



PORT MALABAR HOLIDAY PARK  
MOBILE HOME PARK RECREATION DISTRICT

215 Holiday Park Boulevard NE  
Palm Bay, Florida 32907-2196

## BOARD OF TRUSTEES

MEETING AGENDA  
October 28, 2013 - 7:00 PM

Joanne Gaughan  
Chairman

Rebecca "Becky" Earnest  
1<sup>st</sup> Vice-Chairman

Philius "Phil" Matton  
2<sup>nd</sup> Vice-Chairman

Marion "Molly" Stone  
Secretary

Allison Kelly  
Assistant Secretary

Richard Kissinger  
Treasurer

Donald R. Wink  
Assistant Treasurer

Rodney "Rod" Lindsay  
Trustee

Harald Albinus  
Trustee

Cheryl Ennis  
District Manager

Karl Bohne, Jr.  
District's Attorney

\* To comment on an item, after you have been recognized by the Chair, please go to the microphone and clearly give your name and address for the record. You may speak for up to three minutes. Note: If formal action is to be taken on an item by the Board, public comment will be requested prior to the vote.

*NOTE: MINUTES OF BOARD MEETING ARE PREPARED IN SUMMARY FORM ONLY. PER CHAPTER 286.0105 FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL A DECISION OF THE BOARD HE/SHE SHOULD ARRANGE FOR A VERBATIM RECORD OF THE PROCEEDINGS WHICH INCLUDES THE TESTIMONY IN EVIDENCE ON WHICH THE APPEAL IS MADE.*

"A community intended and operated for persons 55 and older"

1. **Call to order**
2. **Invocation**
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Announcements by Chairman**
6. **Guest Speaker - The Districts Attorney, Karl Bohne, from Schillinger & Coleman, P.A.**  
Questions and answers concerning Deed of Restrictions.
7. **Board Meeting Minutes - approval of the October 14, 2013 Board Meeting minutes**  
Attachments: October 14, 2013 meeting minutes  
Motion to approve minutes  
Trustee comment  
Call for vote
8. **Addition of gate at R.V. Compound**  
Attachments: Letter from Transfield Services & R.V. Compound Survey  
Trustee Comments  
Resident Comments  
Motion to Approve  
Call for vote
9. **Public Comment**
10. **Trustees remarks**
11. **Adjournment**



PORT MALABAR HOLIDAY PARK  
MOBILE HOME PARK RECREATION DISTRICT

215 Holiday Park Boulevard NE  
Palm Bay, Florida 32907-2196

BOARD OF TRUSTEE – REGULAR MEETING  
October 14, 2013 - 7:00 PM

1. **Call to order**  
By: Joanne Gaughan, Chairman, at 7:00 P.M.
2. **Invocation**  
By: Becky Earnest
3. **Pledge of Allegiance**  
Led by: Joanne Gaughan, Chairman

**Preliminary  
pending approval  
by the  
Board of Trustees**

4. **Roll Call**  
By: Rebecca “Becky” Earnest, 1<sup>st</sup> Vice Chairman; Joanne Gaughan, Chairman; Rebecca “Becky” Earnest, 1<sup>st</sup> Vice Chairman; Philiias “Phil” Matton, 2<sup>nd</sup> Vice Chairman; Richard Kissinger, Treasurer; Donald Wink, Assistant Treasurer; Rodney “Rod” Lindsay, Trustee and Harald Albinus, Trustee. All acknowledged their presence. Marion “Molly” Stone, Secretary; Allison Kelly, Assistant Secretary were absent. Cheryl Ennis, District Manager was present with Sharon Johnson recording.

5. **Announcements by Chairman**

Joanne Gaughan addressed a letter that was sent to the Board by a resident. The letter stated that people are afraid to say anything at the meetings for fear of comments being made after by Board Members. Joanne Gaughan stated that she thought people had gotten past that, and had given a lot of leeway for residents to vent.

The remainder of the letter addressed the absences of two (2) of the Trustees. This issue will be addressed as this marks the third consecutive Regular Board Meeting that both Allison Kelly and Marion “Molly” Stone have missed. Joanne Gaughan stated that the Trustees will make this discussion whether the Board members should be removed from office.

Richard Kissinger stated that it was hard enough to fill a position now let alone replace them.

Harald Albinus felt it was good they are addressing the situation right now.

Gail Hoitt, 195 Holiday Park, felt that both are keepers.

Keith Rittscher, 391 Holiday Park, said it would be nice if they were here but felt they could be reached via email regarding any issues.

Bruce Crabb, 442 Neighborly, asked for a chart to be posted on bulletin board with the Trustees attendance.

Rod Lindsay stated that there are inconsistencies with the By-Laws regarding what are Regular Meetings and said it should be corrected.

Joanne Gaughan asked for a show of hands from Trustees as to whether a written letter should be sent to the two (2) trustees addressing their absence from Board meetings. Harald Albinus said that letters should be sent. Becky Earnest thinks that a letter should be sent making them aware of the By-Laws. The majority of the Trustees think that there should be no letter sent at this time.

Barbara Hoffman, 1021 Little, asked if the Board could use Face-time allowing members to be present during the meetings.

Harald Albinus said that when you make a commitment you should be here at the meetings.

Bruce Crabb, 442 Neighborly CT, stated again that it was a public office and everyone knows beforehand what is entailed and the requirement to attend meetings.

Phil Matton said he contacted Allison Kelly via email regarding the letter received, and she stated that she will be coming back and will attend the next meeting.

Joanne Gaughan will send a letter to both Board members addressing the matter.

**6. Board Meeting Minutes - Approval of the September 23, 2013 Board Meeting minutes**

The minutes of the September 23, 2013 board meeting were distributed to the Board, posted on the District's bulletin board and website for review. Becky Earnest made a "motion to approve the September 23rd meeting minutes" with corrections. Phil Matton seconded the motion. The corrections were noted and a vote was called. Motion carried.

**7. Treasurer's Report - Presentation of financial reports for the month of August 2013**

The August 2013 Revenue, Expenditure, and Budget Allocation Reports and 8/31/13 Balance Sheet were distributed to the Board and posted on the bulletin board for review prior to the meeting. Richard Kissinger gave an overview of the Treasurer's report. With no questions from the Board or residents, the monthly financial reports will be filed for audit.

**8. Formation of "The Committee to Review the Deed Restrictions for Port Malabar Holiday Park Mobile Home Park Recreation District"**

Joanne Gaughan explained that the attorney had reviewed the proposed guidelines saying that they need to be reviewed by a committee at a public meeting.

Harald Albinus said he does not think that the Trustees should have anything to do with appointing members to this committee.

Becky Earnest suggested the wording be changed to say, "shall consist of up to 11 Members" and felt that verbal progress reports should be given every 30 days and written reports at 90 day intervals.

Phil Matton said he did not agree with the committee and felt that the Board should wait until more people are back in the Park. He said that we already had people who were working on the Deed Restrictions.

Rod Lindsay asked if Joanne Gaughan was seeking approval for the guidelines made by the lawyer.

**9. Consideration of selecting and approving date to hold the organizational meeting for “The Committee to Review the Deed Restrictions for Port Malabar Holiday Park Mobile Home Park Recreation District”**

The Board recommended that formation of this committee be postponed until after the first meeting in November when there would be more residents who may want to be involved with the process.

**10. Consideration of approving fence style and contractor for R.V. compound fence replacement**

The Board received a chart comparing dollar figures by contractor for the project. Cheryl Ennis reviewed the project, the types of fences proposed and then discussed the possibilities of receiving a grant for the fence replacement, and the possible value of the grant the two fence types proposed, PVC and chain link.

Phil Matton did not like the white fence. He said he understood that the fence around the compound needs replacement and suggests that a white vinyl fence could be put in down the road.

Rod Lindsay stated that he is against the white fence in front because he does not want to block the view for security purposes.

Donald Wink asked if we control what goes into the compound. He does not want to see a junk yard down there, and thought that there are some vehicles in the compound that had not been moved in years.

Becky Earnest and Joanne Gaughan explained that all vehicles must be registered and are given decals yearly contingent on them being brought up to the recreation hall to be sure they are road worthy.

Richard Kissinger wanted to thank Cheryl Ennis for looking into a grant as he has asked several other managers about getting grants and nothing was ever done.

Joanne Gaughan and Becky Earnest both stated that Cheryl Ennis has gotten a grant in the past for \$5000.00.

Bruce Crabb, 442 Neighborly CT, asked whether they are replacing the entire fence. He was told front, side, and gate. He also asked if the lights in the RV Compound were working and he was told yes.

Becky Earnest made “a motion to approve the black vinyl coated fence with installation by contractor Allied Fence” for \$7,720.00 plus permit fee. Donald Wink seconded the motion. A vote was called. Motion carried.

**11. Consideration of replacement motor for the fountain at the entrance retention pond**

The Board received a chart comparing the dollar figures by contractor for the project. Cheryl Ennis explained the project was for replacing the motor for the fountain at the entrance.

Rod Lindsay asked if we would be replacing the pump with a larger one, Cheryl explained that it will be the same size as is there now.

Keith Rittscher, 391 Holiday Park Blvd., asked whether we were using the same company who manages the ponds, the answer was yes.

Phil Matton made “a motion to approve the 3HP replacement motor at the entrance retention pond by The Lake Doctors” for \$1626.56. Richard Kissinger seconded the motion. A vote was called. Motion carried.

**12. Public Comment**

Donna Burns, 1110 Seminole CT, asked if the fountain at the pond behind her home could be fixed, as it has not worked in many years. She also asked about 1111 Seminole saying it has been neglected since the owner passed away and she fears that the home is a fire hazard.

Joanne Gaughan explained the question regarding neglected homes is on the list for the lawyer who will be at the workshop meeting on October 28.

Rod Lindsay noted that all electrical services, which supplied the pond behind Seminole, had been removed.

Roger Frenette, 1007 Moonlight CT, said he had noticed a lot of people parking on the lawns and felt something should be in the Happenings regarding this. Roger thanked the office for the trimming of the trees along the sidewalks and also thanked the Board, Cheryl, Pat and the grounds crew for getting the horseshoe pit ready for use and added that horseshoes will be starting on Tuesday and run thru the beginning of January if not longer. Horseshoes have been posted on the activity board.

**13. Trustees remarks**

Harald Albinus feels that we are setting a bad precedence by not abiding by the By-Laws regarding the absent Board members.

Becky Earnest asked the Trustees to think about the December 23<sup>rd</sup> meeting and said that January 7<sup>th</sup> is the Re-Organization Meeting which everyone has to attend and suggested postponing the December 23<sup>rd</sup> meeting until immediately after the Re-Organization Meeting and have it the same night.

Joanne Gaughan stated that the meeting scheduled for December 23<sup>rd</sup> will be on the agenda for discussion at the next meeting.

Donald Wink asked whether the office was still sending letters out regarding work needing to be done on their property.

Cheryl responded by letting everyone know that she has taken a different approach instead of letter writing, she is speaking with them personally via telephone and giving people telephone numbers of who they can call to take care of issues relating to their home and property. For the most part, she is having an excellent response.

Phil Matton, spoke with a resident whose wife is handicapped and has a problem with the hitch on the back of his vehicle hitting the speed bumps. He asked if anyone else had the same problem and asked the office to look into lowering the middle of the speed bumps so that these vehicles can get over them without bottoming out. Phil Matton also wanted to give Henry Gartner a pat on the back for getting many of the water covers replaced in the park. Cheryl had already contacted the water department regarding the issue as well.

Rod Lindsay, can see good and bad in the rules regarding the Board Members.

Cheryl Ennis announced that Jessica Saeger has started today in the office as a part time employee. She will be helping in the office for the season.

Joanne Gaughan reminded everyone that our attorney Mr. Bohne would be here on October 28. She said that the questions received have been submitted and answered, and the Trustees will be given a copy prior to the meeting.

#### **14. Adjournment**

Becky Earnest made "a motion to adjourn". Richard Kissinger seconded the motion. A vote was called. Motion carried. The meeting was adjourned at 8:10pm







Transfield Services North America  
Transportation Infrastructure  
751 North Drive, Suite 8  
Melbourne, Florida 32934  
T: +1 321 752 9680  
F: +1 321 752 9681

October 25, 2013

Cheryl Ennis  
Port Malabar Holiday Park  
215 Holiday Park Blvd.  
Palm Bay, FL 39207

Dear Ms. Ennis,

This letter serves as approval notice, given to the Port Malabar Holiday Park, for proceeding with their proposed changes which consists of extending the existing north fence line to the sound wall and installation of an access gate as submitted on the attached plan detail.

Regards,

A handwritten signature in black ink, appearing to read "Fernando Ojeda", written over a horizontal line.

Fernando Ojeda P.E.  
Transfield Services Infrastructure

Enclosure

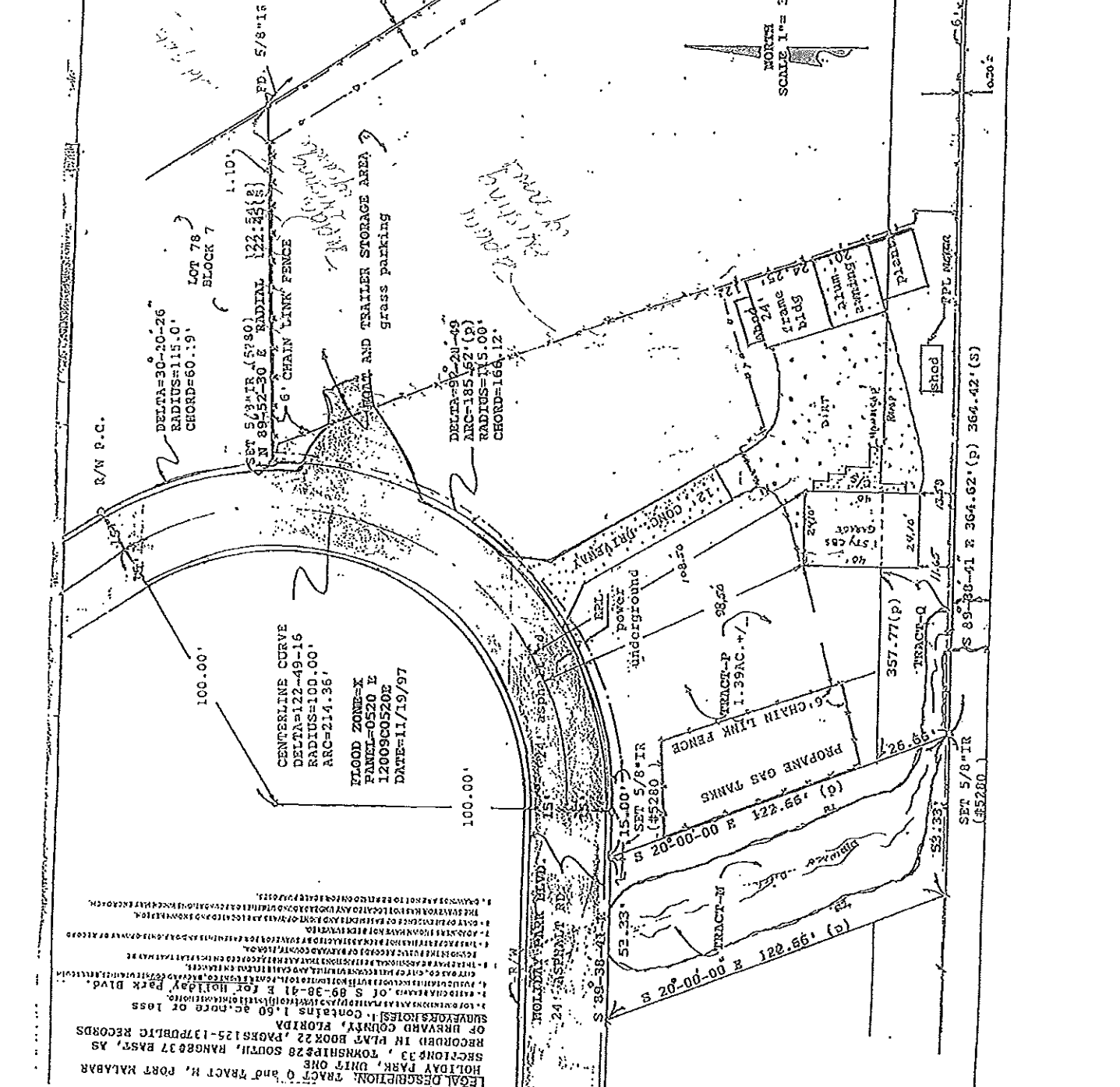
Thomas W. Quesnel  
Professional Land Surveyor & Mapper  
1060 Douglas Street S.E., Palm Bay, Florida 32909  
407-984-4455 407-951-0685

Survey Certified to:  
HOLIDAY PARK

THE PLAT CERTIFY THAT THE SURVEY AREA IS THE ORIGINAL SURVEY RECORDS OF THE SURVEYOR AS PER PART OF THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AS PER PART 110 N.E. (FLORIDA) ADMINISTATIVE CODE, PUBLISHING TO THE STATE OF FLORIDA. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND SEAL OF THE ORIGINAL SURVEYOR AND THE ORIGINAL SEALED OF THE FLORIDA LICENSED SURVEYOR AND MAPPER.

*Thomas W. Quesnel*  
THOMAS W. QUESNEL  
PROFESSIONAL LAND SURVEYOR LICENSE NO. 9260  
JOB NO. 97-257  
DATE: 7-15-99  
DATE SURVEYED: 7-15-99  
DRAWN BY: TD  
CHECKED BY: TD  
FIELD BOOK & PLOTTER: TD, PG.

LEGEND:  
FAC = PERMANENT CONTROL POINT  
CAL = POINT OF CURVATURE  
CC = CONCRETE CURVATURE  
M = MONUMENT  
P = PERMANENT  
F = FENCED  
M = MASONRY  
C = CONCRETE  
I = IRON  
S = STAINLESS  
M = MASONRY  
C = CONCRETE  
I = IRON  
S = STAINLESS  
M = MASONRY  
C = CONCRETE  
I = IRON  
S = STAINLESS  
M = MASONRY  
C = CONCRETE  
I = IRON  
S = STAINLESS



LEGAL DESCRIPTION: TRACT Q and TRACT H, FORT KALABAR SECTION 33, TOWNSHIP 28 SOUTH, RANGES 07 EAST, AS RECORDED IN PLAT BOOK 22, PAGES 125-137 PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

RECORDS OF LESS SURVEYS NOTES: 1.60 AC. FORT OF HOLIDAY PARK DIV. ...

1. CHANGES ARE NOT TO BE MADE WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.  
2. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.  
3. THIS SURVEY HAS BEEN MADE FROM THE ORIGINAL SURVEY RECORDS OF THE SURVEYOR.  
4. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.  
5. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.  
6. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.  
7. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.  
8. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.  
9. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.  
10. THE SURVEYOR HAS REVIEWED ALL DEEDS AND RECORDS OF TITLE TO THE LAND SURVEYED.

DATE: 7-15-99  
DRAWN BY: TD  
CHECKED BY: TD