



**PORT MALABAR HOLIDAY PARK  
MOBILE HOME PARK RECREATION DISTRICT**

215 Holiday Park Blvd. NE  
Palm Bay, Florida 32907-2196  
Office: 321-724-2240

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**BOARD OF TRUSTEES**

**WORKSHOP MEETING MINUTES**

April 23, 2018 – 7:00PM

Keith Rittscher  
Chairman

Bob Shortlidge  
1<sup>st</sup> Vice-Chairman

Ellouise Raffo  
2<sup>nd</sup> Vice-Chairman

Joanne Gaughan  
Secretary

Assistant Secretary

Kendra Bender  
Treasurer

Barbara Whitneck  
Assistant Treasurer

Helen Ferguson  
Trustee

Trustee

District Manager

Ryan Poliakoff  
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.

\*Silence ALL cellphones during public meetings

**NOTE: MINUTES OF BOARD MEETINGS 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"**



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1. **Meeting call to order** by Keith Rittscher

2. **Invocation**

3. **Pledge of Allegiance**

4. **Roll Call** by Joanne Gaughan

Present were Keith Rittscher, Chairman; Bob Shortlidge, 1<sup>st</sup> Vice-Chairman; Ellouise Raffo, 2<sup>nd</sup> Vice-Chairman; Kendra Bender, Treasurer; Barbara Whitneck, Assistant Treasurer; Joanne Gaughan, Secretary; Helen Ferguson, Trustee.

5. **Announcements by Chairman**

**Keith Rittscher;** Would like to pour concrete for the bocce courts before we do the awnings with Helms. Has paperwork for the upcoming election in November if anyone is interested in running for a position on the Board. All election paperwork needs to be in by June. The title company handling 248 Holiday Park has everything they need from the Park. It will hopefully be resolved by the end of April. Called them today and left a message, they have not gotten back to us yet. Florida Power and Light are working on our cameras, they still haven't gotten our power meters running. We have the 5 year plan Mike had come up with posted and I have 3 copies here if anyone wants to take a look at them.

6. **District Consultant: Kate Masi**

**Keith Rittscher;** We had Kate Masi on the agenda but she lost her daughter and she's going to be away for a while. She was planning on talking about some of the things she's been doing. I will read the letter she has written for us. Keith reads the research Kate has been working on (attached). **Keith Rittscher;** The reason I asked her about the attorney is because he is local. He does do a lot of work with Special Districts because he works with the airport. Keith continues reading Kate's letter (attached). **Keith Rittscher;** If anyone would like me to ask her any questions, I don't think she will be in this week. **Kendra Bender;** We have been over the \$36,000 in collections. **Bob Shortlidge;** says that the letter was supposed to be read not discussed. **Keith Rittscher;** This is the only place we can talk about it. We are not going to answer questions about it. **Kendra Bender;** She went through the whole list of Caregivers to verify all the proper paperwork is in order. She compiled a list of violation letters and they went out April 9<sup>th</sup> and April 16<sup>th</sup>. **Keith Rittscher;** We are trying to keep this as open as possible.

7. **Approval of 4/9/18 Meeting Minutes**

Action: Motion to Approve the 4/9/18 Meeting minutes made by Ellouise Raffo, Barbara Whitneck seconds.

Trustee Comment; **Joanne Gaughan;** addresses that minutes do not need to be verbatim. The minutes from the last meeting were 8 pages that it is going to change, and they will be more concise.

Public Comment

Call for vote; motion passed

8. **Trustee Reports**



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**Keith Rittscher;** I went over my project in my announcements. Helen Ferguson; has nothing to report at this time. **Bob Shortlidge;** Shawn has been maintaining the pond, all ditches have been cleaned, the cross walk at the Gate House has been painted, he is working on other projects that will be reported at the next meeting. The sprinkler system, the lights in the pool and the marquee light will be finished this week. The fuel tank has been delivered at the compound. Says that Dave from Alpine walked around the green spaces with him on Saturday. Dave will be getting us a quote regarding dead tree branches. Had the building code inspector come out and look at the shed at 206 Holiday Park. There was no mattress and they are allowed to have a TV in there. There was a strong smell of marijuana and he looked for paraphernalia. He could not find any but we are in contact with the lawyer. We will be sending a letter about the 3 rules they are in violation of. **Barbara Whitneck;** Did not go to the HPPOA meeting on Monday. Ellouise went and said there was really nothing to report. **Kendra Bender;** took over the sign project for Jean Beach. The process was started 2/20/18. She spoke to our rep and asked her what the status of our permitting is. She was not able to answer that and gave excuses. Jean Beach said that last week she was told our permits had been sent in. Kendra will call back tomorrow because the permitting should not take long. **Joanne Gaughan;** called Premiere Electronic Solutions to come out and look at the sound system. Gary Valentine and Don Washington were there and they are both very knowledgeable about the sound system. We got a proposal and Joanne would like to get another quote. Don Washington and Gary Valentine have left for the season but Don will be back in June. At that time we will get other companies in to have a look. It would be incredible to get all of this done because we will be able to livestream our meetings.

## 9. Old Business

**Keith Rittscher;** Asks if anyone has any old business that they would like to bring up. **Bob Shortlidge;** states that the Board's biggest concern should be hiring a District Manager. Proposes a committee of 3 people be formed to find a District Manager. One member of that committee would be someone on the Board and the other 2 would be residents appointed by the Trustees. **Bob Shortlidge;** makes a **motion** to form a committee of 3 people to hire a District Manager. **Helen Ferguson;** seconds. Feels the same way Bob Shortlidge does. Asks about all the resumes that are supposed to be on file. States they have not seen any of them. **Joanne Gaughan;** Bre did find them, we had been on the lookout. It wasn't all of them but there were some. They were from 2017 I believe and there were some interesting ones. **Bob Shortlidge;** feels as though a special committee could finally get this job done. **Kendra;** agrees we need a District Manager. Bob Shortlidge did have cost effective options for a headhunter. **Barbara Whitneck;** thinks that the summer is the best time to train someone because it is so slow. **Bob Shortlidge;** states we have been 67 days without a District Manager. Thinks if Kate Masi has no interest in being District Manager then she can be on the committee as well. **Keith Rittscher;** says that if anyone on the Board would like to look at those separate from the committee they can go to Bre and ask for a copy. **Sal Cursi, 1107 Keystone;** says the main priority of this park should be finding a District Manager. **Bob Shortlidge;** says the committee is going to get all the information for us to be able to make a rational decision. Joanne; says this committee is made up of 1 Board member and 2 residents and this committee can have their own chairperson and they report back to the Board. If that committee says they need to have a Special Meeting then the whole Board can be present. **Bob Shortlidge;** hopes it doesn't take weeks for this committee to form. Call for vote; **motion** passed. **Keith;** asks if there's a Board member that would like to volunteer. **Kendra;** would like to nominate Bob Shortlidge because he has done the research about headhunters. **Ellouise Raffo;** thinks there might be more than 1 or 2 people interested in being on the committee. Suggests



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anyone interested to put a note in the office's mailbox. **Keith**; we will take a look at our people and see what we have but we can't appoint anyone until the next meeting. **Kendra**; suggests Bob Shortlidge makes the decision about who he wants on his committee. **Joanne Gaughan**; makes a **motion** that Bob Shortlidge be the representative for the Board of trustees for that special committee and he is responsible for picking 2 to 3 people as he sees fit to be on his committee. **Kendra**; seconds. **Keith**; asks how long people have to get their letters of interest in. **Joanne**; One week. **Kay Barclay, 385 Holiday Park**; is concerned people think Kate has a conflict of interest in finding a District Manager. **Bob Shortlidge**; restates that he feels that if she has any interest in becoming District Manager it would be a conflict of interest. **Kendra**; even if she's not on the committee Bob can use her insight. **Bob Shortlidge**; agrees. Call for vote; motion passed

## 10. New Business

### a. Discussion on rescheduling 5/28/18 Trustee Meeting

**Joanne Gaughan**; The 28<sup>th</sup> is Memorial day and the office will be closed.

Action: Motion to reschedule the 5/28/18 Meeting to the following Tuesday, 5/29/18 made by Joanne Gaughan, Bob Shortlidge seconds.

Trustee Comment

Public Comment

Call for vote; motion passed

### b. Consideration to holding 1 Trustee Meeting in July and 1 in August

**Joanne**; wants the Board to consider having 1 meeting the last Monday of the month, one in July and one in August. It would be a Workshop Meeting so the Board can discuss things and keep each other informed. No voting, that would be for a Special Meeting if we have to have one.

Action: Motion to Approve having 1 Workshop Meeting in July and 1 Workshop Meeting in August mad by Joanne Gaughan, Ellouise Raffo seconds.

Trustee Comment; **Barbara Whitneck**; will not be here in July. **Ellouise**; asks if it's discussion only. **Joanne**; No voting. If we have to vote we will call a Special Meeting. Public Comment; **Becky Earnest, 205 Borel**; You don't need a quorum if you're just having a discussion. **Joanne**; isn't sure that's correct. **Keith**; would like to have a quorum because it's not a discussion if there's only 2 or 3 people. **Bob Shearer, 383 Holiday Park**; asks how many Workshop Meetings a Trustee can miss before it's a violation. **Joanne**; Clarifies a Trustee has to miss 3 Regular Meetings in a row. **Rod Lindsey, 1291 Joy**; asks what happens if you do have to vote? **Joanne**; A Special Meeting will be called with 7 days' notice. **Keith**; clarifies they are not looking to vote on anything and it would have to be very serious for them to vote.

Call for vote; **motion** passed, 3 nays: Bob Shortlidge, Barbara Whitneck, Helen Ferguson

### c. Lampracker lightbulb recycling

**Keith**; says we have several fluorescent light bulbs that need to be discarded of properly. We need 7 boxes from Waste Management at \$119 a box.

Attachment: Price for 7 boxes

Action: Motion to Approve getting rid of the mercury bulbs and buying the boxes made by Barbara Whitneck, Kendra Bender seconds.

Trustee Comment; **Joanne**; states we have over 200 and no one will take them;



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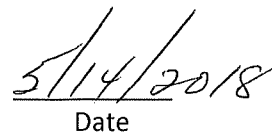
Waste Management is the only company that will dispose of them.

Public Comment

Call for vote; motion passed

11. **Public Comment; Rod Lindsey; 1291 Joy;** asks how the minutes are being recorded. **Kendra;** It's on a thumb drive. **Harold Paine, 398 Holiday Park;** would like to see trees replanted. **Loren Christley, 155 Holiday Park;** asks if the fuel tank will be beautified. **Bob Shortlidge;** will paint it forest green and hide it with a fence cover. **Keith;** asks if the fuel tank is concealed well. **Bob Shortlidge;** says it is doubled walled and double sealed. **Sal Cursi, 1107 Keystone;** asks what 2 months do meetings not take place. **Joanne;** July and August. **Sal;** suggests setting a time limit on finding a District Manager. **Bob Shortlidge;** says we don't want to rush the hiring process. The committee will exhaust all options. If we need to have a Special Meeting, Bre will contact all Trustees to confirm we will have a quorum. **Keith;** says we will do everything we can and we don't want the wrong one. **Bob Shortlidge;** agrees and wants someone that will do a good job.
12. **Trustee Comments;**  
**Helen Ferguson;** no comment. **Ellouise Raffo;** no comment. **Bob Shortlidge;** Thanks everyone and says he will do the best job he can. **Barbara Whitneck;** says goodnight to everyone. **Kendra Bender;** Thank you, it was a really good meeting. **Joanne Gaughan;** no comment. **Keith Rittscher;** thanks everyone for coming.
13. **Adjournment;** **Bob Shortlidge** makes a motion to adjourn, **Joanne Gaughan** seconds. **Call for vote;** meeting adjourned. 8:00pm

  
Joanne Gaughan- Secretary  
Board of Trustees

  
Date

The original Charter for Port Malabar Holiday Park states on page 2, section 2, that there is a section 36 which enumerates the powers of the district. After much legwork, I have a copy and made them for all board members. The district is permitted to acquire additional properties within the boundaries of the park. These powers are spelled out in more detail in FS 418.304 which is also attached.

Another question that has come up is whether or not we should go through the county to process our payments. We pay approximately \$36,000 per year to have the county process our payments. We could hire a full-time bookkeeper to do this work. That would give the board the power to foreclose on homes in the park. The board could file liens within 30 days. Foreclosure proceedings could be initiated after 60 days delinquent but prior to 1 year. The foreclosure proceeding would need to be brought to circuit court of Brevard County. The district would be entitled to attorneys' fees and costs.

I have been asked about utilizing volunteers to do work for the park. Although this may be seen as a cost savings measure, it can cost the park if someone gets hurt. Volunteers are not covered under your policy unless you add this coverage. More importantly, if someone gets hurt you would be held liable. The City of Palm Bay stated that no one should be doing work unless they are registered with the City of Palm Bay and insured. Good advice!

Attached is a list of outstanding amounts owed (ad valorem and non ad valorem) for the park. Some are abandoned and some occupied. Bree has told me that she has reached out to them and mail is returned and phones disconnected. Perhaps engaging a collection agency may find the owners and then we can determine what to do? Or you could utilize Ryan Poliakoff, Esq. to track down the owners. He will bill the park at the rate of \$150 per hour. The park is not responsible to pay attorneys' fees until payment is obtained from the owner.

Keith asked me about my attorney and what he charges. I have spoken to my attorney who has experience with special districts. He will agree to commit to legal services billed at the rate of \$215 per hour if you are interested.

I found an organization that could possibly help you find a district manager. It is Florida Association of Special Districts. You can advertise for the position on their web site. They also offer professional development to managers in: contract management, procurement, public relations, strategic planning, budgeting, ethics, sunshine law, and more. I am currently looking to see if you need to become a member before you can advertise on their website.