



PORT MALABAR HOLIDAY PARK
MOBILE HOME PARK RECREATION DISTRICT

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

BOARD OF TRUSTEES
SPECIAL MEETING – Deed of Restrictions
May 29, 2014

1. Call to order

By: Joanne Gaughan, Chairman, at 10:00 P.M.

2. Pledge of Allegiance

Led By: Joanne Gaughan

3. Roll Call

By: Marion “Molly” Stone, Secretary; Joanne Gaughan, Chairman; Rebecca “Becky” Earnest, 1st Vice Chairman; Harald Albinus, 2nd Vice Chairman; Marion “Molly” Stone, Secretary; Marilyn Spall, Assistant Treasurer; Philius “Phil” Matton, Treasurer and Daniel “Dan” O’Connell, Trustee. All acknowledged their presence. Allison Kelly, Assistant Secretary, and Rodney “Rod” Lindsay, Trustee were absent. Cheryl Ennis, District Manager was present with Sharon Johnson recording.

4. Discussion and Review of Existing and Restated “Deed of Restrictions” and review of recommendations from Attorney.

The Board was given copies of the restated deed of restrictions prior to the meeting for review along with recommendations made by the Attorney for existing Deed of Restrictions numbered 5-10. The Board reviewed the email received by the Attorney and his recommendations. A decision was made to incorporate the Attorney’s recommendations on items 5-10. Cheryl Ennis said that she had also inquired about limiting the use of the facility and amenities by those that do not pay their assessment fee specifically the recreational facility, pool, and cable service. The Attorney recommended that a statement to that effect be in the Deed of Restrictions. The District Office will contact Bright House to discuss service shut off. Voting on the Deed of Restrictions can also be limited to those that pay their assessment fee. This should also be incorporated into the DOR’s rather than rules and regulations. The question of whether a purchased tax certificate will qualify as paid fees by owner should qualify as payment, will be submitted to the Attorney.

David Peck questioned the “game playing in the roads” and asked if one specific person complained and how it would be enforced. He did not think that this type of DOR would pass. He said residents are enjoying playing and there is no place to play at the recreation center in the evening, It was suggested using the back of the parking lot. A city ordinance regarding playing games in the street will be researched. Marilyn Spall asked what the circumstances around this were and thought that if it was a complaint by one person then we should not be dealing with this. It was said that there were several complaints by one person. It was decided that the game

playing in the streets will be in the rules and regulations and discussed when it is brought before the public for discussion.

The Board discussed the organization of the Deeds. It was recommended the Deeds be arranged in categories and sent to the Attorney by the categories for review over the next few months such as a section that deals with Mobile Homes and Vehicles, Property Maintenance etc. It was suggested that Allison Kelley might have already started a list of categories. She will be asked when she returns. It will be put on the June agenda for discussion.

Becky Earnest made a motion to cancel any further meetings after June 9th until September. Harald Albinus seconded the motion. With no further comments by the residents or Board, a vote was called. Motion carried.

The Board went on to discuss the restated DOR. Harald Albinus asked about the section referring to Bona fide caregiver and how that will be determined. It was decided that a determination from the attorney be sought.

Molly Stone recommended using “will” rather than “would” and “shall” rather than “should”.

Harald Albinus questioned the attorney’s requirement and cost of having an unbiased board for hearings on DOR violations. Joanne Gaughan said that we had done something similar when we had someone in attendance at the opening of ballots.

Joanne Gaughan mentioned that the letters were going out to property owners for the homes with slabs and we would be looking at that project in the fall.

5. Public comment/Trustee remarks

David Peck said speaking for himself that he felt the A.C.C. Board should be a proactive board rather than a reactive Board where having property owners come to talk about what they want to do rather than sending out letters after the fact and minimize and keep the process simple.

Dan O’Connell recommended a simple form that could be given to owners when they would like to do a project for example a form that would say, “you want to plant a tree” and then a list of things to do for that project.

Donna Matton recommends having new owners go through an orientation process when coming in the Park to help alleviate future problems.

Harald Albinus suggested a video for new owners.



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Marilyn Spall suggested putting quick, simple informative information on the TV station.

Molly Stone commented on TV station saying that she had complaints from residents about the length of time being too long that each page stays before advancing to the next.

7. Adjournment

Becky Earnest made a motion to adjourn. Harald Albinus seconded the motion. A vote was called and the meeting adjourned at 11:35am

Rebecca Earnest
Rebecca Earnest – 1st Vice Chairman
Board of Trustees

6-10-14
Date