



BAREFOOT BAY RECREATION DISTRICT

**Board of Trustees Regular Meeting
Friday, September 9, 2016
1 P.M. –Building D&E**

Called to Order

The Barefoot Bay Recreation District held a Regular Meeting on September 9, 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 both past and present.

Mr. Lavier 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.

Presentations

The Board recognized Dorothy Larkin's retirement from her position as customer service representative in the Resident Relations department after over 10 years of service to Barefoot Bay. Resident Relations Manager, Sue Cuddie and Chairman Klosky thanked Ms. Larkin for her service and presented her with a commemorative plaque. Ms. Larkin thanked the Board and the residents for allowing her to serve them for the last 11 years. She stated that she will miss her work but is looking forward to enjoying her retirement here in Barefoot Bay.

Minutes

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

Treasurer's Report

Mr. Cavaliere presented the Treasurer's Report for September 9, 2016.

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

Audience Participation (Agenda items only)

None brought forward.

Old Business

None brought forward.



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New Business

FY17 Employee Insurance Renewal

Participating employees have been insured for medical coverage under United Health Care since October 1, 2015. However, due to the Affordable Care Act regulations, this plan is no longer offered and AHNQ is offered instead. Staff received 8 quotes from two companies for consideration on September 1, 2016 from Brown & Brown (BBRD's insurance broker). The Affordable Care Act regulations state that an affordable plan must be offered which is defined as not greater than 9.5 percent of an employee's W-2 Taxable income. For the FY17, the "Affordable \$5,000 Deductible AHNG" plan meets this criteria. Staff recommended the Board approve renewing the UHC plan AHNQ and select the UHC plan, "Affordable \$5,000 Deductible AHNG" as a second optional plan for employee Health insurance.

Mr. Cavaliere made a motion to renew the UHC plan AHNQ for health insurance and the Affordable \$5,000 Deductible AHNG as the second optional plan. Second by Mr. Diana. Motion carried unanimously.

Mr. Lavier made a motion to renew the UHC Renewal F3387 PPO for dental insurance. Second by Mr. Diana. Motion carried unanimously.

Mr. Diana made a motion to select UNUM for employee Life and AD&D Insurance. Second by Mr. Lavier. Motion carried unanimously.

Mr. Diana made a motion to renew UHC plan 01U9116 for voluntary Vision insurance. Second by Ms. Wright. Motion carried unanimously.

Mr. Cavaliere made a motion to renew with Met Life for voluntary employee Life and AD&D insurance. Second by Mr. Diana. Motion carried unanimously.

Mr. Cavaliere made a motion to renew with Met Life for voluntary Short-term Disability insurance. Second by Mr. Diana. Motion carried unanimously.

Mr. Diana thanked insurance broker Brown and Brown for their service to BBRD employees and inquired about the frequency of defined employer contribution in the industry today. Brown and Brown representative explained, with the Affordable Care Act, the employer must contribute at least 50% of the lowest rate plan available which is why they offer a second optional plan. He maintained that we are well above that at this point but definitely an option in the future.

DOR Violations

Case # 16-002087 911 HYACINTH CIRCLE and Case # 16-002132 552 DOLPHIN CIRCLE came into compliance by the date of the meeting.

Case # 16-002019-526 PERSIMMON DRIVE violation of ARTICLE III, SECT. 2 ARCC (No Permit)

Mr. Cavaliere made a motion to forward Case # 16-002019 526 PERSIMMON DRIVE to the attorney for legal and equitable action and lien the property for charges. Second by Mr. Diana. Motion carried unanimously.

Case # 16-000981-1026 THRUSH CIRCLE violation of ARTICLE III, SECT.3 (A) (B) (C) (D) (E) Parking of Vehicles (Boats/Trailer/RV/Comm. Vehicles)



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Mr. Diana made a motion to forward Case # 16-000981-1026 THRUSH CIRCLE to the attorney for legal and equitable action and lien the property for charges. Second by Ms. Wright. Motion carried unanimously.

Shuffle Board Court Resurfacing

Shuffle Board resurfacing is part of recently received \$50,000, no match grant from the Florida Recreational Development Assistance Program (FRDAP). The FY17 budget contains \$28,000 for the restoration of the east shuffle board courts. The remainder of the budget will be used for in house materials and other approved grant projects. Staff has already addressed the necessary concrete and drainage work adjacent to the courts which will be expensed to the grant project, however, the actual project work will not commence until after the new fiscal year approximately late October. Staff recommends the Board award the contract shuffle board court resurfacing to Nidy Sports Construction in the amount of \$14,235.

Mr. Cavaliere made a motion to award the contract to Nidy Sports Construction in the amount of \$14,235. Second by Mr. Diana. Motion carried unanimously.

Upgrade of Golf Course Irrigation Control Unit

The current golf course irrigation computer system is aging. Our TORO distributor who sells the system we use now, is offering a promotional upgrade for \$11,806.40 compared to \$42,236.00 new. Staff recommends the Board award the contract using exception to competition #6 due to the savings from use of the proprietary equipment.

Mr. Cavaliere made a motion to award the contract of \$11,806.40 to Westcoturf for upgrade of the Toro irrigation control unit using Exception to Competition #6 for proprietary equipment. Second by Mr. Lavier. Motion carried unanimously.

Revised Food & Beverage Principles of Operations

The BOT adopted the original Food & Beverage Principles of Operations on October 10, 2016 which serves as the guiding operational values in the management of the department. The Board reviewed an updated draft on August 4, 2016 and made changes which will allow staff the flexibility to close early in times when business is, shift from fixed menu pricing (raised once a year per approved budget) to a dynamic process where prices can be changed mid-year to off-set for sudden increased in commodity costs and increase themed meal events.

Ms. Wright made a motion to adopt the Food and Beverage Principles of Operations. Second by Mr. Diana. Motion carried unanimously.

FY18 Budget Preparation Calendar

Per the BBRD Policy Manual and recent Board preferences, the FY18 Working Draft Proposed Budget is required to be provided to the Board, the Finance Advisory Committee, the Facilities Planning Committee and to the public (via our website and hard copies available in BBRD Administrative offices) no later than March 1, 2017. Mr. Coffey presented the FY18 Budget Preparation Calendar.

Mr. Lavier made a motion to accept the FY18 Budget Preparation Calendar. Second by Mr. Diana. Motion carried unanimously.



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Violations Committee Member Re-appointments

Resolution 2008-1 Section 3 - Violations Committee (d) The Board shall appoint the members of the Violations Committee and the appointments shall be made for a term of three years. Resolution 2010-18 amending Resolution 2008-1 Section 3(f) A member of the Violations Committee may be reappointed upon approval of the Board of Trustees. John Atta's term ends on September 12, 2016 and is up for reappointment.

Mr. Diana made a motion to reappoint John Atta on the Violations Committee for a term of three years. Second by Mr. Cavaliere. Motion carried unanimously.

Baenziger Report Discussion

Mr. Cavaliere discussed the operations analysis from 2005 that elucidated on best practices for Barefoot Bay. He specifically discussed the recommendation on advisory boards. Mr. Cavaliere proposed eliminating the department liaisons as was recommended in the report due to confusion over operational authority over staff. He pointed out that the Community Manager is very capable of managing the departments as his high rating on his evaluations suggests. Mr. Cavaliere suggested that the department managers should report directly to the Community Manager. He further stated that instead of dissolving the advisory boards his recommendation is to establishing HOA authority over the existing committees. He inquired if the other Board members had the opportunity to thoroughly review the report. Board consensus was to review the report and discuss it further at the upcoming Survey Workshop on September 20, 2016.

Adoption of Revised Policy Manual

The Board reviewed the Policy manual July 28, 2016 and August 30, 2016 with a consensus to bring the revised Policy Manual to the Board of Trustees meeting for adoption.

Mr. Paul Voit made a suggestion regarding the travel policy for ARCC inspectors requesting use of their personal vehicles. He also requested adding language specifying reimbursement for mileage, alternate language for the inspection reimbursement such as prorating the fees based on the type of inspection as some homes require more than others and adding language specifying the amount of the reimbursement. Mr. Coffey discussed the past issues, such as safety concerns, that have placed the question of whether or not the District should maintain the inspection fees for ARCC volunteer inspectors. Ms. Wright inquired about the proposal of DOR officers taking over the inspections. Ms. Cuddie stated that this proposal is practical since the Officers are already in the area inspecting for violations and they also already have the software and equipment to record the inspections. The Board discussed the topic of paid inspectors as opposed to forwarding the assignment to the DOR officers. Mr. Klosky inquired about reimbursement of the one-time fee for the newly added language allowing for a pool pass for those residents who failed to update their badge within the regular time frame and arrive to the Bay outside of regular business hours. Board consensus to award the reimbursement to those residents receiving the pass when they update their badge on the next business day.

General Counsel Repperger 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



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THE POLICY MANUAL ADOPTED MAY 8, 2009, AS SUBSEQUENTLY AMENDED THROUGH FEBRUARY 13, 2015; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Cavaliere made a motion to approve the resolution amending the BBRD Policy Manual as written. Motion died for lack of second.

Ms. Wright made a motion to approve replacing the \$10 reimbursement for ARCC inspectors in the Policy Manual. Second by Mr. Diana. Motion carried unanimously.

Ms. Wright made a motion to adopt the resolution amending the BBRD Policy Manual. Second by Mr. Diana. Motion carried unanimously.

Adoption of Revised Employee Handbook

The Board was provided with the draft revised Employee Manual for review of the proposed staff revisions. After review of the document on August 30, 2016 they came to consensus to forward it to the next Trustee meeting for adoption.

Ms. Wright made a motion to approve the Employee Manual as presented. Second by Mr. Lavier. Motion carried unanimously.

Acceptance of \$60,000 (50% Match) Coastal Partnership Initiative Beach Grant

BBRD has been awarded a \$60,000 (50% match grant) from the State of Florida, Department of Environmental Protection, Florida Coastal Management Program (pursuant to the National Oceanic and Atmospheric Administration Cooperative Award). The term of the grant is from July 1, 2016 through June 30, 2017. Staff recommends the Board authorize Chairman Klosky to sign the CPI \$60,000 50% match grant agreement. Mr. Coffey informed the Board that should they want to amend the projects recommended by the Facilities Planning Advisory we will have to submit modification for the projects. This may affect the amount or even eliminate the award.

Jim Rigg asked for a timeline for completion of the projects. Mr. Coffey stated that we have one year and an option for a 6-month extension. Mr. Rigg suggested under the CPI we could remove some of the exotics in connection with the nature trail and plant some tropical so they may be tall enough by the time the rest of the exotics need to be removed. Under the CPI grant a 16x28 pavilion can be installed. He encouraged the Board to prioritize this project when forwarding to the Facilities Planning Committee.

Mr. Cavalier made a motion to authorize Mr. Klosky to sign the \$60,000 Coastal Partnership Initiative Beach Grant Agreement. Second by Mr. Diana. Motion carried unanimously.

Lawn Bowling Irrigation Replacement

Due to persistent issues with the irrigation system over the summer staff recommends the replacement of the golf course grade irrigation system with a residential grade system to start over and to have a less powerful set of heads that will not work against having a smooth playing surface. Mr. Coffey would like

to resolve the problem in time for the return of the snowbirds. There is available budget in the FY16 Capital Department's Replacement Lawnmower budget (\$11,978.58) to cover the anticipated expense (we currently have one quote for \$3,400) of approximately \$3,800.00. Staff recommends the Board authorize staff to proceed with the project and to transfer the required budget from the balance of the



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FY16 Lawn Mower Replacement project. Mr. Diana requested the Recreation Committee research the use of the lawn bowling field for croquet in the off season.

Mr. Diana made a motion to proceed with the project and transfer the required budget from the balance of the FY16 Lawn Mower Replacement project. Second by Mr. Lavier. Motion carried unanimously.

BBRD Census

Ms. Mary Weller suggested a comprehensive survey to include demographics prior to sending out another survey. She encouraged the Board to take this opportunity to reactivate the Ballot Canvassing Committee and, paired with the badge renewal process next year, acquire this information. She asked that the District advertise the openings in the Ballot Committee.

Ms. Wright asked Ms. Weller if she could provide further information at the upcoming Survey Workshop. Mr. Klosky and Mr. Diana were in agreement with the idea to collect the data and especially at the badge renewal process. Committee Consensus to reactivate the Ballot Canvassing Committee.

Mr. Richard Schwatlow was in support of Ms. Weller's proposal. He spoke about some demographic information found on the internet and the changing demographics in Barefoot Bay. Mr. Klosky recommended appointing the committee members based on resumes received by the first meeting in October.

Increased Child Safety

Ms. Wright discussed the topic of protecting the Barefoot Bay children from individuals that do not have their best interest in mind, specifically the problem of registered sex offenders in the Bay. She posed the question of protection and what our options are to General Counsel Repperger for direction. General Counsel Repperger discussed the Florida laws and statutes regarding registered offenders in relation to public places such as Barefoot Bay amenities and facilities.

Ms. Mary Weller suggested background checks for anyone interested in holding events that involve children.

Ms. Joan Legug suggested posting the rules regarding registered offenders in a public setting in a proactive way so everyone is aware what expectations are. She was opposed to imposing the task onto the pool hosts as there is a risk of retaliation or mistaken identity.

Mr. Rich Moran stated that the offenders know what their expectations are and should be held accountable if they violate their legal agreement.

Mr. Randy Loveland stated that it is ultimately up to management to impose policy regarding this matter and implement it in an effort to ensure residents and children are safe.

Mr. Rich Schwatlow commented on the way this matter was being handled. He voiced concern for spotlighting topics such as this by the public as it should be handled by the authorities.

Mr. Cavaliere recommended General Counsel pursue the resolution to designate Barefoot Bay common areas as Parks as suggested by General Counsel Repperger. He also recommended installing signs highlighting these areas. Mr. Cavaliere also suggested that parents take a more active role in their children's lives. He recommended the Board implement General Counsel Repperger's suggestion as soon as possible.



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Ms. Louise Crouse announced that the Computer Club will be working with the authorities to prepare a presentation regarding internet safety.

Mr. Klosky spoke on the recent incident where an individual's name was hand noted on a flyer implying that they were a registered offender. He voiced his concern with this action and strongly condemned the behavior. He stated it was wrong and he does not support the act in any way.

Mr. Diana agreed with General Counsel and Mr. Cavaliere. He commented on the flyer distributed at the Security Committee stating that this was highly inappropriate. He recommended the Board do something to rein in the Security Committee.

Mr. Rich Schwatlow clarified that the Security Committee did not actively pursue this information as it was simply brought to the committee by the neighborhood watch.

Mr. James Gallagher stated that he was the individual at the Security Committee that passed out the flyer with the written name on it. He stated that he was not aware of the implications of the notes on the flyer as it was simply given to him by the neighborhood watch for distribution.

General Counsel Repperger informed the Board that the attorney for the individual whose name was noted on the flyer contacted him regarding the slanderous nature of the distribution. He advised that the committees strongly uphold and define their duties and responsibilities. He advised the attorney that the distribution of the flyer was outside the scope of the official function of the committee. He requested direction from the Board going forward stating that no further action needs to be taken if they so desire however a public apology may be the best way to address the matter.

Mr. E.J. Wright stated that he did see the flyer but he also advised Ms. Myers to forward to General Counsel for review on how we should proceed.

Ms. Louise Crouse stated that the responsibility of what happens in the committee lies with the liaison. She voiced her opinion that Mr. Klosky should apologize to the individual.

Mr. Cavaliere agreed that the Board should be held responsible for what happened in the Security Committee.

Mr. Cavaliere made a motion to have General Counsel Repperger draft an apology letter from the Board. Second by Mr. Lavier. Motion carried unanimously.

Mr. Cavaliere made a motion to have General Counsel Repperger draft an apology letter from Mr. James Gallagher. Second by Ms. Wright. Motion carried unanimously.

Ms. Wright made a motion to have General Counsel Repperger draft a resolution designating the common recreation areas as a park. Second by Mr. Lavier. Motion carried unanimously.

In the approved resolution General Counsel will designate certain areas as parks and the District can install the signs where they deem suitable.

Manager's Report

Staff anticipates the conceptual site plan for the BBRD Beach Project, rough magnitude of costs and regulatory requirements to be received within the next two weeks. Once they are received copies will be forwarded to the BOT and members of the Facilities Planning Advisory Committee (FPAC). Once the FPAC has reviewed the items and made their recommendations, the issue will be placed on the next available BOT meeting agenda.



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The Stormwater Project equipment consisting of the Bobcat, boom arm and mower were delivered this week. Once staff has been trained on the new equipment, a demonstration event will be scheduled for anyone wishing to come down to Falcon Drive and view the equipment and how it operates.

Residents are encouraged to remember that political sign and/or yard sale signs are not allowed in the median of Barefoot Boulevard or on BBRD common areas. Signs placed in these areas will be removed and stored at Falcon Drive for 30 days and then disposed if not claimed.

Regarding the Golf Cart RFP to be released on September 12, 2016, per the BBRD Policy Manual, page 2-15, "Members of the Evaluation Committee shall consist of at least one (1) user department representative, one (1) Board member, and one (1) third-party non-employee resident chosen at the discretion of the Community Manager. The Community Manager and Board Chairman shall serve on the committee as non-voting members." One member of the Board will need to be selected prior to my announcement of the committee membership. The RFP will be issued on September 12, 2016 and opened on October 12, 2016. Dates and times will be announced for all meetings.

Ms. Wright made a motion to select Mr. Lavier as the Trustee representative on the Golf Cart RFP Committee. Second by Mr. Cavalier. Motion carried unanimously.

Mr. Coffey announced the Golf Cart RFP Committee will consist of voting members; Ernie Cruz, Brian Lavier, and John Armstrong. Mr. Coffey and Chairman Klosky will serve as non-voting members.

Attorney's Report

General Counsel reported that 739 Hawthorn received a final judgement on District awarded court cost and fees he will bring the case back to the Board for a decision. The property on 580 Marlin skirting case is now a foreclosure and pending sale he will readdress the outstanding fees with staff and whoever takes ownerships. He stated that the owner at 400 Eagle property has passed away. He is holding that case managing with the attorney to resolve some of the violations. The property on 618 Seagull, unpermitted fence, has come into compliance and 888 Hawthorn also in compliance. He updated the case on 415 Egret, Commercial vehicle, the owner will rent an RV space to store his vehicle this case is on hold. The owner of 852 Waterway is traveling to Barefoot Bay on Sept 15th and we are moving into litigation regardless of what the owner is planning to do with the tenant. He gave an update on BBRD vs. Guinther court date has been scheduled for October 31, 2016 with Judge Maxwell at the Viera Courthouse. Anyone is welcome to attend the case.

Trustee Liaison Report

Mr. Klosky did not have an update for the Violations and ARCC committees. He will have a report at the next meeting.

Mr. Cavaliere reported that the Finance committee heard a speaker form Seacoast which was well received. Received a resignation letter form Mr. Bill Sherwood. Will have to fill

Mr. Lavier reported that memberships and invoices are complete and will go out next week. Bunker replacement will start on Monday weather permitting it will take approximately 10 days. Property services have completed the steps and handrails at #1 tee box, wrapping up the sidewalk between the bridges and Egret circle, new mailboxes have been installed at Resident Relations and the new stormwater project equipment training has begun.



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Mr. Diana reported that Facilities Planning will review different projects within the 5 year plan.

Ms. Wright reported on the Food and Beverage entertainment events for this week.

Ms. Wilma Weglein announced the HOA meetings will take place this Tuesday at 7PM in Building A. Wanda Mulcahey, Crime Prevention Officer, will be the speaker regarding protecting our homes. She discussed the recent missing person, Lillian is safe and at home. She congratulated the BCSO for a great job with the search party, they were very thorough in their search. She also mentioned the anticipated appointment with Sheriff Ivey along with two of the C.O.P. officers which came out of the Security Committee. She is awaiting his response for a date and time. Ms. Weglein presented Mr. Cavaliere with a bill from the HOA attorney regarding the conflict over the dissolution of the District.

Mr. Lavier expressed his gratitude to the residents and the BCSO for their assistance with the missing person.

Ms. Wright also voiced her appreciation for all who helped with the search party. She mentioned that this sort of community cooperation is one of the reasons she moved to Barefoot Bay.

Trustee's Incidental Remarks

None brought forward

Audience Participation

Ms. Jeanne Osborne commented that the author of the Baenziger report helped them with the hiring of one of their best Community Managers, Mr. George Hunt. She recalled the interaction at the time with Mr. Colin Baenziger and the guidance they received from him was indispensable. She voiced her satisfaction with the current Board and stated that they were doing a good job.

Mr. David Wheaton voiced a concern with asking staff to work the breakfast shift as there is barely enough clientele to warrant keeping the 19th Hole open. He requested more outdoor seating with covering to encourage less crowding inside.

Adjournment

The next meeting will be on September 27, 2016 at 7PM in Building D/E.

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

Meeting adjourned 4:03PM.

Steve Diana, Secretary

Dawn Myers, District Clerk