

**BAY POINT COMMUNITY ASSOCIATION
REGULAR MEETING OF THE BOARD
Monday, April 11, 2022 AT 5:30 PM
BPCA CONFERENCE ROOM
MINUTES**

IN ATTENDANCE:

Doug Arent, Samantha Dring, Patrick Green, Walt Rankin, Debbie Rush, Catherine Seltzer Mitchell, Jen Shook, Zack Seltzer, and Jose Velez

In Attendance by Phone:

Kevin Lynn, MVC

ABSENT:

Justin Gorman

ALSO IN ATTENDANCE:

John Townsend, Esq., Debra Haydn, Recording Secretary, David Renneker, Comptroller

CALL TO ORDER:

Catherine Seltzer Mitchell called the meeting to order at 5:30 PM.

MEETING RECORDED BY:

BPCA, Video

QUORUM:

A quorum was confirmed by Doug Arent, Secretary.

BP Linx, LLC Update – John Warren

Mr. Warren, the current owner of the Bay Point Golf Course property, was invited to address the board to give an update on future plans for the golf course property. Due to extensive damage from Hurricane Michael in 2018, the Meadows golf course property was not restored to a functioning golf course. Mr. Warren is investigating several ideas for the property development. At this time his focus is on construction of an extension of the Bay Point canal on the meadows property, adding approximately forty (40) to fifty (50) new home sites and the addition of a private air strip parallel to Delwood starting just before the Resident's Gate. Components of the airstrip may include a 50 foot tall control tower with the BPCA Logo, a barn/hanger for his airplane, and a split rail fence running the length of Magnolia. Mr. Warren said he would consider opening to air strip to Bay Point Owners who own small airplanes. Operation of the airstrip would be limited to day-light hours only. There are still many regulatory associations

that need to approve his development plan including County, Federal, FAA, as well as, Development of Regional Impact (DRI) issues.

Mr. Warren shared his current plans for tying into the Bay Point Canal system would require one or more bridges. When asked he confirmed the additional parcels would be members of the Master Association and he would form a canal association for the new canal parcels that would be independent of the BP Waterfront & Canalfront Association. He encouraged and answered questions from those in attendance.

AMMENDMENT TO HEIGHT RESTRICTIONS OF FENCES:

The Board considered four (4) variations of the BPCA rule regarding Height Restriction of Fences in Bay Point.

MOTION: By Jen Shook to approve Revision #3 as edited by Catherine Seltzer Mitchell (*attached to minutes*) second by Patrick Green and unanimously approved.

REVISIT FENCE REPLACEMENT: 101 Marlin Circle

MOTION: By Catherine Seltzer Mitchel to un-table the Appeal for 101 Marlin Circle from the March 7th regular meeting of the Board, second by Patrick Green and unanimously approved.

With the amendment to the height restrictions of Bay Point fences as approved earlier at this meeting, the following motion was made:

MOTION: By Catherine Seltzer Mitchell to grant the appeal and instruct the ARC to grant the application accordingly based upon subsequent change in the rule that makes this now a permissible project, second by Jose Velez, and unanimously approved.

APPROVE AGENDA:

MOTION: By Walt Rankin to approve agenda, second by Samantha Dring and unanimously approved.

APPROVE CONSENT AGENDA:

MOTION: By Walt Rankin to approve the Consent Agenda including the edit to the Finance Committee Report stating it was given by Zack Seltzer, second by Jose Velez and unanimously approved.

FINANCE COMMITTEE REPORT: Zack Seltzer

The Finance Committee met on April 6, 2022.

- Consolidated cash balances totaled \$2.7 million
- As of April 6, 2022, Accounts receivable totaled \$120,513 with 43 accounts past due. On April 10, 2022 35 RFIDs will be shut off as voted on at the last BOD meeting.

- The Committee discussed the following Infrastructure projects, Redfish Pond, The Residents Gate deferred maintenance project, The Resident's Gate security gate arm replacement, repair projects at 912 Cobia Drive, and 132 Legend Lakes
- The Committee reviewed a proposal for a CD investment opportunity that would earn interest investing \$1.5M leaving total cash of \$800K available in the Infrastructure account.
- **MOTION:** by Zack Seltzer to approve the CD investment opportunity (*attached to minutes*) second by Samantha Dring and unanimously approved

PRESIDENT's COMMENTS: Catherine Seltzer Mitchell

- Work on the Resident's Gate renovations have started and during this time there will be days that the gate will need to be closed. These closures will be announced on our webpage, Facebook and with signage at the gate and other locations.
- Owners comments will remain at the beginning of the meeting agenda so they can be considered by the board as they relate to agenda items
- The last update she received regarding the opening of the Marina was they are working towards a May 1st date.

REPORTS:

BAY POINT WEST: Jen Shook

Jen Shook reported that Bay Point West would have a board of Directors meeting soon (April 20th). The annual members' meeting is coming up soon. Once a date is selected a notice will be sent to owners and posted on the BPCA website (baypointflorida.org) and Facebook on the Bay Point New and Information page. The Dumpster at the Resident's Gate is for homeowner's use, not contractors and asked owners not to overfill it as it makes it harder to empty it. BP West has used six (6) of the eight (8) dumpsters received as part of the annual Nates contract.

- ARC Liaison: Jen Shook
 - Has sent out 50 letters to owners that they have identified issues that need to be addressed on their properties.
 - The ARC has a new Chairperson, Reggie Summers
 - The committee continues to approve most of the requests submitted to them.
- Canal Liaison: David Renneker reported in the absence of Justin Gorman
 - A 40 to 50 gallon diesel fuel spill recently occurred in the canal and is estimated to cost the Coast Guard \$30,000-\$40,000 to clean up. Owners can be fined up to \$48,000 for a spill. To date no one has confessed to the spill.
- Community Events: Debbie Rush
 - Upcoming events at Bar 72 include
 - April 14th – BBQ Night
 - April 17th – Easter Sunrise Services
 - April 17th – Easter brunch with the Easter Bunny
 - April 21st – Fried Chicken Night

- Spring/Summer Live Music at Bar 72 every 2nd Friday night of the month, Bar menu and drinks available until 8:00 PM – Dates will be posted on the BPCA webpage at baypointflorida.org.
 - Upcoming Dates: 5/13, 6/10, 7/8, 8/12
- Governing Docs: Walt Rankin
Comments and suggestions will be collected from property owners until April 18, 2022. An email address was created to collect and publish these comments. After April 18th Mr. Rankin will create a list of issues that will need further discussion and final edits by the Board.
- Information & Technology: Patrick Green
He is looking into software that would assist in coordinating and sharing information and said he would meet with Debra Haydn and Nancy Culp to discuss these. At a future board meeting he will present his findings.
- Infrastructure Liaison: Kerry McLane
Full report (attached to minutes)
 - **MOTION:** by Samantha Dring to approve the 132 Legend Lake Drainage Project at the estimated cost of \$9,971 and move forward with this project, second by Debbie Rush and unanimously approved.
- Security Liaison: Samantha Dring
 - Security continues to use radar to enforce and deter speeding which is on the decline at this time
 - Valid driver's licenses are still required at security gates for guests to enter Bay Point. At present time security personnel are checking the information on the license, but are no longer photocopying them
 - Underage golf cart drivers continue to be an issue. Patrol continues to deal with this problem and stop these drivers when they see them. According to Bay Point regulations you must be 15 and have a learner's permit to operate a golf cart on Bay Point property.
- Stakeholders Liaison: Doug Arent
 - The Stakeholders agreement is under revision at this time. RFID's for Stakeholders will be defined in the new agreement. The revised agreement will be presented to the Board at an upcoming meeting.

GENERAL MANAGERS REPORT: - Debra Haydn

- Debra reported that water running from a toilet located in a suite next to the post office that we do not have access to flooded approximately half our the post office space. Luckily no mail or parcels were damaged, only supplies stored in a closet area The carpet was removed and mold prevention was done by ServePro. The cost was \$5,600 paid by BPCA. The owner of the building refused to reimburse for the clean-up.

NEW BUSINESS:

A. Maintenance Contract

This item was not presented to the Board, no action taken.

OLD BUSINESS:

A. Owner Sponsored RFID's for Qualified Non-Owners

- **MOTION:** By Jen Shook to remove tabled RFID issue and open it for discussion, second by Catherine Seltzer Mitchell, and unanimously approved
- **MOTION:** Jen Shook to update/amend/revise the Bay Point Rules and Regulations, Rule (95-1) Regarding Vehicular and Pedestrian Access into Bay Point, Paragraphs #2, #3 and #4, as approved by the Governing Documents Committee, second by Zack Seltzer and unanimously approved.
- **MOTION:** By Jen Shook to amend for consistency and approve, second by Patrick Green and unanimously approved.

(Original document attached to minutes.) There were small edits to the rule for consistency in paragraphs #2 and #4, and change "Club 19" to "Bar 72" in three (3) places in paragraphs #3 and #4. Walt Rankin will make these changes and distribute the document.

MOTION: By Zack Seltzer to approve the \$5,600 ServePro invoice for payment, second by Doug Arent and unanimously approved.

ADJOURNMENT:

At 7:55 PM **MOTION:** by Jose Velez to adjourn, second by Walt Rankin and unanimously approved.

Respectfully Submitted
Doug Arent, Secretary

**Section 3
Fences and Walls**

1. Fences and walls will be carefully considered to ensure compatibility with the residence in conjunction with which they are built and with the neighboring residences and surrounding properties. All fences and walls must be approved by BPW ARC prior to installation or replacement.
2. No fence or wall shall exceed 6 feet in height, except as described in paragraphs 3 and 4 below, above the lowest adjacent property owner's grade elevation at the property line. Finials on posts or support columns, light fixtures, or other similar adornments may extend vertically a maximum of 12 inches above the fence or wall with approval. Metal gates may extend 12 inches above the fence or wall with approval. Metal gates may extend 12 inches above the maximum height of the adjoining fence. Solid gates may not extend above the maximum height of the adjoining fence.
3. Fences or walls extending beyond the front of the house may not exceed 4 feet in height above the lowest adjacent property owner's grade elevation at the property line, except where grade variations in the yard level may necessitate a variance of up to six inches in order to maintain a uniform crown level.
4. On canal, lagoon, and operational golf course lots, fences and walls not exceeding 4 feet in height measured from adjacent owner's grade elevation at the property line may extend beyond the rear corner of the house along side lines to the rear property line and may be built along the rear property line provided they are designed so as not to obstruct the adjacent property owner's views. Picket and see through metal fences may be granted a variance of up to six inches to allow for varying ground elevations in order to maintain a uniform crown level. Solid fences may be granted no more than a three inch variance allowing for varying ground elevations. Following any change in land use of adjacent property, homeowners will be granted a two-year grace period to adhere to height restrictions as per this section.

Ladder Report

Ladder Monthly Cash Flow By Year (based on Worst Date)

Year	Muni Interest	Taxable Interest	Principal	Est. After Tax Int.	Muni Interest	Taxable Interest	Principal	Est. After Tax Int.	Muni Interest	Taxable Interest	Principal	Est. After Tax Int.	Muni Interest	Taxable Interest	Principal	Est. After Tax Int.	Muni Interest	Taxable Interest	Principal	Est. After Tax Int.	
2022	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	\$0.00	\$0.00	\$113.01	\$113.01	\$0.00	\$116.78	\$113.01	\$116.78	\$0.00	\$116.78	\$113.01	\$116.78	\$0.00	\$116.78	\$113.01	\$116.78	\$0.00	\$116.78	\$113.01	\$116.78	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2023	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2024	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Note:
This document slightly
will change depending on
interest rates
and investment
at the time of
investment

**BPCA BOD Meeting
Infrastructure Committee Report
April 11, 2022**

The Infrastructure Committee held its monthly meeting on Thursday, March 24th, in the BPCA office. Conference room.

MAJOR PROJECTS FOR APPROVAL

1. 132 Legends Lake Drainage Project

There is a large hole identified at bottom of drainage box via pipe breakage with leakage of sand accumulated in and around the drainage box. Drainage box needs cleaned before repair of the piping and may require a vac truck. Cost of project is \$ 9,971.00. This project has been approved by the Infrastructure and Finance Committees. (Motion to come from Board)

APPROVED PROJECTS – UPDATES

1. Resident Gatehouse Renovation

Approved by Board at 3/7/22 meeting with a budget ceiling of \$60,000 for the full project.

Update: The bid is \$ 47,891.76, and allowing for any supply cost issues, is under the ceiling amount approved by the Board. Start date planned April 8, 2022 or week after dependent on weather conditions.

Horsley Construction will complete the project in segments with a target completion date of Memorial Day. Traffic will be rerouted during the roof project, and Horsley will provide a digital traffic sign. Once exterior i.e., Roof and Entry Wall(s) Roofs are completed, then other project segments will follow such as canopy replacements (3), external entry walls, gatehouse painting (weather timed), servicing/replacing sliding Doors (200 mph impact glass), Electrical inside, Shelving, AC, BR Counter, etc.

2. Redfish Pond

Approved by Board at 3/7/22 meeting with a budget ceiling of \$60,000 for the full project.

Update: The bid is \$ 47,891.76, barring any additional issues discovered, and is under ceiling amount approved by the Board. All equipment and supplies are ready, just awaiting homeowner signatures on legal release documents, with primary focus on two properties where access will be needed. The project will start after signature acquisition process.

3. Resident Gate Arms Replacement and Upgrade

Approved by Board at 3/7/22 meeting with a budget of \$8,609.47 for project for the Main Resident Entrance off Dellwood.

Update: 50% of bid cost placed for the ordering of (2) 10 ft LED, Breakaway Gates for the Resident & Visitor Gates and for the LED/Electrical kit, from vendor, Gorrie Reagan. Supply chain delay. Speed bumps; however, have already been placed in the lane between the gates for safety.

4. 912 Cobia

Approved by Board at 3/7/22 meeting with a budget ceiling of \$26,876 for the full project

Update: The project is starting. The scope of work includes, demo ~ 12 ft of driveway, install ~8 ft sewer pipe with lift in yard to outfall in the road; Install ~ 48 ft of 18-inch rcp; Fill with compact; Pour Driveway back; Dispose concrete/unsuitable soil; and Replaced sod.

PENDING/ONGOING PROJECTS

1. Road Striping – Initiated contact of road striping companies with plan to develop a systematic plan of restriping of key needed areas/roads in Bay Point. A bid was received after the March Infrastructure meeting and will be reviewed at next Infrastructure meeting.
2. Dragons Ridge Road Fence Replacement – Communications have been initiated, albeit limited, between the BPCA and Sanctuary Beach Communities. Further investigation is needed to determine fence ownership and replacement for demarcation & separation of communities.
3. Asphalt Caps – The Identified broken or open asphalt areas in roads around Bay Point identified by City of PCB for capping have not yet been completed by the city.

CLOSED PROJECTS

1. 320 Wahoo – The resident complained of a sinkhole in her yard, suspected a broken drainage pipe. A vendor reported to the Bay Point Office there's no connecting pipe and not an issue. This Infrastructure project is now closed and moved to the BPCA for General Manager to provide a direct report to the resident for closure and customer service.
2. Resident Gate Sewer Line – A preventative maintenance program has been recommended by the Committee for BPCA Office to treat the toilets/sewer lines with Salt or an alternative such as Copper Sulfate. Also advised BPCA Office contact a Plumbing Company for a recommended scheduled maintenance program and product. This Infrastructure project is closed and moved to the BPCA Office as a general maintenance operational item, and will provide updates to the Board.

BPCA OPERATIONAL ISSUES/NON-INFRASTRUCTURE

1. Signage – The Committee identified multiple signage throughout Bay Point that are in various stages of disrepair, faded, broken, bent, etc. needing to be fixed, repainted or replaced to improve informational/directional signs in Bay Point and for the Community's aesthetics. This has moved from Infrastructure to a BPCA Operational function.
2. Maintenance Log – A log was developed identifying many smaller, maintenance type issues needing addressed throughout Bay Point, including, but not limited to Bay Point lighting, street lighting, electrical related issues, broken signs, paint touch up, etc. This has moved from Infrastructure to a BPCA Operational function.
3. Infrastructure Binder – The contract engineer has agreed to update the Infrastructure Binder addendums and has requested the assistance of the BPCA Office to provide him the date, cost and location of the repairs, augmenting his pictures of repaired projects used for tracking and historical record keeping. This will be a BPCA Office operational function and BPCA office will print out and place updates in the BPCA Office Infrastructure binder.

OTHER INFORMATION

1. The BPCA office continues to manage a listing of all ongoing Infrastructure Projects on the Project Worksheet. Please call the BPCA office to log any issues or follow-up on the status of an infrastructure matter.
2. Additionally, the BPCA Office will continue to be the primary point for communications for the Residents/Homeowners of Bay Point.

Respectively submitted,

Kerry McLane
BPCA Infrastructure Committee Chair

Rule Regarding Vehicular and Pedestrian Access Into Bay Point (95-1)

WHEREAS, there are six (6) security access gates at Bay Point: the Resident's Gate located on Delwood Beach Road, the Bay Town Gate at the intersection on Jan Cooley Drive and Bay Point Road, the Legend Hills gate located directly across the street from the Bay Town Gate, the Reflections Gate located on Marriot Drive by the Reflections Condo, the Club 19 Gate located on Bay Point Road between the Golf Club House and the Marina Club, and the Thomas Drive Gate; and

WHEREAS, security and safety for persons and property in Bay Point will be enhanced by allowing pedestrian and vehicular access to Bay Point only through the six (6) gates.

1. Vehicular and pedestrian entry to and exit from Bay Point is hereby restricted to the aforesaid six Gates.

2. In accordance with policy approved by the BPCA Board of Directors each Bay Point property owner in good standing may sponsor two (2) non-owners, hereafter referred to as Owner Sponsored Guests, for the purchase of one RFID sticker each for a cost of \$250.00 for the first year and a renewal fee of \$200.00 for each additional year. At the time of purchase and at each renewal the owner-sponsor must present themselves at the Bay Point Office and sign a statement accepting full liability and responsibility for the actions of those sponsored. In addition, the driver of the sponsored vehicle must be present and deliver the vehicle registration showing them as the owner, proof of insurance in their name and their driver's license to the office staff for copying and filing. Each sponsored non-owner may receive one RFID applied to one vehicle.

Jose
B-2
consistent
□

*-best time
to recoverable*

An owner may not sponsor a building contractor or lawn care contractor to work in Bay Point.

Owners and tenants, who are not eligible to receive RFIDs for any reason, are not eligible to be sponsored by another owner in good standing. Some examples include, but are not limited to, the owner's loss of BPCA privileges; owner is not a current BPCA member in good standing, or due to an outstanding financial obligation etc.

If a Sponsor's RFID privileges are suspended for any reason all sponsored RFIDs will be suspended until the sponsoring owner corrects the problem that caused the suspension to their RFID.

The RFID sticker will activate all of the gates used by the sponsoring property owner and will be inactivated, without refund, under the following conditions.

- The annual sponsorship has expired
- The sponsored guest has received 3 traffic citations since initial activation
- Payment of a traffic citation fine is 30 days past due
- The sponsor's RFID is suspended or cancelled for any reason including the sale of their property
- The sponsored guest no longer owns the vehicle.

If a sponsored guest wishes to change the vehicle used for entering Bay Point they should remove the RFID sticker and return it to the Bay Point office. A new RFID sticker will be applied to their "new" vehicle after all required documentation is presented along with a fee to cover the cost of the new sticker. Their sponsorship will continue uninterrupted.

3. Vehicular and pedestrian entry to and exit from Bay Point via the Club 19 and the Thomas Drive Gates is a privilege afforded to Bay Point Property Owners, their tenants and those sponsored by a property holder who have purchased RFID access to Bay Point in compliance with the standards hereby established. Furthermore, said privilege can be suspended and/or revoked as a result of any violations to BPCA rules and regulations.

4. Anyone without an approved RFID electronic gate activation/sticker (including any property owners tenant, family member or guest) intending to enter or exit Bay Point is hereby required to use one of the first four (4) aforementioned six (6) Gates. Entry to and exit from Bay Point via the ~~Club 19~~ and Thomas Drive Gates is limited to BPCA property owners and those sponsored by a property holder who have purchased RFID access to Bay Point in compliance with the standards hereby established, BPW property owner's tenants, BPCA approved medical care personnel, BCSO Beach Patrol officers, and emergency vehicles (Fire Dept. and Ambulances).

5. Anytime a BPCA security officer has reason to believe that a disallowed entry into Bay Point has been accomplished, said security officer is directed to report the matter to the ~~Captain~~ Director of Security or the Senior Officer on Duty; and if the Director of Security or the Senior Officer on duty decides further action should be taken, he may report the matter to the appropriate law enforcement agency.

6. The penalty for unauthorized entry into Bay Point shall be a \$250.00 fine payable to BPCA by the BPCA member whose family member, guest, or tenant violated this Rule. A second violation within six months of an initial violation shall result in a \$300.00 fine if a guest or a \$350.00 fine if an owner. If a third violation occurs within a six-month period, a \$350.00 fine if a guest, or a \$400.00 fine if an owner shall result and the BPCA Board is authorized to seek injunctive relief against the BPCA member in the Bay County Courts.

7. The penalty for making unauthorized entry or exit via a mechanical gate or electronic gate, damaging, manually manipulating, or willfully knocking off or removing the mechanical gate or electronic gate arms or apparatus at any of the six (6) Bay Point gates by any means shall be a \$1,000.00 fine payable to BPCA by the BPCA member who committed the violation or whose family member, guest, contractor or tenant committed the violation and all reasonable costs to repair and restore the mechanical gate or electronic gate arms and electronic gate apparatus. Furthermore, that fine will be accompanied by an immediate 30-day suspension of the BPCA member's household electronic access privileges. A second violation within six months of an initial violation shall result in a \$1500 fine and payment of all reasonable costs to repair and restore the mechanical gate or electronic gate arms and electronic apparatus and an immediate 60-day suspension of the BPCA member's household electronic access privileges. A third violation within a year of the initial violation by the BPCA member or family member, guest, contractor or tenant shall result in a \$2,500 fine and payment of all reasonable costs to repair and restore the mechanical gate or electronic gate arms and electronic apparatus and immediate revocation of the BPCA member's household bar code electronic access privileges. In each occurrence, the electronic access suspension will be carried on to term independently of the fine. BPCA is authorized to seek judgment against the BPCA member in the state courts of the Fourteenth Judicial Circuit of Florida in and for Bay County, for injunctive relief and/or for damages for all costs of repair and/or replacement of any damaged gate equipment for which the BPCA member and/or the BPCA Member's family member, guest, contractor or tenant is responsible, together with all attorneys' fees and costs incurred by BPCA regarding the matter, and such action and judgment for damages shall be in addition to any fine(s) which may be levied against the Member in connection with the same matter.