



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

October 25, 2016

7 P.M. –Building D&E

Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on October 25, 2016 in Building D&E, 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 7:00 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 both past and present.

Mr. Cavaliere led the Pledge of Allegiance to the Flag.

Roll Call

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

Minutes

Mr. Cavaliere made a motion to approve the minutes October 14, 2016. Second by Mr. Diana. Motion carried unanimously.

Treasurer's Report

Mr. Cavaliere presented the Treasurer's Report for October 25, 2016.

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

Audience comment on Agenda Items

None brought forward

Unfinished Business

BBRD Census/Survey

At the Trustee Workshop held on September 20, 2016 a general discussion was held about surveys and a possible census of BBRD residents. Ms. Mary Weller explained the census survey project hand out and sample census. She discussed the steps she has taken along with two other concerned residents, Randy Loveland and Roger Compton, to get a census survey plan developed. She stated she hoped to have the completed survey which consists of key demographic information by badge renewal time next year. She requested that the Board allow them to continue working on the survey project. Roger Compton and Randy Loveland agreed that they anticipate what will come out of this project is something the



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homeowners have voiced a desire for in recent years. The information will help the District have a better understanding of who our residents are and address our residents' concerns.

Mr. Cavaliere made a motion that Mary Weller, Randy Loveland and Roger Compton continue their work on the survey project. Second by Mr. Diana. Motion carried unanimously.

Fleet Golf Cart RFP Award of Contract

Currently, BBRD leases thirty-three fleet golf carts from E-Z GO for use by our golf course members and customers. The lease expires on December 31, 2016. Per BBRD Policy Manual requirements, staff issued a Request For Proposals (RFP) for a new lease on September 12, 2016 and received three proposals by the deadline. The RFP evaluation committee opened the three bids and ranked them in the following order:

- Yamaha (275.00)
- E-Z GO (207.00)
- Club Car (185.75)

BBRD requested each proposer submit two leasing options for 3 and 4 years. The top ranked Yamaha proposal contains the following leasing terms:

\$28,116 per year for 3-years

\$24,153 per year for 4-years

Mr. Cavalier made a motion to accept the four year contract with Yamaha for \$24,153 annually. Second by Mr. Diana. Motion carried unanimously.

Mr. Diana stated he has the utmost confidence in staff and hopes we have turned a corner in our assurance of staff judgement. He is very pleased with staff's work and decision making.

FY16 Various Capital Projects Budget Amendment and Resolution

In FY16, the Board approved various projects that require Budget Amendments to the FY16 Adopted Budget. The projects which require funding are: CCTV Replacement and Expansion project, Replacement 19th Hole Oven project, Bldg. D Ceiling Mounted Projector and Screen project and Replacement of the 19th Hole Floor Project. BBRD is permitted under state law (189.016(6) (c) FL. Statutes) to adjust the prior fiscal year's budget up to 60 calendar days after the end of the year. Staff recommended approval of the resolution authorizing the budget amendments/transfers to the FY16 Adopted Budget. General Counsel Repperger read the resolution:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT AMENDING RESOLUTION 2015-12; AMENDING THE BUDGETS; PROVIDING AN EFFECTIVE DATE.

Mr. Diana made a motion to approve the resolution authorizing the FY 16 Budget Amendments. Second by Ms. Wright. Motion carried unanimously.

BOT Rules Revision: Elimination of Trustee Departmental Liaison Function

Ms. Wright reiterated Mr. Cavaliere's recommendation from the September 9th BOT minutes requesting elimination of the Trustee department liaison function. In the minutes, Mr. Cavaliere stated that per the



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Baenziger report, among other recommendations, the Trustees should not be involved in staff's day to day operations. He stated that staff should only have to report to the Community Manager. Mr. Diana voiced his strong support for staff and supports the liaison elimination.

Ms. Wright made a motion to eliminate the Trustee department liaisons. Second by Mr. Cavaliere. Motion and second rescinded.

The following text was recommended for deletion the Board wishes to enact the proposal by Trustee Wright. ARTICLE VI DUTIES AND RESPONSIBILITIES OF OFFICERS AND TRUSTEES
Section 1: "Liaise with assigned BBRD department managers, provide perspective to said department manager and report on departmental activities at Board of Trustees meetings (under no circumstances shall the Trustee liaison provide specific direction to a department manager or individual staff member)."

General Counsel advised that language concerning the liaison under Article VIII will also need to be omitted if the Board would like to proceed with the elimination of the department liaison.

Mr. Diana made a motion to table the resolution and amendments until the November 10, 2016 meeting. Second by Ms. Wright. Motion carried unanimously.

Manager's Report

Staff received notice of Bank of America's decision to close the branch office at 13555 US1 in Roseland effective January 24, 2016. Additionally, we were notified we need to empty the Barefoot Bay safety deposit box in said branch office no later than December 23, 2016. Staff will research options for additional safety deposit spaces prior to the November 10, 2016 meeting.

Staff has requested clarification regarding the badge checking policy at Pool 1 during the Christmas Parade. Board consensus to waive the badge requirement during the parade.

Attorneys Report

Guinther vs. Barefoot Bay has been changed to the courthouse on Neiman Avenue in Melbourne at 9AM on Monday, October 31st presided by Judge Maxwell.

Space Coast Healthcare has been served a 3-day eviction notice. General Counsel Repperger requested direction from the Board concerning proceeding with the eviction or waiting to discuss payment with the lessee. Board consensus was to allow the lessee time to remove the items from the space and revisit at the next Trustee meeting on November 10th. General Counsel is planning to send the response letter out to the owner of 2002 Restaurant this week as previously directed by the Board.

Trustee Liaison Report

Mr. Klosky gave the ARCC and Violations report. ARCC met on October 18, 2016. There were six permits presented and approved. Seventeen new home applications have been submitted in 2016 to date. The Committee will meet again on Tuesday, November 1, 2016 at 9 AM in the Lounge. All permit applications must be received the Tuesday prior to the meeting to be reviewed at an ARCC meeting.



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The Violations Committee did not meet on October 14, 2016. The next meeting is on October 28th at 10 AM in Building D/E. To date, the DOR department has mailed 497 letters informing residents of storm damage caused by Hurricane Matthew. Approximately 125 were roof damages and 70 were carport damage. Mr. Klosky reported on Property Services for the absent Mr. Lavier. Staff has installed a new vehicle lift at the Property Service building, refinished the last two benches in front of building, covered damage to building F and continuing cleanup from Hurricane Matthew. Total number of pool users for the last fiscal year was 130,520 attendees. Mr. Klosky presented the golf report. The course is ready to be over seeded. The engineer provided the initial assessment for the golf course pump house. The Breast Cancer Awareness tournament was a success with over \$1000 raised. The Golf Fore Tots tournament will be held on November 12th and the Sadie Hopkins Tournament on November 19th. Both will be an 8:30 shotgun start. The Pro Shop and Golf Course will be closed on November 24th for Thanksgiving.

Ms. Wright presented the Food and Beverage report. The 19th Hole will be closed to install the new floor from Tuesday, November 4th through Friday, November 5th. Service hours will be provided in D/E and are posted in our facilities. Replacement bar stools have been ordered for the Lounge and the 19th Hole. The Halloween Party in the Lounge is this Friday, October 28th. Prizes for best costume will be given out and a decanter of Skull vodka will be raffled off. Free line dancing classes start up again in the Lounge on Monday, November 7th from 4:30-5:45. The DOR and Charter Review Committee has wrapped up their meetings and have sent their amendments to the Board for review. A Board of Trustee Workshop to review the amendments is scheduled on November 15th at 1PM in Building D/E all homeowners are welcome to attend. She read the narrative submitted by Louise Crouse on behalf of the Recreation Committee in support of the Community Complex bathrooms on the referendum.

Mr. Diana was appreciative of the work from the District Clerk's office. He discussed his absence from the last meeting due to an unforeseen personal illness that landed him in Palm Bay Hospital. He stated his appreciation for the staff at Palm Bay Hospital as they took great care of him. He asked that residents please attend the scheduled Veterans Day events in support of our Veterans.

Mr. Cavaliere reported the Finance Committee will meet with Oculina Bank. Wells Fargo has chosen not to present at the next meeting scheduled on November 3, 2016 at 1:30PM in Building D.

Mr. Cavaliere commented on information that was brought to his attention regarding a Finance Committee member who was openly badgering a staff member about his dissatisfaction with job performance of staff members and managers. Mr. Cavaliere commented that the committee member is creating a hostile environment for staff. He requested the Board suspended Hurrol Brinker from any further duties on all committees he is currently on until the issue is resolved.

The Board discussed how the issue will be resolved. General Counsel recommended either putting on the subsequent Trustee meeting agenda for discussion or choose a delegate to discuss the issue privately with staff. Mr. Coffey agreed that the behavior needs to be addressed as it is not an isolated incident. He stated that though he does not speak about these issues publically, he is well aware that certain managers are overly criticized by committee members. He stated that the Board will have to make the decision that is best for them. However, it has been a long standing frustration knowing that certain managers' job



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performances are under fire simply because they do not fit into a cookie cutter mold of what some committee members think a manager should look like and how they should act.

Mr. Cavaliere made a motion that the Board suspend Hurrol Brinker until the issue is resolved by management. Second by Mr. Diana. Motion carried unanimously.

Mr. Cavaliere made a motion to select Mr. Diana as the Trustee delegate to discuss the incident concerning Hurrol Brinker and staff. Second by Ms. Wright. Mr. Diana abstained. Motion carried 3-1.

Mr. Diana commented on rumors coming out of the coffee klatches that are being held for a candidate in the running for a seat on the Board. He attempted to dispel the outlandish implication that the Trustees are misappropriating the funds used for the projects for personal gain. Mr. Klosky remarked that the political rhetoric is not acceptable on the Board as we are here to conduct District business only.

Ms. Wilma Weglein stated that the recent Candidate Forum was a success and several top candidates were on hand to address the residents. She stated that she has hoped that some people running for the seat of Trustees were there to greet the candidates running for Senate and the House. Trunk or Treat will be held on Monday, October 31, 2016. The C.O.P.S. will be in attendance to help monitor the traffic and crowds. On Tuesday, November 1st, the HOA will hold their monthly Board meeting in Building D/E everyone is welcome to attend. On November 11th at 7PM in Building A, the HOA will hold their General Meeting. The speaker will be SSgt. Lavondre Chamberlin from the 45th Medical Group on Patrick Air Force Base. There will be a special presentation for the Veterans at the end of the night as well. Mr. Cavaliere inquired about the status of the tornado alarm research. Ms. Weglein stated that the old tornado alarm at the fire station is disabled but she offered the information from the HOA newsletter regarding sign up for automatic emergency alert calls.

Incidental Trustee Remarks

Ms. Wright requested clarification from General Counsel regarding what would need to happen in order to abolish the District. In summary, General Counsel stated that according to the Charter, the District would have to have all debts paid, a majority vote from the Board to put the question out on referendum to the homeowners who would have the final decision on that issue.

Mr. Klosky announced the Christmas Parade will be on December 4, 2016 starting at Building D/E. Anyone interested in helping or joining please contact Mr. Klosky or leave a message for Mr. Klosky at 570.the Administrative office in Building F.

Mr. Cavaliere presented his position on why he recommended putting the tennis court restrooms on a referendum and not Building F. In his opinion, for a project as important as Building F putting on referendum would not best serve the residents as some homeowners are not permitted to vote due to registration and resident status in Florida. He stated that polling the residents in census type questions will best address what the residents really want.

Audience Participation

Mr. Harold Wortman commented on the question of his support to the Board of Trustees. He clarified that he is in support of the Board of Trustees and would not be running for a seat on the Board if the opposite were true.



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Mr. Greg Deslandes thanked Sue Cuddie and the DOR department for sending the hurricane damage assessment to the residents still up North. It was greatly appreciated. He commented on the case *Guinther vs. BBRD* stating that if Guinther prevails, the District must abide by a referendum vote for Building F. If the judge decides in favor of the District, they will not have a limit concerning maintenance of existing buildings and equipment. He advocated voting for trustees that support the \$25,000 spending cap. Mr. Klosky interjected that political positions are not acceptable at the Trustee meetings. Mr. Deslandes stated that he provided a possible solution to the referendum issue to Mr. Cavaliere and it is in the November Tattler Sound Off. He wished all candidates good luck in the upcoming election.

Ms. Mary Ellen Davis commented on the golf member disparagement between single and married member's dues. She voiced her dissatisfaction regarding the fact that she pays 34% more dues than those of her married counterparts. Mr. Klosky suggested Ms. Ellen attend the golf committee to voice her concern. Ms. Wright stated that she was aware of her concern and upon Mr. Cruz's request was planning to attend the next Golf Committee to discuss further. Mr. Cavaliere suggested placing the topic on a future agenda.

Mr. Jack Reddy called attention to the deputy in the back of the meeting room, stating that officers like him and his counterparts launched a successful raid on drug houses in the Bay and deserve our support. He hoped that the newly elected Trustees would be supportive of the deputy presence in Barefoot Bay. Ms. Carol Joseph commented on the differences between the HOA and the District. Homeowners are automatically members of the HOA. The HOA is a social organization that plans political events and provides activities and services for the residents of Barefoot Bay. The District makes financial decisions and decisions on Policy in the Bay. The two entities are not in competition as they have completely separate functions.

Adjournment

The next meeting will be on November 10, 2016 at 1PM in Building D/E.

Mr. Cavaliere made a motion to adjourn. Second by Mr. Diana. Motion carried unanimously.

Meeting adjourned at 9:34PM.

Steve Diana, Secretary

Dawn Myers, District Clerk