additionally, the Plan will be posted on the Administration Bulletin Board and placed on bbrd.org on Monday. Residents can obtain a free copy by stopping by Building F during regular business hours. The following are the established workshops to review the document:



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Jan. 14, 2016 Finance Committee, Building A 10:00am – 11:30am

Jan. 16, 2016 Facilities Planning Committee, Building E 2:30pm - 4:30pm

Jan. 21, 2016 Finance Committee, Building C 10am – 12:00pm

Jan. 22, 2016 Facilities Planning Committee, Building E 2:30pm - 4:30pm

Jan. 28, 2016 Board of Trustees, Building D/E 2:30pm – 4:30pm

Project Updates:

New Payroll System Implementation– The project was completed in late December.

Softball Field Scoreboard – Brevard County submitted an additional information request to the vendor regarding the luminosity of the lights. The vendor is working with the manufacturer to obtain the information and provide it to the Building Department Official. Once the permit is acquired, the work will commence. Lounge and 19th Hole WiFi– Both projects are completed.

Building D/E Fire Alarm Installation – Brevard County Fire Marshall is requiring 4 addition smoke detectors which the vendor submitted a change order in the amount of \$698.026. I have authorized the change order, per BBRD Policy and once the permitting is approved the work will commence once the permit is issued DOR Enforcement Update – 384 new cases were processed in December bringing the year-to-date total to 1,929 or 92.71% more cases than 2014 and 153.15% more cases than 2013. Of note, the reader should not infer that the December workload is indicative of a “new normal” workload rather it represents the clearing of backlogged cases. I anticipate the future sustained workload will be between 1,500 and 2,500 cases a year. Building F Architectural Ad Hoc Committee Meeting Update – Due to a unforeseen circumstances, the meeting originally scheduled for 19Jan16 was moved to Jan. 15, 2016 Building C from 9am-11am. FY15 Audit Presentation – Representatives from Moore Stephens Lovelace, P.A. will present the completed Audit for FY15 at the Jan. 26, 2116 Board of Trustees meeting.

Attorney Report

General Counsel Repperger discussed the memorandum he distributed to the trustees and trustee elect regarding the Sunshine Law. He stressed the importance that trustees do not discuss or use conduits to discuss agenda items or potential agenda items with other board members. The Sunshine Law applies to advisory committees as well. He asked the Board if they were interested in holding a workshop to review the Sunshine Law topic. The Board was in consensus to schedule a workshop.

He received the signed deed from the owner of 631 Hyacinth and will request the Chairman’s signature after this meeting. General Counsel reported that he is in talks with Traveler’s insurance company regarding the reimbursement for the demolition of the entrance wall. He will continue his discussions with Traveler’s and present further information at the next meeting.

Trustee Liaison Report

Mr. Klosky read the Property Services report. The Violations Committee heard 12 cases and found all 12 in violation. The ARCC Committee meeting in December received 14 applications and all 14 were approved. The second meeting in December received 29 applications and 26 were approved. He announced upcoming events on the Food and Beverage Report. On Saturday, February 27th the event Food For Your Love will take place lakeside of the Lounge. The buffet will be served at 5:30PM with musical guest Vince Love and the Soul Cats.

Mr. Lavier announced the Veteran’s Tournament on January 16th which will feature two shotgun starts and an appearance from the Sebastian Skydiving Team. On January 30th Barefoot Bay will host Bayside High School Booster Club fundraising Tournament. Entry includes lunch and a drink ticket.



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Mr. Cavaliere read the HOA report. The sold out New Year's Eve event was a great success. Another event, the HOA Sock Hop, is already planned for January 16th. Tickets are available at the HOA office Monday and Wednesday between 1-3PM. He commented on a renewed relationship with the HOA. He gave an update from the Facilities Planning Committee regarding the motion made to put aside \$200,000 a year for the Barefoot Bay facilities.

Trustee's Incident Remarks

Mr. Diana requested the Board implement not more than three 2-term year limits with a 2-year hiatus. Second by Mr. Cavaliere. Motion carried unanimously.

General Counsel Repperger clarified that this will have to come back to a subsequent meeting for approval of language for a referendum as the Charter will have to be changed.

Mr. Cavaliere thanked the softball field for their input. He reminded the residents to submit their ideas for the community prior to the budget workshops.

Ms. Wright requested a workshop to discuss the Rules of Trustees. Meeting scheduled for January 19, 2016 at 2:30PM in Building D/E.

Mr. Diana made a motion to run the future District meetings under Robert's Rules of Order. Second by Ms. Wright. Motion carried unanimously.

Audience Participation

Ed Keeley requested information regarding why the replacement Building F is in the same location. Mr. Cavaliere stated that the committee voted to keep the building in the same location and forwarded to the Board who also voted to keep the building where it is.

Loretta Dorn commented on her dissatisfaction regarding cancelled meetings not being properly posted.

Richard Schwatlow requested clarification on the approved location of Building F. Mr. Klosky confirmed the building will stay in the present location. Mr. Diana and Ms. Wright agreed that due to the additional funding necessary to move the building it makes more fiscal sense to leave the building at the current location.

Ernest Loening commented on his dissatisfaction of Mr. Guinther's absence at today's meeting.

Karen Sunshine asked about the inclusion of a dog park in Barefoot Bay. Mr. Cavaliere suggested submitting the idea to the trustees at the Facilities Planning 5YR plan meeting on January 14, 2016.

Jeff Jones commented on his dissatisfaction on the current progress of Building F replacement without a referendum. Mr. Jones stated the Board is not operating by the original intention of the Charter. He would like the Board to propose a motion to put the replacement Building F on the referendum. Mr. Cavaliere reiterated the Board's fiduciary responsibility to maintain the District facilities.

Bob Kahl addressed the current proposal for the replacement Building F received at the Facilities Planning Committee yesterday. He inquired why the drawings of the proposed building have still not been presented to the committee.

Nancy Eisele invited the residents to the New Homeowners meeting on to voice any concerns or questions about the District. She stated that the meetings have been run very well in the last 4-5 years and requested the format not change at this point.

Jim Rigg discussed the progress of the Beach project. He proposed the Board continue to fund the construction at the Barefoot Bay beach. Specifically, he addressed converting the existing CBS building



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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.

Steve Diana, Secretary

Dawn Myers, District Clerk