



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

March 27, 2018

7 P.M. –Building D&E

Meeting Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on March 27, 2018 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Lavier called the meeting to order at 7:00 P.M.

Thought for the Day

Mr. Lavier 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 both past and present.

Pledge of Allegiance to the Flag

Led by Mr. Diana.

Roll Call

Present: Mr. Lavier, Mr. Diana, Mr. Wheaton and Mr. Klosky. Mr. Cavaliere was excused. Also present: John W. Coffey, Community Manager, Cliff Repperger, General Counsel, and Dawn Myers, District Clerk.

Minutes

Mr. Diana made a motion to approve the minutes from February 27, 2018. Second by Mr. Wheaton. Motion carried unanimously.

Mr. Klosky made a motion to approve the minutes from March 9, 2018. Second by Mr. Diana. Motion carried unanimously.

Treasurer's Report

Mr. Cavaliere read the Treasurer's Report for March 9, 2018.

Mr. Diana made a motion to approve the Treasurer's Report as written. Second by Mr. Wheaton. Motion carried unanimously.

Audience comment On Agenda Items

Ms. Carol Joseph commented on the wonderful community atmosphere that is always present in Barefoot Bay but which has been very pleasantly apparent just recently due to the temporary inconvenience with the pool heaters. She thanked the residents for their positive attitude about sharing time in the other pools. While Pool 1 heater was down, some aquatic classes had to be temporarily shifted to Pool 2 or 3 in the interim and she wanted to state her gratitude for the welcoming reception from the residents that frequent those pools.

Ms. Kim Kopet requested a waiver of the \$3 non-resident fee to attend the Multiple Sclerosis Club meetings in Barefoot Bay. Mr. Coffey asked Ms. Kopett to please email him a formal statement and he will place her request on the next agenda for approval by the Board. Ms. Kopet also asked for additional



BAREFOOT BAY RECREATION DISTRICT

lounge chairs to be placed in the budget for next year. She requested placement of the chairs on the upper deck by the lake as the area can become crowded during season.

Unfinished Business

None brought forward

New Business

FY 2018 – 2002 Diner Lease Assignment

The Board heard Ms. Ninette Ierome request to transfer the 5-year lease between Mr. Ray Macht of 2002 Restaurant Sebastian, Inc. and BBRD, ending on December 31, 2019, to her as Ms. Ierome has entered into a contract to purchase all business assets from Mr. Macht. Ms. Ierome discussed her plans for improvement to the restaurant and the services she plans to offer to the residents of the Bay. She requested a 50% reduction in rent for the first 3 months so she can address the essential upgrades needed to bring the restaurant up to par.

Mr. Klosky made a motion to approve assignment of the lease from 2002 Sebastian, Inc. and Raymond Macht to Ninette M. Ierome after staff receives a copy of the executed purchase/sale agreement between Raymond Macht and Ninette M. Ierome. Second by Mr. Diana. Motion carried unanimously.

Mr. Klosky made a motion to authorize modification of the lease to reflect a reduction of rent for the first 3 months of occupancy to Ms. Ninette Ierome beginning in May 2018. Second by Mr. Wheaton. Motion carried unanimously.

Donation Request

Mr. Roger Compton, President of HOA, presented a request from the HOA to donate a bulletin board in front of the 19th Hole for event and other notifications to replace and waive normal donation process so the HOA may purchase and install the item themselves. He stated that the suggestion was also approved by the HOA Board prior to presentation today. On behalf of HOA, Mr. Compton offered to donate a bulletin board to be erected in front of the 19th Hole to display events and other notifications

Mr. Klosky made a motion to accept the donation of a bulletin board by HOA to be purchased and erected by Property Services in front of the 19th Hole. Second by Mr. Diana. Motion carried unanimously.

Mr. Diana asked Mr. Compton about a commitment for financial support from the HOA with an expansion of the Lounge that he plans to propose. Mr. Compton stated that he would have to discuss the proposal with the HOA Board, however he is confident the HOA will assist in any way they can.

Confirmation of Pool#1 Heater Replacement

Mr. Tom Roughton discussed ideas to save the heaters on the pools. He requested that the Board change the setting on the pool heaters to 80 degrees to prevent heaters burning out. He also requested that the Board purchase pool covers for the pools.

Ms. Nancy Eisele commented about setting only one pool at 85 while leaving the other two at a lower temperature so at least one pool is heated to the traditional temperature. She also commented on her ongoing recommendation for an indoor pool.



BAREFOOT BAY RECREATION DISTRICT

Mr. Rich Schwatlow commented on previous discussions regarding the liability of having pool covers due to the potential for causing injury.

Due to the pool heaters being overworked by trying to maintain the traditional water temperature of 85 degrees, the heater at Pool 1 recently became inoperable. In an effort to expedite procurement of a replacement heater, Mr. Coffey approved the purchase of the recommended larger heater of 1,000,000 BTU for \$11,971.00. As the Community Manager's threshold for procurement is \$7500, Mr. Coffey requested confirmation from the Board for the procurement of the replacement heater for Pool 1.

Mr. Diana made a motion to confirm the Community Manager's award of contract to The Gas Man in the amount of \$11,971.00 for a Pool#1 replacement heater while waiving the second quote requirement. Second by Mr. Wheaton. Motion carried unanimously.

Mr. Diana suggested adding an additional pool heater as a spare to the budget in the event of a failure we would not be waiting on a replacement.

Confirmation of Pool#1 Walkway Roof Replacement Change Order #1

Mr. Coffey presented Change Order #1 from Leeward Roofing in the amount of \$8,700.00 due to extensive damage discovered after the existing roof was removed. The damage to the roof also included a poor structure consisting of drywall sheets used as subsurface material in the original construction. In an effort to keep the project moving, Mr. Coffey authorized the change order. He requested confirmation of the award for \$8700.00 to Leeward Roofing.

Mr. Diana made a motion to confirm the approval of Change Order #1 for \$8,700.00 for the Pool #1 Walkway Re-roofing project. Second by Mr. Wheaton. Motion carried unanimously.

Award of Contract of Bocce Ball and Shuffle Board Benches

Mr. Coffey presented the award of contract request for the Bocce Ball and Shuffleboard benches as approved in the \$50,000 no match grant for the Community Center. An available budget of \$20,500.00 is available for procurement which would leave a remainder of \$9,589.17 for Bocce ball and Shuffleboard bench covers. Interestingly, the two quotes received, \$10,910.83 from Kirby Built and \$10,910.83 from Barco Products, were for the same amount but are different vendors operating out of the same building. Staff will continue to seek alternate quotes in an attempt to procure quality long lasting benches.

Mr. Klosky made a motion to award contract for the purchase of (34) benches to Kirby Built for \$10,910.83. Second by Mr. Diana. Motion carried unanimously.

Award of Contract of Bocce Ball and Shuffle Board Bench Covers

Mr. Coffey presented the award of contract request for the Bocce Ball and Shuffleboard bench covers as approved in the \$50,000 no match grant for the Community Center. The remainder of the budget after procurement of the benches leaves \$9,589.17 to allow for 10 units with the remaining 24 units presented at a future meeting for a budget amendment approval. Staff received two quotes; Benson Outdoors \$9,399.74 for 10 units and Barco Products \$18,524.71 for 10 units.

Mr. Diana made a motion to award contract for the purchase of 10 bench covers to Benson Outdoors for \$9,399.74. Second by Mr. Klosky. Motion carried unanimously.



BAREFOOT BAY RECREATION DISTRICT

ARCC Permitting Process Discussion

Mr. Wheaton asked for this topic to be placed on the agenda for discussion and possible resolution. He suggested that moving forward, projects requiring in kind repairs should get reported straight to the DOR officers for approval rather than being put on the long waiting list for an approved permit through the ARC Committee. He commented on at least two instances where residents are receiving violations notices from ARCC, though they have contracts and are just waiting on the contractor to resolve the problem.

Mr. Tom Nelson member of the ARCC, stated he wanted to comment as a resident rather than a committee member on the topic. He maintained that he does not wish to see anything change, as from his perspective he does not see anyone waiting for permitting. ARCC reviews and approves permit applications weekly. He advised that residents should bring any acquired contracts to the ARCC committee so they are at least aware of the status.

Mr. Rich Armington, BBRD DOR Officer and soon-to-be Resident Relations Manager/HR Coordinator, stated that residents receive four months grace period before a warning letter is sent stating that they have ten days to respond regarding the status of their repairs. He was weary of "replacement in kind repairs" as most often repairs are not an exact change. He stated that ARCC is simply trying to maintain the integrity of Barefoot Bay not trying to make things harder for homeowners, they are trying to work with them. He recommends the residents communicate with the DOR via the Resident Relations office this way they can help direct them to get the help they need.

2019 Barefoot by the Lake Festival

Mr. Coffey explained that the Barefoot by the Lake Festival Committee is discussing expanding the festival planned for next year to a Friday evening and all day Saturday event and also advertise on US-1. He recommended placement of this topic on the agenda for input and approval by the Board.

Mr. Roger Compton commented on generating more revenue by expanding the advertising outside of the Bay. He also proposed that the shuffle board vicinity slated for a future mini golf course be removed and made into a green area in an effort to provide additional grounds for events. He suggested the area behind the current HOA office as a replacement area for the proposed mini golf field.

Board discussed the costs and coordination of a 2-day festival. Mr. Klosky requested the HOA share the expenses if extending the event. Mr. Wheaton was concerned of the extra work for staff and parking required to maintain a 2-day event. Mr. Diana was in agreement that a 2-day event could be successful with more advertising.

Ms. Kathy Mendes agreed that the expenses will stay the same for the most part as all the extras will already be there and is procured at one flat rate.

Mr. Diana made a motion to authorize the committee to start planning for a 2-day event next year. Second by Mr. Wheaton. Motion carried unanimously.

Neighborhood Revitalization Program (BOT Sub-Committee) Appointment

As part of the Neighborhood Revitalization Program Committee rules, the committee must reorganize itself when the Board reorganizes its members. Though this item was not added to the agenda at the time, staff would like the Board to approve the replacement of former Trustee Geier's seat on the committee today.

Mr. Klosky made a motion to maintain his and Mr. Cavaliere's seat on the NRP Committee and approve Mr. Wheaton to replace former Trustee Geier's seat. Second by Mr. Diana. Motion carried unanimously.



BAREFOOT BAY RECREATION DISTRICT

2019 Kids Swim Proposal

Mr. Rich Moran presented a proposal for a 3rd year kid's end of school pool party on May 30th at 1-4pm and an end of summer pool party on August 8th 1-4pm at Pool 1. He also asked for the dates of June 6th-August 1st at Pool 2 from 5:30-7:30pm to hold a summer splash party. He informed the Board that they will have chaperones and activities for the children. Mr. Moran asked that the Board waive the requirement for the kids to show badges at the events.

Mr. Klosky made a motion to approve Mr. Moran's proposal to hold a Kid's Summer Splash Party at Pool 2 and two pool parties at Pool 1 as well as waive the requirement to show membership badges. Second by Mr. Diana. Motion carried unanimously

Fireworks over the Bay Discussion

Mr. Lavier presented a proposal to have the Food & Beverage Manager and the Property Services Manager explore the concept to provide fireworks for the residents of Barefoot Bay as part of the Sunday Street Party on July 1, 2018. Mr. Diana made a motion to proceed with exploration of this topic. Motion died for lack of second. Mr. Diana also proposed his idea to go along with the fireworks, for a golf cart parade to patriotic music on the radio. He went on to explain that an hour or hour and a half of radio time purchased by one advertiser of strictly patriotic music would not cost BBRD anything with exception of exploration of the fireworks. He explained he was once part of a community that participated in a similar activity and it was very enjoyable. Mr. Lavier asked to table this topic until the next meeting to get feedback from the absent Mr. Cavaliere who is excused from tonight's meeting.

Mr. Rich Schwatlow was in favor of the idea but suggested that the fees necessary to hold the fireworks show should be donated as the Bay has too many financial responsibilities already.

Manager's Report

Resident Relations

ARCC Updates

- The ARCC met on March 6 at 9am in the HOA office. There were 48 permits on the agenda. All permits were approved.
- The ARCC met March 13 at 8am in the HOA office to continue the review of the ARCC guidelines. The next meeting to review the Guidelines is March 27 at 8am in the HOA office.
- The ARCC met on March 20 at 9am in the HOA office. There were 39 permits on the agenda. 37 permits were approved. Two were denied.

Violations Committee Updates

- The Violations Committee met on March 9 at 10am. There were 19 cases on the agenda for that meeting. 6 cases came into compliance prior to the meeting. 13 cases were found in violation.
- The Violations Committee will meet on March 23 at 10am. There are 14 cases on the agenda, 5 came into compliance prior to the meeting, 8 were found in violation and one was tabled.

Badge Renewal Information – Staff began renewing badges with the new 04/2019 stickers on Monday 05Mar18, for residents who have paid their 2017 Brevard County taxes in full. The homeowners need to bring in the "Resident Badges" and "Dependent Badges" for additional residents living in their home, if you choose to have them updated. Homeowner approval is required for all updates.

The Resident Relations Office is open from 8:30am - 4:30pm Monday - Friday. To assist residents who are unable to come to the office during the week, the office will be open Saturday 07Apr18 from 9am – Noon. (3rd of 3 Saturdays).



BAREFOOT BAY RECREATION DISTRICT

Food & Beverage

- There will be an Easter brunch buffet at the 19th Hole from 8am- Noon on April 1. Tickets are not required.
- This Easter Sunday adult “Eggs-ploers” who make a purchase at the Lounge or the 19th Hole can try to find an egg and win a prize.
- In April, Street Dances return to 2 times a month typically the first and third Sundays, however, due to Easter Sunday falling on the 1st, we will hold Street Dances on the second and fourth Sundays.
- Tickets for our annual Mother’s Day brunch will go on sale at the Lounge, the 19th Hole and Resident Relations on Monday, April 16.

Golf-Pro Shop

- Tournaments: Sign up at Pro Shop or call 664-3174 for details
 - Martini League End of Season Tournament, 31Mar18, 8:30 shotgun start
 - Ace Wright Ryder Cup, 13&14Apr18
- 31Mar18 Pro Shop will close at 3:00 pm for inventory
- 01Apr18 Easter Sunday Pro Shop closes at 2:00 p.m. Last cart out at 10am.
- The replacement VFD (gizmo that allows irrigation to run on a timer without damaging the pumps) installed March 19th.
- Course Aerification
 - Mon., 30Apr18 Back Nine and Putting Green Closed
 - Tues., 01May18 Front Nine and Driving Range Closed

Property Services

- Finished clay installation and paint on 2 of the 4 bocce ball courts. Work on the remaining 2 is in progress.
- Repaired broken spindles and broken light switch (Vandalism) on the pier
- Repaired broken hydraulic hoses and cylinder on the backhoe. This project took us 8 hours and 4 people to attack but, had we gone through a mobile repair company it would have cost us somewhere around \$2,000 or the other option being hiring a tractor trailer to haul it somewhere for repair upwards of an additional \$1,000. Just some of the projects some folks don’t see (Picture insert)
- Received the new truck for Custodial/ Admin. sprayed in bed liner and put on BBRD stickers
- Received new sickle bar attachment for the stormwater boom mower (will allow staff to mow further down canal banks
- Changed Resident Relations Office light to energy saving LED lights.
- Installed new connector on TuTu trail that will be used as detour during construction of the New Administration Building.

General Information

- Financing of projects:
BBRD’s Financial Advisor, Mr. Clark Bennett will be here next month (13Apr18) regarding two agenda items.

1. A final decision on the projects to be financed (which specific projects and a total cost)
2. Discussion on how to proceed (15 year bank loan or 30 year bond).



BAREFOOT BAY RECREATION DISTRICT

- Weir – According to our civil engineer it appears that the County owns the culverts and the District owns the structures. Observation notes taken during the dive and the diver's log show that the culverts and the connection to the structures are the probable cause. One connection was completely failed, the other was well on the way; and both culverts had rusted through. The rusted culverts caused or greatly contributed to the enlarging sink hole at the back of the weirs. Staff is currently seeking a meeting with the County to determine a way forward.
- Susan Cuddie's Farewell Gathering – Residents are invited to join staff and Trustees on Fri., 13Apr18 in Bldg. D/E from 11:30am – 12:30pm to say good-bye to Ms. Cuddie. Hors d'ourves, soda, tea and coffee (all paid for by donations) will be available buffet style.
- FY19 Working Draft Proposed Budget Update – The document will be delivered to the Trustees on Wednesday 28Mar18.
 - Paper copies of the FY19 WDPB will be available for inspection starting Thurs., 29Mar18 at the Old Administration Building and Resident Relations' Office
 - The "Homeowner's Version" is available free to all residents starting Thurs., 29Mar18 at the Old Administration Building.
 - Electronic versions of each document will be available at www.bbrd.org on Fri., 30Mar18.



Attorney's Report

General Counsel Repperger informed the Board that he has officially moved to his new office and will forward his new address and phone number to the Board.

Incidental Trustee Remarks

Mr. Diana wished everyone a Happy Easter. He thanked Food and Beverage for a successful and enjoyable St. Patrick's Day celebration. Mr. Diana asked to have his final incidental remarks be recorded verbatim:

"Mr. Chairman, fellow Trustees, it has come to my attention that at a recent neighborhood watch meeting a member of the watch group or member of their and the HOA security committee, grossly slandered this Board of Trustees politically accusing this Board of deliberately "ignoring the drug house problem in the Bay". He specifically was quoted as saying the reason we were "ignoring the drug houses in the Bay" is



BAREFOOT BAY RECREATION DISTRICT

because one of us was reported as buying drugs behind the lounge. This person who publicly slandered this elected body of Trustees is none other than James Gallagher, who a couple of years ago, when he was serving on our own Security Committee, added the name of a private citizen to the list of sexual predators when, in fact, this person was not and is not on such a list. This Board should remember that we almost got sued in the Bay as well because of Mr. Gallagher's gross misinformation. Mr. Gallagher what proof do you have that any Trustee was seen buying drugs? What proof do you have that there are even illicit drugs?

It is my personal opinion that this Board should request the HOA and neighborhood watch groups remove Mr. Gallagher from any and all committees. I also ask this Board by consensus, demand a formal public apology from Mr. Gallagher, that Mr. Gallagher gets his facts straight. There are not, I repeat NOT, 31 drug houses in the Bay as being reported by Mr. Gallagher. In fact, the number is significantly less and law enforcement is aware of all of them. Mr. Gallagher despite what you profess, the crime in Barefoot Bay is significantly lower than our surrounding communities. Stop trying to scare us and scare our people with your half-truths, lies and your exaggerations. You almost got us, as a community, sued before because of your reckless actions. Mr. Gallagher, I personally sympathize with you about having a drug house down your street, but this Board of Trustees has done all we can legally do with respect to this house in question. We even did exactly as your committee asked and wrote letters to the state and the county requesting action. They declined to declare this drug house a nuisance, they neglected to take action. The last I knew we had a constitution that gave homeowners certain rights, we cannot violate those rights as elected officials. The sheriff's department routinely makes arrests, but the courts lets those arrested out with a simple slap-on-the-wrist. Mr. Gallagher, it seems to me that you see crime around every corner and due to your recent atrocious slandering of the Board, I'm asking again, this Board, for consensus that we demand a public apology from you. Failure to do so could open you up to legal action from the District."

Mr. Roger Compton stated that the HOA does not have a security committee and has no affiliation with Mr. Gallagher on any of their committees. He did hear the same comments and was appalled. He did want to affirm that Mr. Gallagher and those comments are not associated with the HOA in any way.

Mr. Wheaton stated that he was confused at these comments as, from what he understands, they were a couple years old to the best of his knowledge.

Mr. Wheaton discussed the potential bank loan the recently approved financial advisor will be exploring for the District's proposed projects. He recommended that the Board hold a workshop to discuss the funded projects on April 3, 2018. He maintained that the Board should attempt to reduce the projects down to a workable number to present to the financial advisor. He stated that there is at least a million dollars that can be saved by reducing some of the projects that are not imperative. The Board discussed the fact that several workshops were held to discuss this topic last year. Consensus not reached.

Mr. Klosky reminded residents not to place signs in the county median as they will be removed. He wished everyone a Happy Easter.

On behalf of the Board, Mr. Lavier wished everyone a Happy Easter and safe trip to the travelers going back north.

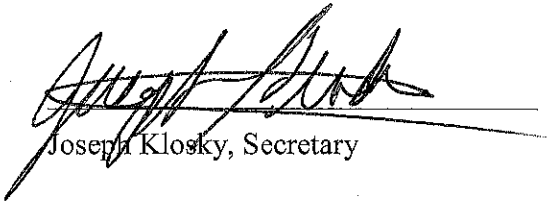


BAREFOOT BAY RECREATION DISTRICT

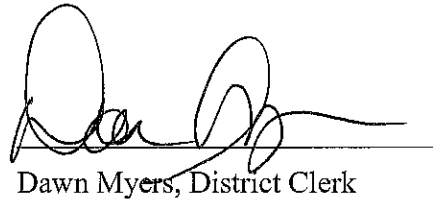
Adjournment

The next meeting will be on Friday, April 13, 2018 at 1PM in Building D/E.

Meeting adjourned at 8:35PM.



Joseph Klosky, Secretary



Dawn Myers, District Clerk