BOARD OF TRUSTEES

REGULAR MEETING MINUTES

October 17, 2016

1. Meeting of October 17, 2016 called to order by Chairman, William “Bud” Getz at 7:00 p.m. 66 in attendance.
2. Invocation by Keith Rittschner First Vice-Chairman
3. Pledge of Allegiance led by Keith Rittschner.
4. Roll call by Secretary, Marion “Molly” Stone:

Present William “Bud” Getz, Keith Rittschner, Russell Livermore, Phil Matton, Marion “Molly” Stone, Cathleen “Cathi” Brennan, Marilyn Spall, Rodney “Rod” Lindsay. Absent was Allison Kelly

1. Announcement by Chairman, Bud Getz: One announcement will be made at this time and further announcements will be made during time of Trustee comments.

“It is the responsibility of the property owner(s) to maintain their residence as well as their surrounding property at all times including, but not limited to hurricane damage. The Park Maintenance crew’s primary responsibility is to maintain the common grounds, buildings and road ways. Included in their responsibilities is the cutting, trimming and edging of the grass on your property. They cannot properly care for your ground maintenance if you do not accept responsibility to remove storm debris as soon as possible after it occurs. All debris must be moved “curb side” for pickup by Waste Management. When possible, please assist your neighbors who are physically unable to perform this task. When the Park Maintenance crew completes their primary tasks, they will try to assist in the maintenance of your property.

It is the responsibility of all property owners to have an emergency contact on file with the office for your property.”

1. Approval of minutes of meeting of September 26, 2016 was tabled due to these minutes being incomplete.
2. Financials unavailable for Treasurer’s report due to resignation of accountant and year-end. Prior to meeting, Treasurer compared budget numbers to actual and accounts are within budget.
3. Amendment to Board of Trustee By-Laws regarding “Term Limits”:

Keith Rittschner made a motion not to approve the proposed By-Law addition. Motion was seconded by Molly Stone.

Discussion followed:

Molly Stone, Trustee stated that version presented has changed greatly from previous versions. She also stated that when a person is appointed to complete another person’s “term limit” that is less than two years remaining, it should not be counted as a full “term limit” in the calculation of maximum of three “term Limits”.

Keith Rittschner, Trustee stated that “term limits” restricts people who may want to come on the board.

Bruce Crabb presented a proposal consisting of three sentences that will cover “term limits”.

Bud Getz advised that By-Law changes need legalese n case charges are brought against the board.

Charlotte Gladstone stated she has put in for Trustee position and we should have “term limits”. Fussing and feuding has nothing to do with Trustees but has to do with the people.

John Lalima questioned if “term limits” had been approved by the attorney. Bud Getz advised that the attorney wrote them.

*Vote was called for motion not to approve adding term limits” to By-Laws.*

*Motion was defeated with three Trustees voting yes and five no.*

Marilyn Spall made a motion to change By-Laws to add “term limits” as stated in version six. Phil Matton seconded the motion.

No Trustee or resident comments.

*Vote taken to approve motion to change By-Laws adding “term limits” as stated in version six written by the attorney (copy attached).*

*Motion passed, five voting yes, three no.*

1. Discussion of the cold pool pump repair/replace.

Tabled until first meeting in November when Ron Lindsay, Trustee will present additional information.

*Keith Rittscher made the motion to table. Rod Lindsay seconded the motion.*

*Motion passed.*

1. Motion to approve or deny a one month leave of absence for Allison Kelly.

*Keith Rittschner made motion to approve requested leave of absence.*

*Marilyn Spall seconded the motion. Motion passed.*

1. Approval to add to golf cart rules and regulations.

Discussion on change

*Motion made by Keith Rittschner, Trustee to amend Rules and Regulations by adding to page 8 the following:*

*Rules and Regulations # 7: No outside (non-resident) Golf Carts, Scooters, Mini-bikes or personal mobility vehicles will be allowed to drive into the park. Marilyn Spall seconded the motion. Motion passed.*

1. Chairman asked for Public Comment, to be followed by Trustee Comments.

Elloise Raffo mentioned activities going on in the park. Check channel 732.

Becky Earnest reported that office personnel were supposed to know how to reset Channel 732. Duffy’s fundraiser is Thursday. There are a lot of new residents in the park and violations are occurring.

Bud stated that realtors have been requested to give prospective new residents a copy of the Deed Restriction Booklet. Tracie, Office Clerk, reported that each new resident is given a booklet when they register at the District office.

Barbara Hoffman is heartbroken to see the strife between two factions in the park. Much of it coming from frustration over not getting more information. Minutes should be posted on the web to give an understanding of what is taking place. Example: I asked two trustees about Jessie and Sharon and got two completely different answers. This is a problem when not getting correct answers to questions. Explanations do not have to be detailed.

Bud, we are not going to give out personal information. If a person quits or is terminated, the reasons are not going to be posted on the website. Would you want your personal information posted for everyone to see? We, you and I, discussed this situation. Glad you are back and please continue to participate.

Donna Matton, Chairperson of ACC: If there is a leak in your roof – get it fixed, however, you still need to go before the ACC Board to have your contractor recorded as legitimate and with insurance. If doing your own work you need permission.

Mary Alice is Welcome Committee Chairperson. When she visits new residents she makes sure they have received the booklet. Have new residents call her.

Eileen Krause made an announcement about Ladies Luncheon.

Jean Beach spoke regarding the posting of the agenda and minutes on the website two days after a meeting.

Russ Livermore, Trustee, had anticipated having the minutes of September 26, 2016 completed, however, due to office personnel being very busy they were not complete. Trustees are working everyday assisting in the District office.

John Lalima requested clarification for not having a meeting at the end of the October. Bud Getz, Chairperson explained that the Regular and Workshop meetings will be held on regular dates in November.

Mr. Lalima stated we need to start the search for a new park manager. Bud has received information through the mail and has had people volunteer to work for $1.00 until the Board is able to get a Manager. More information will follow.

1. Trustee comments:

Russ Livermore is extremely glad to have Chairman Getz here this evening. Commented on how helpful the Grounds Crew was prior to the hurricane when the assisted everyone who called the office requesting help. They did an outstanding job. Jody Jr. has been an outstanding individual. During the storm and for several days following, the park was closed. After the storm, I was in the park and a couple of the Grounds Crew came into the park Thursday, Friday and Saturday (overtime approved by me) to begin clean up. Sunday they were to take the day off, but no, they came in and worked to get the roads cleared.

11 A. *Keith Rittschner made a motion to add an item to the agenda. Russ Livermore seconded the motion. Motion passed.*

Trustee Russ Livermore: He presented a review of the typical long proposal received from Berman & Hawkins to provide auditing service for the year ended September 2016. The fee will not exceed $16,000. Cathi Brennan had discussed with a partner the possibility of reducing the fee and was told that the fee was firm. Bud stated that normally he would suggest finding another auditing firm for a cheaper price. However, given the condition of things having to do with the financials, we need to have someone who knows our park. Last year the fee charged was $12,000 with a credit from previous year. Also, today is Sandy’s last day as the accountant for the park. If needed, Sandy has offered to assist with the audit at a fee of $65.00 per hour.

*Motion made by Marilyn Spall to accept proposal from Berman & Hawkins. Molly Stone seconded the motion. Motion passed.*

1. Trustee comments continued:

Trustee Keith Rittscher: Noted that we a fiduciary responsibility and need good auditors and Sandy’s help with the audit. He stated that if we always agree, then we only need one person on the Board. We need to respect each other. He complemented Russ Livermore and other Trustees for stepping up to assist.

Trustee Rod Lindsay: He reported receiving one favorable letter in the office

regarding the Grounds Crew. People are quick to complain. If you see something

that they are doing wrong, don’t harass them. Get in touch with me. Today, I

have reviewed a total of five complaints. The Grounds Crew is doing a good job.

Please when you see that they are doing good job, say thank you.

Trustee Molly Stone: She asked what we are doing to find someone to work in the office.

Bud Getz advised that AARP Temp Agency is providing a person for a two week trial to see if they will work out for our situation. It is the least expensive way to see what they are capable of.

Molly Stone responded that she likes the temp agency because they do the drug and skills testing, and, she wanted to know when the search for Park Manager will begin. What happened to the furniture in the lobby, settee, lamps etc.?

Bud Getz advised furniture disappeared, given away by someone who had no authority to give away. Do not know who has it.

Molly discussed the ethics complaint received 10/14 against Jody dated 7/6. At the request of the attorney the District Clerk distributed copy of the complaint to each Trustee prior to the meeting. Why weren’t we notified sooner? Receiving this late, makes me wonder what else is being withheld. July complaint is in regard to nepotism laws, hiring son Raymond who has left forthwith but Jody Jr. is still with us.

Lastly, do we have word when debris from hurricane will be collected?

Bud Getz responded “no”, we have to wait until Waste Management gets around to us.

Molly Stone states that many Board members do not know everything that is going on.

Bud Getz responds let me explain, we can only discuss at a meeting. Things that come up in the park come to me first. I don’t necessarily disseminate it until I know what is going on, then and only then do all Board members get it and that’s the way it’s going to stay until you kick me out.

Molly Stone relays that she has a problem with this happening in July and not knowing until October.

Bud Getz responds I’m sorry, I don’t bring up names but they are sitting over

there. This has been going on all summer. Both of these documents are for the

same thing that I have given to the attorney from two different people in the same

household. It costs us money when things go to the attorney. If you don’t like

our park, GET OUT.

Keith Rittscher mentioned that if things are not right and not being done by the rules people have to do something.

Bud Getz explained that when Cheryl was here and she hired two relatives, not one person took offense to it at all. So if they took no offense at that time then they have no right to come into the park and start this crap.

Keith Rittscher responded, but if they did not know about it. If we handle complains as they come up we don’t have a problem.

Bud Getz stated that most people come to the park when they have a problem however; these people go to the attorney.

Keith Rittscher only when they don’t get results.

Trustee Marilyn Spall: Commented not necessarily to statement made by Keith.

She reported that along with Russ, she was in the park the afternoon after the storm. Boys were in and out doing everything they possibly could to help. She saw neighbors helping neighbors. Thanks, work is hard; they are under stress with never ending job.

In relation to complaint, perhaps we should look at old Board minutes about being unethical to hire relatives. It was brought up when Cheryl hired relatives. Let’s think about this, let’s go back and try to work together, try to be nice instead of picking each other apart. There are people who go to the attorney and they have cost the park a lot of money and maybe we should be going back to them for the attorney fees.

I know that other board members and I have been going out of our way to help whenever possible, not all agree it’s helpful but we do try our best. Thank you to all residents for coming and your support. I understand when you are up north you are not getting as much information. We are doing the best we can because as Bud explained, much of what has to be done must be done in front of everyone so that the facts are brought forth under the Sunshine Law that most of us respect. Thank you for coming and your support.

Resident: Meredith Prisco at 1256 Shell Court commented that she is new to the park, there are legitimate grievances. We’ve seen some things; we can all work together because everyone has a stake in the park.

Trustee Cathi Brennan: She stated that today was Sandy’s, the accountant, last day. Another person came to watch and learn what she could from Sandy. It took them all day. Since the new accountant will be a contracted person, I have asked her to give us an engagement letter. Auditing firm will send person named Venus to do the audit.

Chairman Bud Getz: First Resident Letter: He received a letter from a resident who is concerned about how things are going. Resident’s daughter owns a company named “The Board Doctor”. This company comes in and looks at how you are doing things and gives hints and suggestions for changing and things like that. This lady has volunteered to come in as a temporary District Manager, Come in and run it at the same time help find someone to take the job. This lady asked “Would it be helpful if I submitted a proposal for the Board to review showing what help I can provide?” I recommend that Tracie respond by letter and make arrangement for the lady to come to the Board.

Second Wolf property: Bud has been in contact with Roger Reese who is the legal person for property and Mr. Reese has offered to give us the Wolf property. Jody was having a hard time finding paperwork for the property that was needed to go to the county and change the registration. Discussion with Motor Vehicle of Brevard revealed that no one can give a gift. How about if we pay $1.00? Lady responded, I don’t know an answer to that.

Talked to our attorney about which way we should handle this to keep the cost

down, and, he gave me information to give to Mr. Reese. Next day Mr. Reese called to say he was on his way to see his attorney to see what we can work out but I still want to give the property to the park.

We’ll bring you up to date at the next meeting.

Keith Rittschner asked, if we get the property, have we thought about what we will do.

Bud Getz answered, take the property, clear and put it up for sale. This is subject to change.

Third invoice from Unique Turf: He received an invoice from Unique Turf. My understanding from Jody was that money received from sale of scrap metal he purchased weed eaters. It was mentioned that a stripped down gator was also included in the trade. Bruce Crabb gave some additional information. Rod Lindsey stated that what is listed on the receipt and what is on a statement that he has, does not match. Rod will research further and report next meeting.

Bud Getz asked about the pool signs destroyed during the hurricane and asked that quotes be obtained. Cathi requested rules be matched for both signs.

Fourth: Bud spoke about an incident report where a lady on Greenview Court had two young people residing with her. They are allowed to stay 21 days as a guest.

Marilyn Spall mentioned a problem that occurred during the summer when homeless people were brought into the park to live. One of them was wanted by police as either the second or third most wanted in Brevard County.

Fifth: Bud read a complaint regarding mail boxes in District Office. Trustees

have a key to open box in the front. Back of box is open for ease of office

personnel to insert information. Traci was asked to keep an eye on the mail

boxes.

Sixth: Complaint received about the constant noise from the air pump left running. Mr. Matton reported that a 20 minute timer will be installed on the air pump to reduce the amount of time compressor runs.

Seventh: Chairman Getz read a letter from Bruce Crabb regarding fiduciary responsibilities as Trustees and Officers of the District.

Eighth: Bud had received questions again regarding the $10,833 severance paid to Jody in lieu of workers compensation. The two month severance was to encourage him to go and saved us $5000. The Board had given him 90 days probationary period. He explained per the attorney it was deemed to be cheaper to pay the severance.

Ninth: Questions about signing a check to the contractor in the amount of $32,464 to get them back on the job. We are still holding $19K until the work is completed to our satisfaction. Our original contract did not include renovation to interior bathrooms or tile in hallways. Plus some of the construction did not conform to the drawings. The contract was signed by Jody alone.

Workshop meeting for Monday, October 24th is cancelled.

*Keith Rittschner made motion, Russ Livermore seconded. Motion passed.*

Bud announced that November Regular and Workshop Meeting will be held as scheduled. There will be a special meeting early in November to cover some of the necessary items. I will schedule the time and you will be notified.

*Keith Rittscher made the morion to adjourn, Phil Matton Seconded. Motion passed.*

Meeting adjourned at 9:31 PM