



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting
June 27, 2023
1PM –Building D&E

Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on June 27, 2023, Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Amoss called the meeting to order at 1PM.

Pledge of Allegiance to the Flag

Led by Mr. Cichon.

Roll Call

Present: Mr. Grunow, Mr. Amoss, Mr. Brinker, Mr. Klosky, Ms. Hansen. Also, present, Kent Cichon, Community Manager, Cindy Mihalick, Administrative Coordinator to the District Clerk, Garrett Olsen, General Counsel, Rich Armington, Resident Relations/HR Manager Charles Henley, Finance Manager, Kathy Mendes, Food and Beverage Manager and Matt Goetz, Property Services Manager.

Additions or Deletions to the Agenda

Fees & Charges for Specific Passes to revisit certain fees as Item 11G requested by Mr. Amoss.

Approval of the Agenda

Mr. Klosky made a motion to approve the agenda adding item 11G (Fees & Charges for Specific Passes). Second by Ms. Hansen. Motion passed unanimously.

Presentations and Proclamation

None.

Approval of Minutes

Regular BOT minutes dated June 8, 2023, were approved as submitted.

Treasurer's Report

Mr. Brinker submitted the Treasurer's Report for June 27th, 2023, approved as written.



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Audience Participation

Rob Allen-1385 Barefoot Circle – read excerpts from the upcoming front page article of the Tattler.

Linda Gannon-504 Royal Tern Drive – spoke of an ongoing problem with neighbor and was seeking assistance.

Janice Kirwan-924 Cypress Street – spoke against the increase of non-resident guest pass fees.

Dick Lepage-1037 Royal Palm Drive – asked about the legal responsibility for clubs and club members with the new forms that must be completed for Resident Relations. Attorney Olsen offered to speak with the resident after the meeting but stated he would be unable to give legal advice.

Richard Schwatlow-636 Marlin Circle – suggested residents take an active part in what takes place in the community.

Joanne Kubasek-867 Tamarind Circle- spoke against the increase of non-resident guess pass fees.

Don Smythe-490 Marlin Circle – spoke against the increase of non-resident guest pass fees. He also spoke in favor of renters paying the same fee as all other guests.

Kris Kline-556 Dolphin Circle-spoke about inconsistencies in the cost of guest passes sold by staff members.

Larry Burke-966 Laurel Circle – inquired about what research was done for the basis of increase of fees.

Katrina Greenwood- Egret Circle – requested clarification of whether fee structure increase is monthly or annually. The BOT responded that \$467 is a yearly fee. Mr. Amoss stated that the fee is 67 percent of what an owner pays.

Regina Ryan-1348 Barefoot Circle – spoke against the increase of non-resident guess pass fees.

Mary Anne Corwin- 554 Marlin Circle – spoke against the increase of non-resident guess pass fees. She also voiced her concern about budget meetings being held during the day with only one evening option.

Bill McGrail- 636 Puffin Drive-asked if there was a projection on how much revenue will be generated with the guest pass increase. Mr. Grunow responded that staff researched projected revenues and presented it to the BOT.



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Louise Crouse-808 Sapodilla Drive – thanked the trustees for listening to everyone's concerns. She also reminded residents that the Computer Club is going to host a class to navigate the BBRD website on July 21st at 6:30 pm. Pre-registration is required.

Michael Rosenthal -1375 Barefoot Circle – spoke against the increase of non-resident guess pass fees and suggested that the increase apply to golf fees.

Mr. Grunow read an email from resident Desiree Delaroca – who disagreed with increase of the adult resident and daily use fee. He also voiced his concern about water fees being too high. Mr. Grunow stated that he did respond to the resident and advised that water usage costs are the responsibility of Brevard County.

Mr. Cichon read a letter from Rick Berndsen 920 Cashew Circle – who spoke in favor of eliminating staff positions and reducing Food and Beverage costs.

Unfinished Business

None.

New Business

Adoption of FY 24 Budget

Resolution 2023-08 read by Mr. Olsen:

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, 2023 AND ENDING SEPTEMBER 30, 2024; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Mr. Grunow made a motion to approve resolution 2023-08 as read, with a right to modify at a later date. Second by Ms. Hansen. Motion passed 4-1. Mr. Klosky dissents.



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Public Hearing and Adoption of FY 24 Assessment Rate

Resolution 2023-09 read by Mr. Olsen:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE BAREFOOT BAY RECREATION DISTRICT ESTABLISHING AN ASSESSMENT OF \$934.05 FOR EACH IMPROVED RESIDENTIAL LOT WITHIN THE SAID DISTRICT TO FUND THE 2023/24 FISCAL YEAR OPERATING BUDGET OF THE DISTRICT; PROVIDING FOR THE COLLECTION OF SAID ASSESSMENT IN THE MANNER PROVIDED FOR AD VALOREM TAXES PURSUANT TO SECTION 197.363, FLORIDA STATUTES; PROVIDING THAT SAID ASSESSMENT SHALL BE A VALID LIEN UPON EACH IMPROVED RESIDENTIAL LOT SO ASSESSED UNTIL SUCH ASSESSMENT HAS BEEN PAID IN FULL; PROVIDING THAT SAID ASSESSMENT SHALL BE CONSIDERED PART OF THE COUNTY TAX SUBJECT TO THE SAME PENALTIES, CHARGES, FEES, AND REMEDIES PROVIDED FOR THE ENFORCEMENT AND COLLECTION OF COUNTY TAXES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

Mr. Brinker made a motion to approve resolution 2023-09 as read. Second by Mr. Grunow. Motion passed unanimously.

Bill McGrail- 636 Puffin Drive – asked if the assessment is the maximum assessment fee. Mr. Grunow advised the resident that it is an 8.003 increase, which is the maximum allowed by the interlocal agreement with the county, which does not allow the district to raise the assessment more than the adjusted consumer price index.

Copier Lease Award of Contract

Staff recommends awarding the 5-year copier lease to Dex Imaging and authorize Chairman Amoss to execute the agreement.

Mr. Grunow made a motion to award the 5-year copier lease to Dex Imaging and authorize Chairman Amoss to execute the agreement. Second by Mr. Klosky. Motion passed unanimously.

Exceptions to Competition and Emergency Purchases - Building A Broken Sewer Line

Staff recommends the BOT confirm the emergency purchase to repair the Building A broken sewer line.

Mr. Brinker made a motion to confirm the emergency purchase to repair the Building A broken sewer line. Second by Mr. Klosky. Motion passed unanimously.



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Acceptance of Donation Request

Staff recommends the BOT accept the donation in the amount of \$938.10 from Ms. Levesque Briscoe for a memorial bench near the tennis courts.

Mr. Grunow made a motion to accept the donation in the amount of \$938.10 from Ms. Levesque for a memorial bench near the tennis courts. Second by Mr. Klosky. Motion passed unanimously.

DOR Violations

DOR Violation 22-003186 909 Hemlock Street

Ms. Hansen made a motion to refer case #22-003186 909 Hemlock Street to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Brinker. Motion passed unanimously.

DOR Violation 22-002191 400 Raven Drive

Ms. Hansen made a motion to refer case #22-002191 400 Raven Circle to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.

DOR Violation 22-000072 400 Raven Drive

Ms. Hansen made a motion to refer case #22-000072 400 Raven Circle to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.

DOR Violation 21-001035 453 Egret Circle

Ms. Hansen made a motion to refer case #21-001035 453 Egret Circle to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.



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DOR Violation 23-000430 453 Egret Circle

Ms. Hansen made a motion to refer case #23-000430 453 Egret Circle to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.

DOR Violation 23-000760 808 Waterway Drive

Ms. Hansen made a motion to refer case #23-000760 808 Waterway Drive to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.

DOR Violation 21-001729 337 Egret Circle

Ms. Hansen made a motion to refer case #21-001729 337 Egret Circle to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.

DOR Violation 22-003369 309 Avocado Drive

Ms. Hansen made a motion to refer case #22-003369 309 Avocado Drive to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.

DOR Violation 22-001114 361 Dolphin Circle

Ms. Hansen made a motion to refer case #22-001114 361 Dolphin Circle to General Counsel Olsen for legal action, equitable or other appropriate action with failure to comply. If the BOT brings any such action to enforce DOR, the charge for such action shall be charged to the Respondents account and shall constitute as a lien. Second by Mr. Klosky. Motion passed unanimously.

Fees & Charges for Specific Passes

Mr. Amoss advised that in his opinion the board had discussed adding other considerations such as a certain number of free guest passes included with the yearly renewal. He suggests modifying these fees and reducing the one-day guest pass to \$5, weekly guest pass to \$15 purchased at pool \$20, and adding a grandchild aged 5-17 weekly pass \$5 or \$7. Grandchildren under 5 are free and will remain that way. Changes to the fees may be discussed, but the budget cannot be amended until a later meeting. Anyone who has already paid the higher fee will be refunded. Guess pass fee was set originally at \$3 and \$5 a week 39 years ago.



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Mr. Grunow suggested that an evening workshop should be scheduled and asks residents to send their suggestions by email.

Ms. Hansen made a motion to extend the effective date of the fee increase from July 1, 2023, to October 1, 2023, giving time to hold a workshop and adjust them accordingly. Second by Mr. Grunow. Motion passed unanimously.

Manager's Report

Finance

Assessment received – 95.52% collected or \$4,021,247. Balance to collect \$188,794.

Resident Relations

ARCC Meeting 6/6/23

- 2 Old Business - approved
- 9 Consent Permits – 8 approved and 1 denied
- 10 Other Permits – 10 approved

Food & Beverage

- The annual Independence Day celebration in the Bay is Sunday, July 2nd. Due to the Pool #1 projects, the schedule has changed. The Patriotic golf cart parade starts at 4pm behind the Shopping Plaza in the field behind RJs and Holy Cannoli. Line up is at 3:30pm. Prizes for best carts under the oaks immediately following the parade. The SoulTime band will play from 5 - 9pm lakeside of the lounge with a spectacular firework display at 9pm.
- The 19th Hole is now holding Pizz-Asta night from 4-7pm every Wednesday. The menu is a mix of flatbread pizzas and pasta specials. Breakfast is also available at the 19th Hole on Sundays from 7am - noon. We continue to hold our successful Rustic Roast every Thursday in Building A from 4 - 7pm. These are all summer hours.

Flyers with all the details are posted.

Property Services

- Continued work on the Pool #1 projects
- Began pressure washing the upper deck at Pool #1 to prepare for fresh paint
- Repainted the shower at Pool #1
- Addressed warranty issues with the ADA lifts at the pools
- Ordered umbrellas for all three pools



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- Removed the awning frame from the front of the lounge
- Replaced the air conditioner on the storage unit a West RV lot
- Replaced broken gates at the lawn bowling field
- Repaired a cut open section of the West RV lot fence

Golf-Pro Shop

- RFP for Golf Cart Fleet
 - Deadline for submission of proposals is June 23rd
 - First RFP Evaluation Committee Meeting is scheduled for June 26th
- 2023 Jr. Golf Camp
 - Grant application submitted
 - Scheduled for July 10th to July 27th
 - Participant applications available at the Pro Shop
 - Free to BBRD residents and their family only
- John McCarthy Memorial Golf Tournament
 - Scheduled for July 17th
 - 8:30am Shotgun Start
 - Sign up in Pro Shop (664-3174)
- Golf Course Maintenance Schedule
 - June 7th – Second total course chemical weed treatment was applied (yellowing and browning may appear as result of these treatments)
 - June 19th – Second course aerification (Back Nine and Putting Green Closed)
 - June 20th – Second course aerification (Front Nine and Driving Range Closed)

Attorney's Report

Mr. Olsen advised that there will be several contract addenda that will be submitted along with the vendor agreements. He is working with Mr. Goetz to create a pool accommodation policy as well as finalizing the volunteer policy. Mr. Olsen provided an update on DOR cases and stated a 15-day extension has been given to homeowners of 526 Persimmon Drive, he is working on a lawsuit for 512 Puffin Drive, and default judgements are being filed in five violation cases. Courtesy letters are also still being sent out to homeowners with DOR violations.



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Incidental Trustee Remarks

Mr. Klosky stated he voted against the budget due to the emphasis on fees and was not in favor of the budget as is. He stated that some projects will need to be eliminated after the fee workshop due to a decrease in revenues. Mr. Klosky wished everyone a happy 4th of July.

Ms. Hansen thanked everyone who attended the meeting and sent emails to her for their input and is looking forward to resident participation at the fee workshop.

Mr. Grunow asked Mr. Olsen about trustee email replies to the public. Mr. Olsen responded that trustees cannot hit "reply all" and if other trustees were cc'd on an email, it could create Sunshine Law issues. Mr. Olsen suggested replying individually and adding the District Clerk on the email so it can be recorded in public record. Mr. Grunow also thanked everyone for sending emails and encouraged residents to email each of the trustees with their ideas.

Mr. Amoss invited everyone to attend the townhall meeting being held on July 27th at 6pm. He stated that he appreciated the resident emails and that he does not use social media. He also asked residents to please use official BBRD email, be polite and do not hesitate to call him. Mr. Amoss thanked everyone for coming.

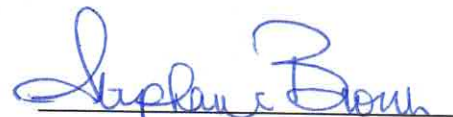
Adjournment

The next regular meeting will be on July 13, 2023, at 1pm in Building D/E.

Mr. Amoss adjourned.

Meeting adjourned at 3:06pm.


Jeff Grunow, Secretary


Stephanie Brown, District Clerk