



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

Tuesday, June 28, 2016

7 PM –Building D&E

The Barefoot Bay Recreation District held a Regular Meeting on June 28, 2016 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 7:00 PM.

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: John W. Coffey, Community Manager, General Counsel Cliff Repperger and Dawn Myers, District Clerk

Minutes June 10, 2016

Mr. Cavaliere made a motion to approve the minutes with one correction. Second by Mr. Diana. Motion carried unanimously.

Treasurer's Report

Mr. Cavaliere presented the Treasurer's Report for June 28, 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

Award of Contract: Restoration of Bunkers, Phase 1

Staff presented an update on the previously awarded contract for bunker replacement, phase 1 to Double Eagle Golf Works for \$24,336.16. The vendor has since declined to execute a contract with BBRD citing an over-commitment of work for the summer. Golf manager, Ernie Cruz has solicited additional quotes. Revised quotes are as follows:

ABM - \$24,916.80

Iron/Horse Equipment, Inc - \$30,625.00

Staff recommends the Board rescind award of contract to Double Eagle Golf Works for \$24,336.16 and award to ABM.



BAREFOOT BAY RECREATION DISTRICT

Mr. Lavier made a motion to rescind award to Iron Horse Equipment for \$24,336.16 and accept the quote from ABM for \$24,916.80. Second by Mr. Diana. Motion passed unanimously.

New Business

Adoption of FY17 Budget

The Proposed FY17 General Fund Budget is \$6,169,454.00, containing \$299,658 in non-capital decision points, \$612,500 in R&M/Capital projects and funding for 67.96 full-time equivalent positions (33 full-time and 34.96 part-time). Staff recommended the Board approve the resolution to adopt FY 2016-17 Proposed Budget. General Counsel Repperger read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT ESTABLISHING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Mr. Diana made a motion to accept the FY17 Budget as presented. Second by Ms. Wright. Motion carried unanimously.

Adoption of Minimum General Fund Balance Policy

The Government Finance Officers Association recommends, "at a minimum, that general-purpose governments, regardless of size, maintain unrestricted budgetary fund balance in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures." Staff recommended the Board establish a minimum Unassigned Fund Balance in General Fund equivalent to 20% of the subsequent fiscal year's budgeted expenditures less R&M/Capital Projects and transfers out and approve the Resolution. General Counsel Repperger read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; APPROVING AND ESTABLISHING THE DISTRICT MINIMUM UNASSIGNED FUND BALANCE POLICY IN GENERAL FUND PURSUANT TO GOVERNMENTAL ACCOUNTING STANDARDS BOARD IN FISCAL YEAR 2015-2016; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Mr. Diana made a motion to establish a minimum unassigned Fund Balance in General Fund. Second by Mr. Lavier. Motion carried unanimously.

Rescind Committed Fund Balance Designation of Reserve Account in the General Fund

The Board adopted the Resolution to establish Minimum Fund Balance policy to serve the same purpose of designating the Reserve Account as Committed Fund Balance, which is to cover unexpected expenditure and revenue shortfalls, protect against unforeseen emergencies and serve cash flow needs. Staff recommended the Board approve the Resolution to rescind Committed Fund Balance designation.

General Counsel Repperger read the resolution:

RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT; RESCINDING THE DESIGNATION OF THE RESERVE ACCOUNT WITHIN THE GENERAL FUND AS COMMITTED FUND BALANCE; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Mr. Cavaliere made a motion to rescind the committed Fund balance designation of the Reserve account in the General Fund. Second by Mr. Diana. Motion carried unanimously.



BAREFOOT BAY RECREATION DISTRICT

Contract to Power Wash Homes

Barefoot Bay Recreation District contract with Advanced Exterior Cleaning expired on April 29, 2016. We have reached out to Advanced and GP Pressure Cleaning to obtain quotes. GP Pressure Cleaning has submitted a price of \$80 per home, compared to \$125 per home from Advanced. This will result in an anticipated reduction in the cost to power wash homes in violation of \$45 per home.

Staff recommended the Board award a two-year contract to GP Pressure Cleaning for pressure washing homes found in Violation of Article III, Section 2 Condition of Property (Power wash).

Mr. Lavier made a motion to award the contract to GP Pressure Cleaning. Second by Ms. Wright. Motion carried unanimously.

Recreation Committee Recommendation: Youth Swim Times

Mr. Cavaliere stated that he is not in favor of holding the event at Pool 1 due to the close proximity of the Lounge and the fact that a majority of the residents use Pool 1. Ms. Wright stated that kids can be found at pool 1 all the time and the Lounge is not typically an issue. She encouraged the Board to keep the event at Pool 1 as it is a nicer venue for the families to enjoy and perhaps may encourage those without a social membership to purchase one. Ms. Ann Manzo spoke on behalf of this event. She encouraged the Board to approve this event for the youth of Barefoot Bay as a means for our families to meet and enjoy their summer. She was also in favor of keeping it at pool 1. She reminded the Board that all pool rules will still be applicable.

Ms. Fran Solecki voiced opposition to having the event at Pool 1 and offering entrance to anyone without a social membership as this could have serious repercussions.

Mr. Jim Barry was against having the event at Pool 1 and voiced a concern about opening the amenities to non-property owners.

Mr. Rich Schwatlow commented on the opportunity for the residents to use pool 1 as a way to get residents aware of the amenities and encourage social membership.

Ms. Loretta Dorn was opposed to Pool 1 for this event. She voiced a concern about allowing residents that do not pay their fees to use the amenities.

Ms. Louise Crouse reiterated that the standard pool rules will apply as usual. She encouraged the Board to consider this event at Pool 1 to offer awareness of the amenities and in particular there is shelter at Pool 1 in the event of a sudden downpour.

Nancy Eisele discussed the swim events the Bay has offered in the past and asked about approval to supervise the kids.

Mr. Joe Martin discussed the grants and requested clarification on whether accepting grants opens Barefoot Bay for non-residents. Mr. Coffey stated that there is a \$15 charge for non-residents to use the amenities.

Mr. Cavaliere was in favor of waiving the membership for the kids but recommended charging a fee for the families.

Mr. Diana made a motion to have the youth swim time at Pool 2 or 3 for the month of July. Second by Mr. Cavaliere. Mr. Diana rescinded his motion.

Mr. Cavaliere made a motion to allow an exclusive youth swim at Pool 3 with their families and charge a \$5 fee for those families that do not have a social membership. Second by Mr. Diana. Ms. Wright opposed. Motion carried 4-1.



BAREFOOT BAY RECREATION DISTRICT

Lawnmower Replacement

The FY16 Capital Department Budget contains \$30,000 for the replacement of a commercial lawnmower. Property Services Acting Manager Matt Goetz proposed replacing the 2010 X-mark lawnmower. A Florida State Contract price of \$18,021.42 was found for a Toro GM7200 mower with a 72 inch side discharge. Staff recommended the Board authorize procurement of the Toro GM7200 mower with a 72 inch side discharge for \$18,021.42 from state contracting in addition to authorizing the use of exception to Competition #8.

Mr. Diana made a motion to procure the Toro GM7200 mower with a 72 inch side discharge for \$18,021.42 from state contracting in addition to authorizing the use of exception to Competition #8.

Second by Mr. Cavaliere. Motion carried unanimously.

Beach Site Plan

Mr. Coffey explained that earlier this year BBRD was awarded a \$200,000 (50% match) Florida Recreation Development Assistance Program grant for the beach project. Additionally, BBRD has been notified of a pending \$60,000 (50% match) Coastal Partnership Initiative Grant. Both grants require a 50% plus \$1.00 expenditures for active recreation elements to receive full reimbursement. TLC Engineering submitted a proposal to provide planning and preliminary design services for the project. This proposal would accomplish these two tasks plus research regulatory requirements related to exotic removal, parking, septic tank and drain field location, etc. Approval of the proposal will result in staff scheduling a town hall style meeting in August. Staff recommended the Board accept the TLC proposal of \$8,300 for conceptual site plan.

Mr. Cavaliere made a motion to approve accept the TLC proposal of \$8,300 for conceptual site plan development of the beach. Second by Mr. Lavier. Motion carried unanimously.

Position on Abolishment of Barefoot Bay

Mr. Cavaliere made a motion to request a voice vote from the Trustees stating they are against abolishment of the Barefoot Bay Recreation District. Second by Mr. Diana. Motion carried unanimously.

Mr. Cavaliere made a motion to authorize General Counsel to send a certified letter to the HOA Directors and Officers asking their position on the abolishment of the District. Second by Mr. Diana. Ms. Wright opposed. Motion carried 4-1.

Mr. Cavaliere made a motion to ensure the approved certified letter states that each recipient of the inquiry has thirty days to respond and failure to respond is an admission that they are in support of abolishment. Second by Mr. Diana. Ms. Wright opposed. Motion carried 4-1.

Harold Wortman stated that this is an unfounded attack on the HOA, he asked Mr. Cavaliere to please refrain from slandering the members of the HOA by inferring they are against maintaining the District.

Mr. Cavaliere stated that he simply wants the HOA to publically offer their opinion once and for all. Attorney bills regarding this topic are adding up and he wants to put an end to the queries. Mr. Lavier was in agreement with Mr. Cavaliere as he frequently hears questions regarding this topic and would like to come to a final resolution. Ms. Wright asked General Counsel if Mr. Cavaliere's request to send the letter requiring an answer was legal. General Counsel stated that rather than a question of legality the question should be what the effectiveness is of sending this letter. Mr. Cavaliere can request a response but a non-response can be interpreted several ways and are any of them truly an effective statement on



BAREFOOT BAY RECREATION DISTRICT

the letter? Mr. Klosky stated that he will support the letter because he is confident the HOA will show they have nothing to hide.

Manager's Report

Mr. Coffey reported ATP Security has completed some CCTV work will be complete the rest of the installation once the fiber optic lines are installed. The audit selection committee, which is composed of the Board of Trustees will meet tomorrow to select from the top three responses to the Audit Request For Proposals. Proposed updates to the Policy Manual and Employee Manual will be reviewed in a Trustee workshop on July 28th at 10 AM. Staff is currently working on these updates. Review of updates to the Food and Beverage Principles of Operations is scheduled to occur on August 4th at 10 AM. The District has received 99.46% of the FY16 assessment. The stormwater equipment and project topic will be placed on the Board of Trustees agenda for review on July 8th.

Attorney's Report

General Counsel Repperger discussed the case for unpaid assessment at 904 Oriole Circle. The owner has agreed to settlement agreement pursuant to a payment schedule for the balance of all unpaid fees and court fees. If the owner defaults the court has deemed the property can be put up of sale immediately.

Mr. Cavaliere made a motion to approve the settlement agreement for the case on 904 Oriole Circle. Second by Mr. Lavier. Motion carried unanimously.

General Counsel stated that the case from 635 Hyacinth appeared before the magistrate and reduced the enforcement costs but did not reduce the county fines. Commission will hear the case on July 26, 2016.

Mr. Cavaliere made a motion to bring the case to completion and approve General Counsel Repperger to represent Barefoot Bay at the hearing. Second by Mr. Lavier. Motion carried unanimously.

Guinther vs. Barefoot Bay was not approved by the insurance company and as a result General Counsel Repperger will represent Barefoot Bay. He is currently working on the Summary Judgment.

Mr. Diana requested an update on the replacement wall reimbursement. General Counsel stated that the Travelers Insurance agent admitted that the check was lost. He is in communication with him and will keep the Board updated on the progress.

Trustee Liaison Report

Mr. Klosky read the Violations report. The Violation Committee met on June 24, at 10 PM in D/E. Thirty-two cases were placed on the agenda and sixteen cases came into compliance prior to the meeting, sixteen cases were presented and found to be in Violation. The next Violation Committee will meet on July 8, at 10 PM in D/E. The ARCC Committee met on June 14, 2016. Sixteen permits were submitted, all were approved. The ARCC Committee met this morning, June 28, 2016. Ten permits were submitted and nine were approved. One permit was tabled for additional information. The Committee approved changes to the ARCC guidelines regarding privacy landscape material and skirting on modular homes. These changes will be brought forward to the Board of Trustees at their next meeting. The next ARCC committee meeting is July 12 at 9 AM in the Lounge.

Mr. Cavaliere reiterated communication from Louise Crouse regarding the long standing committees in the Bay. Committees and past committee members have been a great resource to the District and are not



BAREFOOT BAY RECREATION DISTRICT

a new occurrence in the Bay. The main difference is the Trustees are no longer Chairmen of these advisory committees. He suggested that the Trustees provide guidance for the committees according to what topics require discussion so they may prepare their agenda accordingly.

Ms. Wright reported on behalf of the Food and Beverage Department. We are scheduled to celebrate the July 4th with music and dancing at Pool 1 Vince love will perform. A Hawaiian style Luau is schedule for July 23rd with buffet. Tickets are available for \$11 before July 18th and \$14 after the 18th. Please purchase tickets early as this helps Kathy Mendes, Food and Beverage Manager, estimate how much food will be needed for each event. Ms. Wright discussed a topic from the Recreation Committee regarding a joint committee meeting to include interested residents that would discuss proposed ideas to improve amenities or anything else the residents may want to discuss that may improve our community. Recreation committee also discussed a possible swim program next year for kids similar to the successful programs we have had here in the past. They are asking for feedback from the parents regarding their interest in starting up a program like this again.

Mr. Lavier gave the Property Services report. A main water valve and meter was replaced in Building A recently. During the 3-day closure of the Lounge due to the water meter replacement, Property Services staff replaced the floor in the walk in cooler at the Lounge. Staff has also repainted the curbing at the shopping center and added another panel to the Veteran's Wall Memorial in Building A. Mr. Lavier reported on the reconfiguration of the tee box at #12, the tee box is growing in nicely. The first session of Jr. Golf Camp is ending Thursday and the second session is due to begin on July 8th. Bunker replacement is scheduled to begin in August and a tournament is scheduled for the end of July with more details to follow. Proceeds will go to help the Jr. Golf program.

Mr. Diana reported that Facilities Planning is currently discussing conceptual ideas for expanding the kitchen in Building A. The Facilities Planning Committee is also reviewing projects slated to impact the Bay in FY18.

Trustee's Incidental Remarks

Mr. Cavaliere announced that according to the Sheriff Department residents 14 and under driving golf cart is against the law and the deputies will be pursuing violators of this law in Barefoot Bay. He added on a personal note, to be cautious if approached by AT&T sales reps offering a proposal without membership. He stated that he entertained the prospect until he learned that it indeed does ultimately involve a 2-year agreement. Mr. Cavaliere discussed the rumor mill in Barefoot Bay spurred by social media. He asked that resident think about what they hear before repeating it as this sometimes cause more confusion and false information for our residents. He commented on being admonished for citing scripture at the previus meeting by statting that we acknowledge God at the start of every meeting with the Pledge of Allegiance and each time we conduct business as it states In God We Trust on every dollar bill. He stated he is not apologetic for believing in God and will continue to do the best job for the residents of Barefoot Bay with a positive attitude.

Mr. Diana discussed the youth in Barefoot Bay and the potential cost of installing a soccer field in Barefoot Bay. He asked if staff could investigate the potential for alerting the residents when the county taxes have been paid so residents may update their badges immediately.

Mr. Klosky discussed liaison responsibility for the advisory committees and maintaining the appropriate boundaries between staff and trustee.



BAREFOOT BAY RECREATION DISTRICT

Audience Participation

Mr. Roger Compton discussed the recent updates to the Policy Manual. He approved a majority of the changes, however he voiced a concern about the new rental fee for exclusive use of the three pools. Mr. Klosky encouraged him to come to the Policy Workshop scheduled on July 28, 2016.

Mr. Ernest Loening suggested the Board authorize a contest for the youth of Barefoot Bay in regards to a slogan for Barefoot Bay.

Mr. E.J. Wright discussed his role in the CCTV project as discussed in the previous meeting. He wanted to clarify that he inquired about additional cameras last year before the new committees were formed in February. He stated that the committees now have members with backgrounds pertaining to each committee topic for the most part which is a great improvement from the way the committees were before. He clarified that he did not intend to imply that past committees were not useful in a previous discussion, only that the appointment of experienced committee members tend to make the meetings more productive.

Mr. Harold Wortman commented on the topic of abolishment of the District. He asked that Mr. Cavaliere, when asked about this topic in the future, communicate the fact to the residents that the HOA is against the dissolution of the District and further, they have no power to do so. He also invited Mr. Cavaliere to request a voice vote at the next HOA meeting to confirm this statement. Mr. Wortman also requested that Mr. Cavaliere advise General Counsel against sending the proposed letter discussed earlier in the meeting as it is a waste of District funds and General Counsel's time. Mr. Cavaliere clarified that he is not against the HOA rather he would like to see the HOA utilize their function in Barefoot Bay to its full potential. He stated that there is an opportunity for the HOA to reach the homeowners regarding the future direction for the community in addition to several other issues where the Board does not need to be involved until a final decision is required. Mr. Cavaliere reiterated that he simply wants to put the question on abolishment of the District to rest so the community as a whole can move past the contentious discourse this topic has created.

Mr. Rich Schwatlow commented on the budget. He voiced a concern regarding funding for new expenditures such as the proposed bathrooms though the funding is not there. He would like the Bay to implement a long term revenue plan to raise the fees one dollar a year for the next ten years.

Ms. Nancy Eisele stated that the bond should be allocated in the proper way after it is paid without having to raise assessment fees. She commented on the beach property stating that this was part of the development plan when the District was purchased years ago.

Mr. Ken Reed commented on the golf cart regulations as they are applied in the Bay. He requested clarification between the Sheriff Department regulations for golf carts compared to the District regulations and suggested we apply the correct ones. He also requested clarification on whether the ARCC committee is considered a Board advisory committees. He noted that the committee Chair is also the liaison to the Board yet earlier he understood that the Trustee liaisons are no longer eligible to be Chairman in the newly formed committees. Mr. Coffey explained that the ARCC appointments are determined by the DOR and that would take a ballot majority vote to change. Mr. Cavaliere clarified that the golf cart regulations in the Bay are the same as the County regulations. They have been printed in the *Peek at the Week* newsletter in the past or in the *Tattler* newspaper as a reminder to the residents.



BAREFOOT BAY RECREATION DISTRICT

Mr. Cavaliere commented on the assumption that paying off the bond will create a windfall for the District in FY18. He explained that the money from paying off the bond is already tied up in the FY16 and FY17 Budgets. As a community, we need to discuss what we want for the future in order to appropriate the money responsibly moving forward.

Mr. Klosky suggested the HOA and the Board get together when they reconvene in the Fall in an effort to stay on the same page.

Adjourn

The next meeting will be on July 8, 2016 at 7PM in Building D/E.

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

Meeting adjourned at 9:20PM.

Steve Diana, Secretary

Dawn Myers, District Clerk