



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Regular Meeting

May 10, 2019

7PM –Building D&E

Meeting Called to Order

The Barefoot Bay Recreation District Board of Trustees held a Meeting on May 10, 2019 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 1PM.

Pledge of Allegiance to the Flag

Led by Mr. Diana.

Roll Call

Present: Mr. Klosky, Mr. Wheaton Ms. Henderson, Mr. Diana, and Mr. Loveland. Also, present Jason Pierman, SDS, John W. Coffey, ICMA-CM, Cliff Repperger, General Counsel and Dawn Myers, District Clerk.

Presentations and Proclamations

On behalf of the Board of Trustees, Chairman Klosky presented Commander Jeff Grunow of The American Legion Post of Barefoot Bay with a Memorial Day Proclamation. Commander Grunow thanked the Board and Mr. Coffey for all their support of the veterans. He reminded the Board and the residents of the Memorial Day Parade and Ceremony on Monday, May 27th inside Building A beginning at the tennis courts at 10:30am.

Minutes

Mr. Loveland made a motion to approve the minutes for April 23, 2019. Second by Mr. Diana. Motion carried unanimously.

Treasurer's Report

Mr. Diana made a motion to approve the Treasurer's Report for May 10, 2019 as read. Second by Mr. Wheaton. Motion passed unanimously.

Audience Participation

Mr. Jim DiGellonardo requested a refund on the payment of a 2nd social membership fee since he purchased the property next to his and now has combined the two properties as one. Mr. Coffey suggested Mr. DiGellonardo visit the Finance Manager in the Administration Building for further direction and requirements on this matter.



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Unfinished Business

Relocation of Pool #1 Smoking Area

Due to the upcoming Pool Pit and Heater Building capital project currently solicited for proposals (RFP), the Board discussed options for relocation of the current smoking area. At the previous BOT meeting the Board approved designating the current smoking area as the new location for the Pool Pit and Heater Building at Pool 1. They deferred the decision regarding the location of the new smoking section to a subsequent meeting. Mr. Klosky recommended placing the item back on this agenda for consideration. Board discussion and resident suggestions ensued. Mr. Coffey asked for clarification on the urgency of moving the smoking area now or whether it is contingent on the results of the RFP. Mr. Loveland stated that he would rather move along with the smoking section relocation so the area is ready for construction and this topic will not have to be revisited again.

Ms. Elaine VanBerschot recommended placing the smoking section in the back area by the gate under the covered area and the west side of this area.

Ms. Carol Joseph supported Ms. Van Berschot's suggestion.

Mr. Harvey Smith requested the Board change the smoking area for the employees as well. Mr. Klosky agreed that this will be the new smoking area for everyone.

Mr. Loveland made a motion to make the night-time smoking section the permanent smoking section and extend it to the west of the covered area. Second by Mr. Wheaton. Motion carried unanimously.

Lounge Project Referendum

Ms. Henderson voiced her concern for moving forward with the Lounge project without making a formal motion on the referendum issue. She requested the Board reconsider whether we should put the topic out to referendum. Mr. Diana reiterated that based on the judgment from the *Guinther vs. BBRD* and the *Mulhearn vs. BBRD* cases the District can maintain their buildings in the platted areas without fear of breaching the Charter cap of \$25,000. General Counsel explained that the Lounge project is similar to the Administration building ruling but not exactly since the Administration Building was due to a need but the Lounge project is based on a want so it will be considered somewhat differently. He is confident he could successfully defend the Bay in the event of a lawsuit. Discussion ensued.

Mr. Loveland made a motion not to go with the referendum for the Lounge Project. Second by Mr. Diana. Ms. Henderson opposed. Motion passed 4-1.

BCVO Donated Pavilion Change Order #1

Staff brought the change order from the Civic Volunteer Organization (CVO) President, Roger Compton for "tongue and groove ceiling and spruce diagonal supports" upgrade for the donated Pavilion. The CVO will pay for the cost of the change order.

Mr. Loveland made a motion the BOT approve change order #1 in the amount of \$5,065.95 to Superior Recreational Products for upgrades to tongue and groove ceiling and spruce diagonal supports while also accepting the same amount in donations from the CVO. Second by Mr. Diana. Motion carried unanimously.



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New Business

Community Center Parking Study Proposal

Mr. Diana spoke on the parking lot proposal stating that it will be beneficial to find out how we can improve the parking area if needed. He maintained that the expansion may be too large to support too much more parking, and these are the answers we need to know before moving forward.

Mr. Diana made a motion approve the Community Center parking study proposal from TLC in the amount of \$7,500.00 and authorize staff to prepare a budget amendment for a future agenda recognizing the use of fund balance as the funding source. Second by Mr. Wheaton. Motion carried unanimously.

Building A Renovations Construction Drawings Proposal

As discussed in the RFP Evaluation meeting, Mr. Coffey brought the proposal to have TLC to update the Kitchen design to the current building code and add the electrical and HVAC components to the construction drawings in anticipation of re-issuing the RFP in November for a summer 2020 project.

Ms. Henderson shared her misgivings about combining all the renovations into one project as this will be more expensive. She requested looking at a different engineering firm for a better range of pricing and opinions. The Board discussed the previously approved motion to move forward with the project as a bundle. The Trustees were not in favor of delaying the project to seek out a new engineering firm.

Mr. Diana made a motion to approve the Building A Renovations construction drawings proposal from TLC in the amount of \$28,400.00 and authorize staff to prepare a budget amendment for a future agenda recognizing the use of fund balance as the funding source. Second by Mr. Loveland. Motion passed unanimously.

Foreclosure of Properties with Excessive Liens

Mr. Wheaton reported on multiple non-homesteaded properties that have excessive liens with no attempts by the owners to abate the violations. He requested the Board discuss the feasibility of starting foreclosure actions to obtain the properties through the Neighborhood Revitalization Program. General Counsel opined that the legal cost for recovery does not make financial sense due to the heavy liens already attached to some of the properties. He advised that the Trustees should direct him to look at those properties that are worthwhile to investigate and without extensive fees, rather than a blanket motion to foreclose on all the outstanding properties. Mr. Loveland requested looking at the empty lots first and removing three specific properties with homes on it as they are not in bad shape and he was uncomfortable foreclosing on our residents. Mr. Diana suggested General Counsel investigate the property to see if the owner is aware how to homestead her home.

Mr. Wheaton made a motion to direct General Counsel Repperger to work with Resident Relations Manager/H.R. Coordinator, Mr. Rich Armington, to selectively investigate the financially feasible properties in order to potentially initiate foreclosure proceedings immediately. Second by Ms. Henderson. Mr. Loveland opposed. Motion passed 4-1.



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Manager Report

District Clerk

- **Building C Bulletin Boards Makeover** – Thanks goes out to Office of the District Clerk Administrative Assistant Whitney Hodges for her efforts in updating the look of the Bulletin Boards on Building C. They now have a new updated look and are easier to read.
- **Website Update** – The new updated ADA compliant BBRD website is close to completion and is scheduled to be launched in June.

Finance

- **FY19 Assessment Collection Update** – \$3,445,557.96 (gross) or 92.8% of the FY19 Budget has been received as of May 1st (see attached for details).

Resident Relations

- **ARCC Update**
 - o April 30th meeting: 14 consent approved, 17 non-consent (16 approved and 1 denied).
 - o May 14th is the next meeting (New Administration Conference Room at 9am).
- **Violations Committee Update**
 - o May 10th meeting has 24 cases on the agenda
 - o May 24th is the next meeting
- **April Interesting Statistics**
 - o 64 home sales with 97 new homeowners receiving their badges.

Food & Beverage

- **Mother's Day Brunch** – Tickets are on sale for a Mother's Day Brunch at the Lounge, the 19th Hole and the New Administration Building. The brunch will be Lakeside of the Lounge from 9am until noon. The Dave Capp Jazz duo will perform.
- **Memorial Day Street Dance** – A special street dance will be held on Monday, May 27th from 2-6pm with the Hatley Band.
- **Father's Day Clam Bake** – Tickets go on sale May 13th at the Lounge, the 19th Hole and the Administration Building
- **Independence Week Fireworks** - Brevard County has issued BBRD's permit for this year's fireworks display on Sunday, June 30th.

Flyers with all the details are posted.

Golf-Pro Shop

- **Employee Golf Tournament** May 18th: Course closed until 1:30pm
- **UEC Invitational Tournament.** May 23rd, 8:30 Shotgun start (Full)
- **Jr. Camp** signup has begun. See attached or Pro Shop for details
- **Course Closure for aerification**
 - o Tuesday, May 28th Back Nine and Putting Green
 - o Wednesday, May 29th Front Nine and Driving Range
 - o Grass will NOT be cut for 7 to 10 days on greens depending on healing conditions



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Property Services

- Completed excavation of test pits for TLC inspections and facilitated inspection by TLC. Pits will remain open for further testing
- Inspected all fire extinguishers
- Painted walkway roof repair at pool 1
- Began removing overgrowth behind the garden club at Dottie Ln.
- Stripped and re waxed floors at D&E will commence after this meeting
- Removed old transformer from "old green piece of garbage (OAB)"
- Completed the cleanup of the "old green piece of garbage (OAB)" after demolition
- Replaced shower valve at pool 3
- Continued painting parking lot stripes
- Serviced all A/C units
- Straightened out parking stops at the shopping center
- Replaced/straightened out white poles on BBRD grounds
- Made repairs to walking bridge between the shopping center and the bank
- Addressed all current grass violations
- Continued solicitation for quotes/bids for various projects

General Information

- **Facilities Assessment Update** – Staff participated in a 90 minutes plus conference call reviewing the draft report and expect the final report to be available within the next two weeks.
- **Old Administration Building Site Restoration Update** – Over the next several weeks the following tasks will be accomplished:
 - Re-grading the site (including new fill to level the site)
 - Installation of irrigation (including conversion of the Veterans' Monument area from potable water to lake water)
 - Installation of sidewalk from walkway along the Traffic Circle to the front of the New Administration Building
 - Installation of sod and landscaping
- **Brightline – Virgin Trains USA Meeting:** Representatives of Brightline – Virgin Trains USA requested a meeting with Chairman Klosky and me (scheduled for Monday, May 13th) to brief us on construction activities for the Phase 2 segment of the express railway between West Palm Beach and Orlando (work in the Barefoot Bay area occurring in early stages, estimated later this year). The purpose of the meeting is to introduce BBRD personnel to Brightline – Virgin Trains USA Construction Management team and Public Information Officer in order to establish a communication conduit between the company and BBRD. Brightline – Virgin Trains USA Construction Management Team will lay out the general scope of work and its sequence, establish protocols for public notification of closures, and needed coordination. This meeting is a courtesy of Brightline – Virgin Trains USA and is not open to the public.



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- They will email me when they are about a month out to coordinate public information dissemination regarding road closures. They had previously met with Brevard County officials.
- **Employee Emergency Management Planning Meetings** – Per the BOT Emergency Management Plan, all staff will attend one of the brief meetings (9am in Building D/E on Thursday, May 30th and Thursday, June 6th) to review their roles in preparation and recovery from potential emergency situations. Although these meetings are not open to the public, Trustees are welcomed to attend if they so desire.
- **New Administration Building Project Update:**
 - Irrigation and partial landscaping will be installed next week
 - Veterans Monument and Traffic Circle will be converted to NAB lakewater system
 - Veterans Monument area landscaping will be removed and updated as part of the project
 - Award of contract for the NAB backup generator is currently scheduled for the June 14th BOT Meeting agenda
 - Remainder of landscaping (sans spot reserved for Petals and Palms autumn project) and sod will be installed after the new sidewalk is installed

Attorney Report

General Counsel Repperger stated that he will keep the Board updated regarding the assessment issue and Commissioner Tobia's position. He provided an update on the Blissful Things court case. He is hoping to have the case heard in June. General Counsel also addressed the DOR cases from this evening.

Trustee Incidental Remarks

Mr. Loveland had no comment at this time.

Mr. Diana had no comments.

Ms. Henderson spoke about the potential for nepotism on the Board if members of the Trustee's family or spouses are employed by the District. She suggested the Board consider the topic very seriously now that there are no members on the Board with family or spouse it would be a good time to discuss making a change.

Mr. Wheaton had no comments.

Mr. Klosky reminded the trustees to have the evaluations for SDS, the Community Manager and General Counsel Repperger turned into Ms. Myers by June 10, 2019.

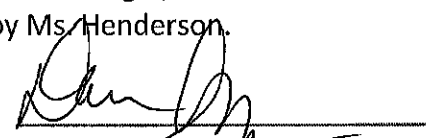
Adjournment

The next meeting will be on June 14, 2019 at 1pm in Building D/E.

Mr. Wheaton made a motion to adjourn. Second by Ms. Henderson.

Meeting adjourned at 9:00pm.


Steve Diana, Secretary


Dawn Myers, District Clerk