



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

Friday, June 10, 2016

1 P.M. –Building D&E

The Barefoot Bay Recreation District held a Regular Meeting on June 10, 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. Diana and Mr. Cavaliere. Mr. Lavier were excused. Also present: John W. Coffey, Community Manager, General Counsel Cliff Repperger and Dawn Myers, District Clerk

Employee Milestones

Mr. Klosky recognized those employees that exemplified commitment and dedication to their position by presenting certificates, service pin and Barefoot Bay Bucks, which are negotiable for one regular workday off.

Virginia Evans – 10 years

Leslie Kadlec – 10 years

Ruth “Cookie” Simon-Shaw – 5 years

Special Employee Milestone

The Board recognized Paul Ingardia for 21 years of service to Barefoot Bay Recreation District. Mr. Klosky thanked Mr. Ingardia for his exemplary dedication to the Barefoot Bay Community and presented him with a commemorative retirement plaque.

Minutes

Mr. Diana made a motion to approve the minutes from May 24, 2016. Second by Mr. Cavaliere. Motion carried unanimously.

Treasurer's Report

Mr. Diana presented the Treasurer's Report for June 10, 2016.

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



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Audience Participation (Agenda items only)

Ms. Dawn Forrester thanked the Board for allowing her Aqua Zumba class to continue practicing on Tuesday, Wednesday and Thursday at Pool 3. She discussed the history of her Aqua Zumba course here in Barefoot Bay and the successive growth and popularity of the class since she started five years ago. Ms. Forrester informed the Board that she has donated a lot of time and money to this community. She strongly encouraged the continued support of the Board to help her keep her members healthy by maintaining the current schedule as approved at the previous meeting.

Old Business

Mr. Cavaliere suggested that the Board reconsider using the cumbersome Robert's Rules of Order as a platform to run the Board of Trustee meetings. He was confident that the residents are satisfied with the meetings as long as the agenda items are addressed and completed. Mr. Diana stated that he recommended the use of Robert's Rules as a way to run the meetings more effectively. Ms. Wright was in agreement with Mr. Diana's statement as Robert's Rules have greatly improved the movement of the discussion in the meetings. Mr. Cavaliere stated that the meetings are not run any faster, as an example at a recent meeting, an hour and a half was spent discussing the BBRD logo in the trustee column of the Tattler. Mr. Klosky stated he would like to continue the use of the Rules in the Board meetings as well. Board discussed the benefits of using the Rules to encourage efficiency in the meetings.

Ms. Lizzann Taylor encouraged the Board to continue the use of Robert's Rules as the benefits far exceed the initial confusion. She has noticed a difference in how well the meetings are run recently compared to how they used to run a year ago.

Ms. Carol Joseph stated the Board should continue use of the Rules as the meetings have been more efficient and she has seen a marked improvement in the movement of the meetings in the last few months since they have been adopted.

Mr. Diana made a motion to continue using Roberts's Rules of Order to run the Board of Trustee meetings. Second by Ms. Wright. Mr. Cavaliere opposed. Motion carried. 3-1

CCTV Replacement and Expansion Project - Change Order

Advanced Total Protection (ATP), the vendor selected by the Board to install the new CCTV system informed the District Clerk that they will need to provide an additional quote for the NVR in the Building D/E location. The explanation provided was due to a miscalculation in the distance that the existing fiber extended. In order to have remote access to the cameras at the Pro Shop/Building D/E area an additional NVR is needed. Staff recommended the Board accept the quote ATP has provided for a Digital Watchdog 16-Channel NVR with 8 TB of storage for an additional \$2,135.00. Mr. Cavaliere voiced his concern about advisory committee members overstepping their boundaries and spending too much time with staff during the development of these projects. Ms. Wright opposed Mr. Cavaliere's statement about the advisory committee members, as in her opinion, the majority of the members have much to offer in their advisory role. Most are perfectly suited for their seats on the committees due to education and experience.

Mr. Cavaliere made a motion to accept the change order for a Digital Watchdog 16 Channel NVR for \$2,135.00. Second by Mr. Diana. Motion carried unanimously.



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Aqua Zumba

Mr. Cavaliere stated that he did not bring this item back to the agenda to change anything but to bring attention to the way the topic was handled at the previous meeting. He reiterated that the decision regarding the scheduling of this class should have remained at the staff level. It should never have been brought to the Board for deliberation.

Ms. Mary Walker opposed the three days that was allotted to the Aqua Zumba class on Tuesday, Wednesday and Thursday. She encouraged the Board to rescind the decision to allow the class to have three days as this takes time away from residents who would like to use the pool at this time.

New Business

DOR Violations

Case # 16-000032, Case # 16-000033, Case # 16-001177 - 400 EAGLE DRIVE

ARTICLE III, SECTION (1) Residential Use - Unauthorized Structure

ARTICLE II, SECTION (3) (A)(2) ADIR (Garage or carport roof)

ARTICLE II, SECTION (3) (A)(15)ADIR (Lamp Post)

Mr. Cavaliere made a motion to forward Case # 16-000032, Case # 16-000033, Case # 16-001177 - 400 EAGLE DRIVE to the attorney's office for legal and equitable action. Second by Ms. Wright. Motion carried unanimously.

Case # 16-001117 - 580 MARLIN CIRCLE

ARTICLE III, SECTION (10) Condition of Skirting

Mr. Cavaliere made a motion to forward Case # 16-001117 - 580 MARLIN CIRCLE to the attorney's office for legal and equitable action. Second by Mr. Diana. Motion carried unanimously.

Building A Electrical Panel Award of Contract

The FY16 Budget contains \$30,000 in the Capital Department for Upgrade Electrical Infrastructure in Bldg A, Phase I. Tasks completed so far include: Needs assessment of the building, In-house minor repairs/replacement, Miscellaneous work.

Based on the assessment, staff solicited quotes for the replacement of a transformer that is obsolete for which reliable replacement parts cannot be procured. Advanced Electrical Systems, Inc. \$12,600 and Complete Electric, Inc. \$11,800

Staff recommended award of \$11,800, plus permitting costs to Complete Electric, Inc. for replacement of the Building A replacement transformer.

Mr. Diana made a motion to award the contract to Complete Electric for \$11,800. Second by Mr. Cavaliere. Motion carried unanimously.

Request for Dismissal of Lawsuit and Waiver of Fees and Costs

DOR Violation Enforcement Case Number: 16-000217 -748 Canary Drive

At the Board's meeting held on March 11, 2016, the Board referred DOR Violation

Enforcement Case Number 16-000217 to Attorney Repperger for Legal or Equitable Action. After several attempts to notice the property owner failed to result in compliance, on April 22, 2016. A Complaint was filed in Brevard County Circuit Court. On May 7, 2016, the property came into compliance. On May 13, 2016 the Board discussed dismissal of the lawsuit and waiver of the fees and



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costs. The Board requested that a property owner representative appear before the Board to make the request. Staff has requested a property representative attend or submit a statement (to be provided if submitted).

Mr. Diana made a motion to dismiss Case Number: 16-000217 -748 Canary Drive and waive fees. Second by Ms. Wright. Motion carried unanimously.

Request for Dismissal of Lawsuit and Waiver of Fees and Costs

DOR Violation Enforcement Case Number: 16-000052 - 466 Egret Circle

At the Board's meeting held on March 11, 2016, the Board referred DOR Violation Enforcement Case Number 16-000052 to Attorney Repperger for Legal or Equitable Action. After attempts to notice the property owner failed to result in compliance, on May 2, 2016 a Complaint was filed in Brevard County Circuit Court. Pam Talamantez is the personal representative for the property. Ms. Talamantez is the daughter of the deceased owners. Ms. Talamantez advises that she did not receive notice of the violation until April 9, 2016. Ms. Talamantez advises that she was told by a property manager that the violation would be cured by April 13, 2016. The initial attempt to cure the violation was unsatisfactory to staff. Service of the lawsuit occurred on May 9, 2016. Ms. Talamantez filed the attached answer/response to the lawsuit on or about May 25, 2016. The property was found to be in compliance by staff on May 27, 2016. Ms. Talamantez now requests a dismissal of the lawsuit and waiver of fees and costs incurred. Dan Fast spoke on behalf of the property owner.

Ms. Wright made a motion to dismiss Case Number: 16-000052 - 466 Egret Circle and waive fees. Second by Mr. Cavaliere. Motion carried unanimously.

Revision to Policy Manual Guest Fees and Resolution

On a workshop held on May 12, 2016, the Board approved the changes to guest fees in the BBRD Policy Manual as well as changes to some of the language. The fees are listed below.

Residents and guests must display their badges and/or guest passes at any event or meeting in the Lounge, 19th Hole or Pool #1 Pavilion.

Guest Passes/Temporary Social Membership (All active military and children under 5 exempt)

One Day Guest Pass

- a. Regular (purchased at Resident Relations or any of the pools) \$3.00 per person. Street dance or other special events (purchased at Pool #1) \$5.00 per person

Two to Seven Day (week) Guest Pass

- a) Purchased at Pools \$7.00 per person
- b) Purchased at Resident Relations Office \$5.00 per person

Grandchild Pass (with picture)

- a. Quarterly \$10.00 per child
- b. Annually \$25.00 per child

Non-Residents (Visitor) Pass

\$15.00 per person per day

Temporary Lounge/Business Pass

\$0.00 (No Charge)

Additional Fees

Rental of building/spaces for any Barefoot Bay club, organization, or resident except for clubs and organizations registered with the District before July 1, 2016, are based on the following fee schedule.

1. Bldg A. \$100.00 & tax up to 8 hours
\$50.00 fee for use of kitchen (non-refundable)
2. Bldg. C \$25.00 up to 8 hours



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| 3. Bldg. D or E | \$40.00 & tax up to 8 hours per side |
| 4. Bldg. D&E | \$80.00 & tax up to 8 hours |
| 5. Pool #1 Pavilion | (exclusive use) \$50 |
| 6. Pool #1 (exclusive use) | (exclusive use) \$500 for 4 hours |
| 7. Pool #2 or #3 (exclusive use) | (exclusive use) \$500 for 4 hours |

Ms. Lizzann Taylor voiced opposition for the rule regarding exclusive use of the pools. Mr. Coffey stated this language was not recently changed and has been an established rule in the manual.

Ms. Louise Crouse cautioned about the appearance of changing the fees for the passes and facilities as a means to generate revenue as these facilities and amenities are here for the residents. She also explained the reasoning behind the original placement of the language "resident group" was an attempt by the previous Board to define an invited group unlike a fixed club which meets regularly. She was opposed to changing this term. Ms. Wright requested the Board table the discussion until the upcoming workshop due to the recommendations heard here tonight. Mr. Cavaliere was opposed to tabling the discussion as these topics were already brought up at a workshop. General Counsel read the resolution.

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; PROVIDING FOR THE ADOPTION OF VARIOUS COMPREHENSIVE REVISIONS TO THE POLICY MANUAL ADOPTING NEW GUEST PASS REQUIREMENTS; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE

Mr. Cavaliere made a motion to approve the resolution amending the Policy Manual. Second by Mr. Diana. Ms. Wright opposed. Motion carried 3-1.

Discuss and Authorize Procurement of New Restroom Trailer

Staff presented used and new restroom trailers for the area by the tennis carts. Ms. Sherry Arnold asked the Board to consider this purchase as they currently have to contend with vandalism to the portable restroom in place now. At this point golf carts are required during tennis tournaments for the guests to use proper facilities in Building A. The current portable restroom is not up to the standards of the clubs that use the amenities in this area.

Ms. Susie White asked the Board to replace the restroom trailer that she and her husband purchased years ago for the community complex area.

Mr. E.J. Wright invited the residents to come to the Facilities Planning Committee to voice any concerns or requests regarding the facilities.

Mr. Diana made a motion that staff research ADA compliant restroom trailers and bring a proposal back to the Board for consideration. Second by Mr. Cavaliere. Motion carried unanimously.

Barefoot Bay Slogan

Mr. Diana was approached from a resident about suggestions for a community slogan. He requested the Board support a community wide contest to come up with a slogan to represent the Barefoot Bay community.

Ms. Wright made a motion to accept Mr. Diana's idea for a Barefoot Bay Slogan. Second by Mr. Cavaliere.

Loretta Dorn voiced her dissatisfaction with this agenda topic. She stated her opinion that the subject is unimportant.



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Advisory Committees Purpose

Mr. Cavaliere explained that the advisory committees should meet to discuss topics that the trustee liaisons task them to discuss rather than meeting to discuss their own agendas. Recently, the committees have been taking the lead on projects that are better served by staff. Ms. Wright suggested that the staff lead, Mr. Coffey, should become involved in the interaction and ensure staff is not getting interrupted. Ms. Wright recommended Mr. Coffey meet with the Committee Chair and Trustee Liaison to discuss a more effective interaction between committees, staff and the Board.

Ms. Jeanne Osborne clarified that not all committee members are guilty of overstepping their bounds.

Mr. Bill Sherwood stated that he has requested some direction from the Community manager on topics they may discuss and he did get feedback from Mr. Coffey and the committee liaison.

Ms. Louise Crouse commented on the original intention of the Trustee Liaison was to have one line of communication from residents back to the Board. She stated in her opinion there are too many people involved now which dilutes the original intention of the committees as they were established several years ago.

Manager's Report

The Projector and screen was successfully installed in Building D/E on June 1, 2016. The CCTV Contract was signed and returned to the District Clerks office this week. Installation is scheduled to begin on June 6, 2016. The FY17 Budget mailout is currently at the printer and will be mailed out to all property owners on June 6, 2016. Topics of Interest email communications are underway please sign up at Resident Relations or Building F if you wish to receive District communication via email. At the date of this meeting 96% of the assessment has been received. The 19th Hole maintenance work has been completed a day early and Mr. Coffey has signed an agreement with the mechanical engineers at TLC to give direction regarding the condensation problem at the 19th Hole due to discrepancies between vendors about the nature of the drips. The Lounge will be closed for 2-3days next week in order to replace a water meeting for Building A complex. Residents will be notified about the exact dates of the closure. The Lounge Walk-In cooler floor will also be replaced during the closure. The FY17 Budget will be adopted at the next meeting on June 28th. The assessment rate will not be adopted due to it not being properly advertised and will be adopted in July.

Attorney's Report

General Counsel stated that check from Traveler's Insurance was released today and should be received by the next meeting. He discussed the property on 710 Barefoot Blvd. which has been transferred to another owner. He recommended pursuing recovery of the court fees. The Board discussed not pursuing the case as the individual has shown that he cannot be depended on to pay the fees. Mr. Cavaliere and Mr. Diana were in favor of pursuing collection of the fees as we do not want to send the wrong message to any future potential violators.

Ms. Carole Kennedy asked if the property was liened prior to closing. General Counsel stated that there was no closing as the transfer was a quit claim.

Ms. Anna Reed was concerned about waiving fees as this sends the wrong message to violators of the DOR. She agreed with the attorney that we should pursue the fees in this case.



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Harold Wortman stated that we have all worked together very diligently to get this resolved. A precedent should be set now to discourage any future cases like these from happening again.

County fees have been reduced and maybe waived entirely on 635 Hyacinth in the court date coming up next week. General Counsel responded to the claim regarding Building F and is currently working on the Summary Judgment.

Trustee Liaison Report

Mr. Klosky read the Violations report. The Violations Committee met on May 27, 2016. Twenty-two cases were presented and found to be in violation. Committee met this morning, June 10, 2016. Three cases were presented and found in violation. The next Violation Committee meeting will be on June 24, at 10 AM in D/E. The ARCC Committee met on May 31, 2016. Eighteen permits were submitted, all were approved. The next ARCC committee meeting will be held on June 14, 2016 at 9AM in the Lounge.

Mr. Wright gave the Food and Beverage report. Karaoke has a new time at 6-10PM on Tuesdays in the Lounge. The Father's Day Clam Bake still has tickets available for Sunday June 19th. Tickets are \$12 and available in the Lounge, 19th Hole and Resident Relations. The 19th Hole has a fresh makeover with new ceiling tiles, newly painted walls and a new stove. The Belmont Stakes Party will take place at the 19th Hole from 4-7PM with food and beverages. No tickets are needed.

Mr. Cavaliere is looking forward to meeting with Mr. Coffey and Mr. Bill Sherwood, Finance Committee Chairman, to discuss guidelines for the upcoming Finance committee meetings.

Mr. Diana announced that karaoke will also be on Sundays in the Lounge due to requests from the residents. He thanked the Property Services department for their work on getting the 19th Hole open a day earlier than scheduled. He requested clarification on the term limit for trustees item submitted to General Counsel for presentation to the legislature. He responded that he is aiming for the next legislative agenda after the elections in November. He will discuss further with the Board and local representatives to ensure placement on the agenda in the coming weeks.

Trustee's Incidental Remarks

Ms. Wright thanked the residents Board and staff for coming together to get the new large screen and projector installed and in use for the meeting today. This was all due to a resident stating that they did not know what the trustees were talking about as they have no access to the documents they were looking at. Today the audience has access to the same information the trustees do thanks to everyone working together. She thanked Joe Ziegler, Brian Belanger, Rob Shepard and Mr. Cavaliere for their efforts with the youth of Barefoot Bay as they are meeting twice a week to teach softball to kids ages 7-17. Mr. Brian Belanger encouraged the residents to come out on Tuesdays and Thursdays. He has a great time so far working with them. Mr. Cavaliere also encouraged the kids and residents to come out and participate with the softball.

Audience Participation

Ms. Loretta Dorn commented on the Food and Beverage Principles of Operation document provided to her to answer her questions. She stated that the document did not have recent information and did not



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provide any answers. Mr. Coffey stated that she is welcome to come to his office to discuss her questions however she has not taken this opportunity. A workshop will be held next month regarding making updates to the Food and Beverage, Principles of Operations.

Ms. Jeanne Osborne commented on the Proposed Barefoot Bay Flag. She stated that she is working on this and will have something to present to the Board soon. She also informed the Board that there was once a slogan in Barefoot Bay, "I Live In Beautiful Barefoot Bay".

Ms. Louise Crouse announced the summer youth camp now going on at Indian River Fitness Center. She discussed her long time support of the Aqua Zumba class.

Ms. Carol Pasquarosa commented on the decision to allow Aqua Zumba to continue practicing three days a week.

Ms. Mary Baker discussed past discrepancies at Pool 2 with the Aqua Zumba class. Ms. Wright invited the Zumba instructor to come to the Recreation Committee to discuss this issue further.

Ms. Dawn Forsman clarified why she requested three days during the week at Pool 3. She stated the conflict that is presented is due to a clerical error and she is very distressed about it. Aqua Zumba supporters requested clarification regarding the outcome of this agenda item. Mr. Coffey stated that there is no change from the decision made at the last meeting.

The next meeting will be on June 28, 2016 at 7PM in Building D/E.

Mr. Cavaliere made a motion to adjourn. Second by Ms. Wright.

Meeting adjourned at 3:20PM.

Steve Diana, Secretary

Dawn Myers, District Clerk