



BAREFOOT BAY RECREATION DISTRICT

Board of Trustees Workshop
DOR Enforcement
January 29, 2020
9:00 AM- Building D&E

Welcome

The Barefoot Bay Recreation District Board of Trustees held a Meeting on January 29, 2020 Building D&E 1225 Barefoot Boulevard, Barefoot Bay, Florida. Mr. Klosky called the meeting to order at 9AM.

Pledge of Allegiance to the Flag

Led by Mr. Loveland.

Roll Call

Present: Mr. Klosky, Mr. Maino Mr. Compton, Ms. Henderson, and Mr. Loveland. Also, present, John W. Coffey, ICMA-CM, Community Manager, Cliff Repperger, General Counsel, Rich Armington, Resident Relations Manager, and Stephanie Brown, District Clerk.

Discussion of DOR Enforcement

Mr. Repperger gave an overview on the different ways DOR is enforced. He also spoke about and explained the associated resolutions used for enforcement (listed below).

Resolution 2015-16 (General enforcement process)

Resolution 2015-17 (Lawn, Landscaping Maintenance, Powerwash)

Resolution 2015-18 (Debris-Related Violations)

Resolution 2012-09 (Suspension of Memberships Violation Found)

Resolution 2014-12 (Suspension of Memberships Parking)

April 18, 2008 Memo on Fines and Liens

Mr. Repperger gave background and history on the use of fining as it relates to Chapter 1 62. He stated that the current resolutions were adopted as an alternative to fining. Mr. Repperger stated that the DOR policy currently has no reference to fining.

Referred Properties Case List

Mr. Repperger spoke on surge in the amount of cases being referred and concerns about litigation costs. He proposed the option of BBRD imposing fining as a possible method to assist with the amount of cases and costs incurred. Mr. Repperger gave Holiday Park as an example of a similar community instituting fines along with a copy of their DOR policy. He stated that the responsiveness to a fine would be on a case by case basis. Additionally, to implement fining, it would need to be in the DOR policy, and to do that there would need to be a ballot amendment process.

Ms. Henderson had questions about the success Holiday Park has had with fining. Mr. Armington responded that the person he spoke with in Holiday Park stated it was a great cost-effective tool that brought the compliance rate up.

Mr. Compton asked how Holiday Park has the authority to fine and Mr. Repperger responded that it is solely based on the language in their DOR policy.

Mr. Loveland voiced concerns with the subjective areas of fining enforcement and making any changes without community input. He also voiced concerns about possible debt revenue and consistency of following the policy, making the policy specific.

Proposed an amendment to the language and allow the fining for themselves (residents)
Mr. Maino asked if fining will make a difference in compliance. Mr. Coffey responded that fining would be another tool to utilize and possibly lessen the number of severe violations. Mr. Maino asked various questions about how the fining process would work.

Dave Wheaton-stated that section 14A of the DOR gave BOT the authority to access fines. Mr. Repperger responded that the Amendment was added to the DOR policy to get the Florida Legislature to support fining, which did not occur.

Nancy Isley-Spoke in favor of a clear definition on fining and a cap on fining amounts.

Rich Schatlow-Spoke in favor of having more tools to fix issues within the District.

BOT gave a consensus to make an agenda item for a ballot amendment.

Mr. Klosky asked for an update on active cases and stated that he would like them resolved as soon as possible. Mr. Repperger responded that he has held some of the cases to see if the fining policy would be implemented. However, he will move forward and try to get all the cases filed within the next 30 days. Mr. Repperger also stated he will provide monthly updates on the cases.

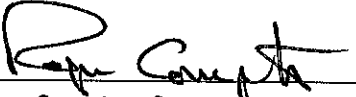
Mr. Armington asked for clarification on if ARCC could implement applications fees. Mr. Repperger responded that he did not think so because it is not stated in the DOR policy.

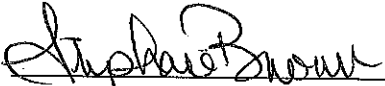
Tom Nelson-Chairman of ARCC-spoke about the upcoming ARCC committee topics of fees and issues with residents not filing permits. He voiced that while he thinks it could be a great tool, he has concerns about it also being used inappropriately.

Adjournment

Mr. Loveland made a motion to adjourn. Second by Mr. Compton. Mr. Klosky adjourned.

Meeting adjourned at 10:42am.


Roger Compton, Secretary


Stephanie Brown, District Clerk

If an individual decides to appeal any decision made by the Recreation District with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim. Barefoot Bay Recreation District Regular Meeting