



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 Restrictions September 16, 2014

1. Call to order

By: Joanne Gaughan, Chairman, at 1:00 P.M.

2. Pledge of Allegiance

Led By: Joanne Gaughan

3. Roll Call

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

4. Announcements by Chairman

Joanne Gaughan explained that the DR’s to date have been reviewed by the attorney where he recommended that changes / additions be underlined and otherwise they are left as is so that residents will be able to easily determine the changes. The additions recommended by the attorney were in red.

5. Review of D.O.R.s submitted to the Attorney for Review

Joanne Gaughan asked the Board and Residents if there were any questions with what had been written so far. With no questions or comments, Joanne Gaughan asked the Board if they were satisfied with the policy on visitation of guests. Becky Earnest said that she had had residents question the length and number of stays and felt that issue should be addressed. Harald Albinus didn’t think that it was right and residents should be allowed to have family guests without restrictions and felt that guests should be allowed to come for a 3 day weekend with out it being counted toward the 21 days 2 times a year requirement and that the office should just look out for abuse. Becky Earnest said that residents she talked to suggested that they should be allowed to use the 42 days as desired.

Patti Peck, 1014 Willow, said that she thought that the elderly single residents that live by themselves and that need assistance should be allowed to have family come on weekends or as needed to check on them. Cheryl Ennis said that family members coming in to check on the elderly have never been denied access for that purpose.

It was recommended that the fee for extended stay visitors be removed.

Eileen Crosbie, 345 Holiday Park, asked if her family came over from England would they be able to get a pass and stay. She said that if they came they would stay normally for longer than 21 days and asked how that would work saying that holidays overseas are usually for 4 to 6 weeks. The Board recommended that exceptions be addressed on a case-by-case basis.

John Lalima, 1055 Sunflower, asked about having guests stay who move from house to house and then mentioned residents who pick up guests at the airport where they have no rental car and asked how it is controlled.

The simple answer was that it is not possible to control if a resident does not call in their guest.

Cheryl Ennis asked if the existing DR was going to stand. It was recommended that exceptions be handled by the discretion of the Board.

Theresa Grimes, 379 Holiday Park, said that the problem is when families have difficulties and the grandparents help out and then the children and grandchildren end up moving in or stay for extended periods, that's where we get into problems with children living in the Park. Cheryl Ennis explained that we have these problems now and asked how the Board wanted to handle this if we do not keep the existing rule in effect.

John LaLima, 1055 Sunflower, said that exceptions should be brought up to the Board for review since extended visits would be planned ahead.

Marilyn Spall suggested that a notation that "Special circumstances can be considered after review by the Board" be added to the existing rule so that the Board of Trustees would review need for extensions at public meetings.

Rod Lindsay said that guests are allowed to stay for a max of 21 days 2 times a year and recommended taking out the "extended stay".

The addition of extenuating circumstances will be added to the DR's so that the Board has the ability to review the special circumstances at a public meeting.

Joanne Gaughan had the Board read the definitions as currently stated. A question about unit one and unit two was made and it was explained that the Park is split into two units and a statement that the rules apply to both units as a whole since it has been raised in the past.

It was asked what the difference between owner and lot owner. It was said that anyone can be an owner of property and they have to abide by the rules.

The owner in good standing will be revised to say what an owner in good standing is rather than what it is not. An owner who is not in good standing will have certain rights denied should they not meet the owner in good standing requirement. It was recommended that properties where owners do not pay their fee and rent, that those rentals will be suspended in accordance with the law. It was also requested that formal rental agreements be given to the District office.

Theresa Grimes said that statues have changed and if an owner has a rental contract that the contract has to be met.

It was recommended that the HPPOA not be involved with enforcing any use of the facilities.

John LaLima, 1055 Sunflower, suggested that the attorney be called regarding whether or not the District would have the right to collect rents on those properties where the taxes are not paid and have the money go to into an escrow account. He said that this is done in NY. Cheryl Ennis will ask the attorney however, the contract we have with the County has no provision for the District to collect rents so it did not appear to be a possibility.

It was recommended with regard to caregiver to add that the caregiver be at least C.N.A. or higher.

6. Continued - Review and Discussion of Remaining DOR's

Set backs, Sheds, Maintenance of exterior of home, Storage of material outside dwelling and Enforcement of the ACC rules will be reviewed at the next meeting.

A date for the next meeting was set for Tuesday, September 30th, at 1:00pm.

7. Trustee Comment


No further questions or comments by the Board were made.

8. Public Comment

No further questions or comments by the residents were made.

9. Adjournment

A motion to adjourn was made by Becky Earnest and seconded by Rod Lindsay. A vote was called. Motion carried. The meeting was adjourned at 2:10pm.


Rebecca Earnest – 1st Vice Chairman
Board of Trustees

10-14-14
Date