



# BAREFOOT BAY RECREATION DISTRICT

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

The Barefoot Bay Recreation District held a Regular Meeting on July 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 the policemen that lost their lives in Texas as well as our Barefoot Bay residents both past and present.

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, Jason Pierman, SDS General Counsel Cliff Repperger and Dawn Myers, District Clerk. Also Present: Sue Cuddie, Resident Relations Manager, Kimi Cheng, Finance Manager and Matt Goetz, Property Services Manager.

### Minutes June 28, 2016

*Due to less than a week work day turnaround between District Meetings the June 28, 2016 minutes will be considered on the next agenda scheduled for approval on July 26, 2016.*

### Treasurer's Report

Mr. Diana presented the Treasurer's Report for July 8, 2016.

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

### Audience Participation (Agenda items only)

None brought forward.

### Old Business

#### FY16 – FY20 Governmental Auditing Services Award of Contract

The Audit RFP Committee which consisted of the five members on the Board of Trustees, held two meetings subsequent to the closing of the RFP advertisement for governmental auditing services. The top three submissions were interviewed and rated based on a point scale and five category: Ability of Personnel, Proposer's Experience, Understanding Scope of Work, Ability to Furnish the Required Services and Price. Current BBRD auditing firm Moore Stephens Lovelace, received the top score. Staff recommends the Board award the FY16 – FY20 Governmental Auditing Services to Moore Stephens Lovelace with an option to extend the contract for one additional five fiscal year period.



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*Mr. Diana made a motion to accept the recommendation of the RFP Auditing Committee and award the FY16 – FY20 Governmental Auditing Services to Moore Stephens Lovelace with an option to extend the contract for one additional five fiscal year period. Second by Ms. Wright. Motion passed unanimously.*

### **Financing Options for Stormwater Projects and Equipment**

Staff solicited multiple financing options for the stormwater project on Cherokee and Tamarind and the skid steer and boom arm mower to maintain the canal system per Board direction. Kimi Cheng, Finance Manager, provided the options to the Finance committee for review yesterday. They recommended staff apply for financing with Capital Bank's offer of a \$165,000 loan with 2.06% fixed rate for 60 months. Estimated monthly payment would be \$2,896.50.

*Mr. Cavaliere made a motion to accept the Finance Committee recommendation to apply for financing terms with Capital Bank and bring back the final agreement for approval. Second by Ms. Wright. Motion carried unanimously.*

### **DOR Violations**

#### **Case# 16-0011446 1153 Waterway Drive**

Fascia and Skirting Exterior Maintenance

*Mr. Cavaliere made a motion to forward Case# 16-0011446 - 1153 Waterway Drive to the Attorney's office for legal and equitable action and lien the property for fees. Second by Mr. Diana. Motion carried unanimously.*

#### **Case# 16-0011446 1135 Navajo Drive**

Fascia Exterior Maintenance

*Mr. Diana made a motion to forward Case# 16-0011446 - 1153 Waterway Drive to the Attorney's office for legal and equitable action and lien the property for fees. Second by Mr. Cavaliere. Motion carried unanimously.*

Mr. Cavaliere stated the property owners in question have had ample time to correct the violations. He maintained that he does not want to see these cases come back to the Board to request fees waived at a future date. Mr. Diana was in agreement.

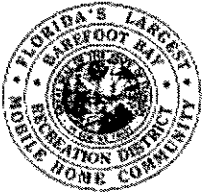
### **Resignation and Appointment to Recreation Committee**

On February 23, 2016, Ms. Nancy Eisele was nominated to an Alternate seat on the Recreation Committee at a Board of Trustees Meeting for a term of three years. On June 23, 2016 Ms. Eisele submitted her resignation from the Recreation Committee to the Recreation Committee Chair due to a conflict of interests, as she is currently employed in the Property Services Department. Staff recommends the Board accept Ms. Eisele's resignation and appoint a homeowner to the Recreation Committee as an Alternate for a 3-year term when one becomes available. Mr. Diana thanked Ms. Eisele for her many years of commitment to the residents of BBRD.

*Mr. Diana made a motion to approve the resignation from Nancy Eisele. Second by Ms. Wright. Motion carried unanimously.*

### **Proposed Amendment to Over 60 Softball Association Agreement with BBRD**

The Over 60 Softball Association has proposed an amendment to the agreement they made with BBRD in January 2016. Staff was recently asked to amend the agreement which outlined taking over the maintenance of the Wren Circle curbing area to the softball field fence in exchange for forgiveness of



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the balance owed for the damage to the Kubota Tractor engine and an increase in their monthly payment of \$40 to a new monthly payment of \$728.00. The proposal would reduce Property Services' work, shift areas of ABM's responsibilities keeping it at about the same overall level and increase the responsibility of the O60SA while slightly increasing their monthly payment.

Mr. Brian Belanger spoke on the benefits of the softball field for the residents and families in Barefoot Bay. He stated that this is a good proposal and asked that the Board seriously consider approving it today.

Mr. Cavaliere commented on the tireless efforts from the League in keeping up with the softball field. Regarding the forgiveness on the damages to the Kabota tractor, he acknowledged that the tractor is not solely used by the softball league. He reiterated that he previously asked for a log sheet stating the dates and names of who is using the Kabota engine in the event another incident occurs, someone can be held accountable. Ms. Wright commended the softball league for the service they offer the community. She thanked Mr. Coffey, Mr. Belanger and ABM for sitting down and working things out calmly while coming up with a solution that works for everyone involved.

*Mr. Cavaliere made a motion to amend the agreement. Second by Mr. Diana. Motion carried unanimously.*

## **Request to Form a Club**

This item was removed from the agenda.

## **Manager's Report**

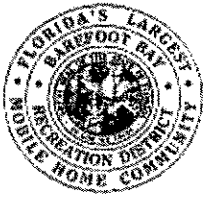
The Building A transformer project is scheduled to commence next week with a planned power outage to Buildings A & C on July 7 and 8 2016. Mr. Coffey invited interested residents to pick up a copy of the official District documents in Building F if they are curious about how the District was formed and how it is run.

## **Attorney's Report**

The insurance agent General Counsel has been working with at Traveler's Insurance regarding the entrance wall has been found to have been providing erroneous information. General Counsel stated that in the last week, he found the agent has left the company and a supervisor did not find any notations in the account since 2015. He is currently in talks with the supervisor regarding repayment of the check as soon as possible. Mr. Diana implored General Counsel to impress upon Traveler's Insurance that if a resolution is not found by the next Board meeting in two weeks we will begin legal action against them. He also stated we should consider an alternate vendor if any of our current vendors do business with Traveler's Insurance. General Counsel informed the Board that the letters to the HOA requested at the last meeting have been sent.

## **Trustee Liaison Report**

Mr. Klosky read the Violations and ARCC report. The Violation Committee met this morning, July 8, at 10 PM in D/E to review 10 cases on the agenda. 4 cases came into compliance prior to the meeting. 6 cases were presented and found to be in Violation.



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The next Violation Committee meets on July 22, at 10 PM in D/E. The next ARCC committee meeting is scheduled on July 12 at 9 AM in the Lounge.

Mr. Cavaliere announced that Finance meeting met yesterday. He discussed the committee and voiced his appreciation of the time dedicated by the members and acknowledged the great job they are doing. He encouraged committee members to remember to go through the committee liaison if they have questions for staff.

Ms. Wright provided the Food and Beverage report. The Hawaiian Luau planned for July 23 is currently \$11 and \$14 after July 18<sup>th</sup> which includes tropical style buffet and entertainment by Rock City. She announced that tonight is the last night of entertainment from Jim Moy in Barefoot Bay as he is retiring after 15 years. Ms. Wright reported on the overwhelming success of the youth swim last Wednesday. She commended staff, Trustees and residents for combining their efforts in bringing this event together. She thanked Rich Moran, Ann Manzo and Mary Weller for their planning and coordination in getting this started. She also thanked the members of the Recreation Committee Mr. Coffey, Dawn Myers, Leslie Kadlec, Becky the Pool host, the HOA and the many residents who donated snacks and refreshments. A great time was had by all and the swim evenings will continue throughout the month of July from 5:30 – 7:30 PM every Wednesday.

Mr. Klosky also thanked those who helped make the event a success and stated it was a joy to see the kids having a good time.

Mr. Lavier reported on behalf of Property Services. Pool I main pump was replaced, flowerbeds mulched and sod replaced as well as concrete for the fencing replaced. Two new lights in the Building A walkway and painted roof pillars and ramps going into the Lounge. A new concrete slab was poured for the grease trap at the 19<sup>th</sup> Hole. The first nematode (parasite on the greens) application was applied on the golf course of a two-step process. The new turf on the number 12 tee box continues to grow in. Staff has addressed the washout under the cart paths due to heavy rains.

Mr. Harold Wortman HOA discussing the Candidate Forum on August 21<sup>st</sup> and even in the summer will be in the HOA office from 1-3PM on Monday and Wednesdays.

## **Trustee's Incidental Remarks**

Mr. Diana thanked the residents that promoted and assisted in the youth swim and softball. He recommended the Recreation committee discuss youth swim next summer for the kids after school is out until it begins again in August. He thanked staff for their quick response to the extreme weather last weekend when pool furniture was strewn about. He was very appreciative to see everyone working together both on the clock and off to restore the area.

Mr. Klosky discussed the proposed combined committee meeting between Facilities, Finance and BOT suggested at the Finance meeting yesterday. This combined meeting could very easily go on for several hours he suggested the committees meet on their own and bring back recommendations to the Board for review at a workshop. He asked the Board for their input. The Trustees were in support of a combined meeting for Facilities and Finance with recommendations brought back to the Board for review at a workshop.



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## Audience Participation

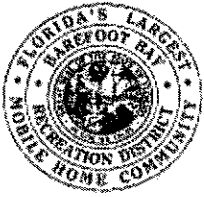
Mr. Ernest Loening suggested the Board terminate certain employees in the DOR Enforcement department. Mr. Klosky stated that employee discussion is not permitted at District meetings and is a staff concern. Mr. Loening stated that Mr. Coffey and Ms. Cuddie advised him to bring his concern to the Board meeting. Ms. Wright voiced concern about the discussion, she asked General Counsel's advice regarding the topic of discussion. General Counsel stated that an issue within the department can be discussed, however a personal complaint against an employee is not appropriate and should be brought to the department manager as a first step in addressing the problem. Mr. Loening stated that he did bring this to the manager. He went on to comment on a recreation vehicle parked in a driveway for months, a roof askew that has been this way for months and the debris all over the lawn at 852 Waterway for many weeks now. Mr. Coffey stated that there is a degree of frustration working with violations as some residents do not do what they say they will. He stated the DOR officers are aware of the violations and are working on getting them resolved.

Mr. Harold Wortman commented on the rumor that the HOA meets in secret. He clarified that the HOA is not bound by the Florida Sunshine Laws and may meet and speak with their members anytime. He addressed the accusation that \$3000 of District attorney fees are due to the HOA asking the opinion of County Commissioner Trudie Infantini regarding what would happen to District properties if the residents called for a dissolution of the District and Board of Trustees. He clarified that the HOA only solicited information from County Commissioner Infantini and up to the County attorney. They did not give authorization for phone calls to the District General Counsel or management, therefore he does not believe the HOA is in any way responsible for those fees.

Ms. Elaine Van Berschot commented on the possibility of extending the pool hours at Pool 1. Mr. Coffey stated this is a budgetary issue. Ms. Wright suggested bringing the item to a workshop. Mr. Diana suggested taking a poll of attendance at all the pools 2 and 3 in an effort to possibly stagger coverage.

Mr. Richard Schwatlow stated that non Aqua Zumba pool goers at Pool 3 were recently verbally abusive to him and even threatening in one incident. After reporting the incident, with no resolution, Mr. Schwatlow stated that he felt Barefoot Bay officials were not supportive of resident safety. He stated that he received direction to leave the area and/or call the sheriff department, which was not a satisfactory response in his opinion. He also commented on rumors in the community and encouraged residents to come to the meetings to get accurate information. Mr. Schwatlow questioned where the funding was coming from which allows a sheriff deputy's presence during the Trustee meeting. Mr. Lavier questioned why Mr. Schwatlow felt he was not supported. Ms. Wright stated that she, by no means, implied Mr. Schwatlow's safety was not important when he brought the issue up at a Security meeting, but the Pool Hosts have limited options in terms of resolving resident disagreements. Mr. Coffey explained that imposing a penalty for every resident slight brought before him would quickly become costly, as a magistrate is involved in suspension appeal cases and court costs, if the magistrate rules in favor of the defendant, become the responsibility of BBRD. For practical reasons he does not pursue incidents that do not have clear evidence of wrong doing and/or staff confirmation.

Ms. Linda Scholefield asked what the process is in Mr. Schwatlow's case. Mr. Lavier stated that the process begins with going to the pool host to report the conflict. The resident does have the opportunity to call the sheriff if he feels threatened but his statement that the District does not care is false and an



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assumption. He maintained that it is offensive to the Board, as the Trustees and staff consistently do their best to address any issues in the Bay.

Mr. Bob Peet commented as a former trustee on the disagreement at the meetings he has noticed recently. Residents should not attack the trustees or the staff. He reiterated that this is a business meeting and should not be used as a forum for personal attacks.

Ms. Louise Crouse also thanked all involved with the youth swim event especially the pool host on duty that afternoon. She voiced a concern regarding placing the topic of forming a club on the agenda. She noted the new policy charging the residents to rent the facilities was not well thought through. She stated the facilities are here for the residents to use. She encouraged the Trustees to review this policy and revert back to the way it was before with no fees.

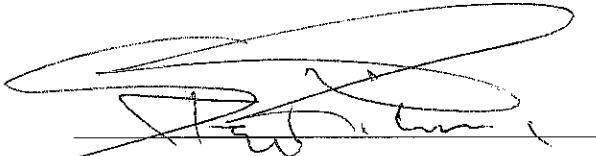
Mr. Bob Kahl announced that the HOA website [www.barefootbayhoa.com](http://www.barefootbayhoa.com) is up and running if anyone wants to visit the site he will be updating it frequently.

### Adjourn

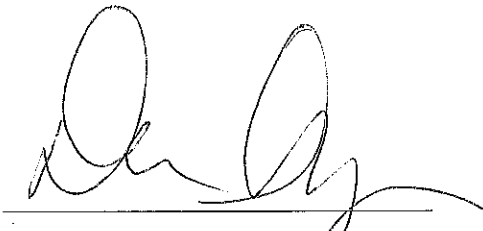
The next meeting will be on Tuesday July 26, 2016 at 7PM in Building D/E.

*Mr. Cavaliere made a motion to adjourn. Second by Mr. Lavier.*

Meeting adjourned at 3:32PM.



Steve Diana, Secretary



Dawn Myers, District Clerk