



PORT MALABAR HOLIDAY PARK MOBILE HOME PARK RECREATION DISTRICT

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

BOARD OF TRUSTEES

REGULAR MEETING MINUTES

January 14, 2019 – 7:00PM

Allison Kelly
Chairwoman

Bob Shortlidge
1st Vice-Chairman

Ellouise Raffo
Assistant Secretary

Joanne Gaughan
Secretary

Barbara Whitneck
Assistant Treasurer

Keith Rittscher
Treasurer

Jack Emerich
2nd Vice-Chairman

Helen Ferguson
Trustee

Trustee

Sheree Morris
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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The January 14, 2019 Regular Meeting of the Port Malabar Holiday Park Mobile Home Park Recreation District was called to order at 7:00 p.m. by Chairwoman Allison Kelly. In attendance were Allison Kelly, Bob Shortlidge, Jack Emerich, Joanne Gaughan, Ellouise Raffo, Keith Rittscher, Barbara Whitneck, and Helen Ferguson. Also present was District Manager, Sheree Morris.

Keith Rittscher delivered the Invocation followed by the Pledge of Allegiance.

Chairwoman Allison Kelly announced that the audit report would be given at the next Workshop Meeting. She reminded residents to report to the office anything unusual or suspicious so a report could be put on record. She would also like to see all the old concrete benches removed and replaced. Future workshop meetings will be just that; ideas and suggestions from Trustees and residents will be discussed and followed up on future agendas. The gate at Americana was hit by a large vehicle and a police and insurance report has been filed. Allison Kelly asked Trustees to take on additional projects; Bob Shortlidge will work with the maintenance team regarding purchasing of equipment as well as improving the new and existing compound storage areas. He is going to have the tree stump ground down outside the guard house and a new adult palm tree planted. Shrubs will be planted outside the fencing of the existing compound area and the gas tank will be relocated inside the ground's crew compound. Helen Ferguson will be working with the Office on keeping the Office Procedure Book updated. Joanne Gaughan transcribes the minutes. Jack Emerich will work on updating the DOR's, Rules & Regulations and Policy Book while Keith Rittscher and Barbara Whitneck will be working on the new budget as well as a 3 and 5 year plan. Allison Kelly will work closely with the District Manager on delinquent assessments and other legal issues.

A motion to accept the December 10, 2018 minutes was made by Keith Rittscher second by Bob Shortlidge. Joanne Gaughan noted that Jack Emerich's name had been omitted from the Trustees in attendance. Keith Rittscher made a motion to accept the minutes, as corrected, second by Bob Shortlidge. Motion carried.

Keith Rittscher made a motion to accept the minutes of the January 8, 2019 Reorganization Meeting. Second by Helen Ferguson; motion carried.

Allison Kelly reviewed the quote from Freehill Asphalt of Brevard for repairs to the roads until sealing of the roads could be done in the summer. A motion to accept their bid in the amount of \$5000 was made by Ellouise Raffo, second by Helen Ferguson. Motion carried.



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Sheree Morris gave a brief update on projects (copy attached) and said she will look for a grant when it comes time to seal the roads. She also gave an update on 206 Holiday Park Blvd. advising summons and complaint were served to owner who has 20 days to respond.


A motion to accept newly written Compound Storage Policy and Owner in Good Standing Policy, was made by Jack Emerich, second by Bob Shortlidge; motion carried. Discussion followed. In the Compound Storage Policy, elimination of the wording, "Permanent residents will be given priority on compound spaces" was proposed as well as minor grammatical corrections.

Discussion then took place regarding Owner in Good Standing Policy. Allison Kelly removed all reference to "Cable" from the document. Joanne Gaughan suggested names of those in violation be publicly posted. Becky Earnest suggested removing access stickers from their cars; Bruce Crabb said Spectrum could not stop service on an individual home. Motion to accept both policies, as corrected, was called for; motion carried.

Public Comments: Joe Little asked that the pool chaise lounge chairs be moved to the side closer to the building due to shade forming over the cold pool area around 3 p.m. Jim Gahan, Chairman of the ACC, submitted a letter of resignation from John LaLima from the ACC Board after having served 6 years. Jim stated he has a full 5 member board with 2 alternates. Rod Lindsay would like a type of tracking system for follow up discussions. He will also be going to Lakes of Melbourne to see their Bocce courts. Jean Beach said a new bench will be coming in and replacing the concrete bench now located outside the ground's crew storage area. She also took exception to Keith Rittscher's comments regarding billing violators for Spectrum service. Harold Sprague asked if we could put down fertilizer to green up the grass outside the front of the rec hall.

Trustee Comments: Keith Rittscher asked residents to fill out a complaint form, when needed; Bob Shortlidge gave thanks for allowing him to help beautify the Park; Barbara Whitneck thanked everyone for coming and Allison Kelly thanked Don Washington for improving our microphone system. She then asked for a motion to adjourn. So moved by Jack Emerich, second by Ellouise Raffo; motion carried. The meeting adjourned at 8:06 p.m.


Joanne Gaughan- Secretary
Board of Trustees


Date

Managers summary 1-14-19

1.) I have a quote from the Lake Doctors to repair the fountain at the entrance of the community, It was a bit high so I called Aqua Spay Irrigation. They think it's an electrical problem as well as the pump. Will be meeting with electrician and Aqua Spray on Thursday

2.) All materials for doors to the the club house and rec room have been ordered. Hoping to have the installation done by the end of February.

3.) Grounds crew started painting the stripes at the entrance to the community, will have them professionally painted when the roads are sealed hopefully late spring. All of the concrete car stops in the parking lot are painted.

4.) The search continues to find (crushed oyster shells) for the bocci courts. I'll be calling Nidy Company, they specialize in shuffleboard and bocci courts, they service the whole state. They are based out of Sanford.

Will have a more in depth report at the workshop meeting on the 28th of this month!!!

Best Regards,

Sheree

OWNER IN GOOD STANDING POLICY
Reference: Non Payment of Taxes

On April 13, 2015, the Board of Trustees adopted the Amended, Consolidated and Restated Declaration of Restrictions, Conditions, Convents and Reservations affecting property located in Port Malabar Holiday Park, Unit One and Unit Two. In order to document the process for enforcement, the following procedure was adopted for property owners who do not qualify as an "Owner in Good Standing" as defined in, Article I, Definitions.

In May of each year, the District office shall request, from Brevard County Tax Assessor, a list of all resident properties in Port Malabar Holiday Park who are not current with taxes/assessments. Upon review of this list, it shall be determined what, if any, amenities are used by the owners that do not meet the "Owner in Good Standing" definition. A 15-day notice shall be generated that advises the owner(s) of amenities that will be suspended. Amenities will be reinstated when **proof of payment** has been provided to the District.

The following amenities will be suspended if proof of payment is not received by the District:

Rental Property (lease property): Suspend right to lease the delinquent property. In the case of rental property, a notice to both the owner and the tenant shall be generated which includes a statement that the Board may pursue eviction of the tenant, suspension of a renter's decal or non-renewal of a renter's decal. In the event that eviction of the tenant is pursued, the owner shall be responsible for attorney fees and costs incurred by the District in pursuing such eviction.

Compound Storage:

If an owner has a vehicle/boat/trailer or R.V. in the Compound, the District shall suspend/remove the decal and the owner shall have 15 days to remove the vehicle or have the vehicle towed at the owner's expense.

Decal: At the first opportunity after the required notification process is complete, the District shall remove the vehicle decal from personal vehicles owned by the owner and renter. Also, the District shall remove decal on any boat, trailer, R. V. Motor Home, camper stored in the compound.

Recreation Facility: Owners and renters will not be permitted to attend any function at the Recreation Hall, use of Swimming Pool and all other recreation equipment will be suspended.

Voting: Suspend right to vote in a District wide ballot (suspension of the right to vote shall not apply to the election of District Board of Trustees).

Revised & approved

1/14/2019

OWNER in GOOD STANDING
Reference: No Violations of
Deed Restriction, Rules and Regulations and A.C.C. Policy

A Property Owner who has no outstanding violations of Deed Restriction (D.R.) Rules and Regulations (R.R.) and Architecture Control Committee (A.C.C.) Policy is considered "Owner in Good Standing".

A Property Owner who has outstanding violations of D.R., R.R. and A.C.C. shall have certain rights and privileges suspended. Those rights and privileges may include the following:

Compound Storage: Suspend right to use space in compound storage area. In the case of the Compound Storage, the District shall suspend/remove the decal of the R.V., boat or trailer and the vehicle owner shall have 15 days to either show proof of correcting the violation to the District office or remove the vehicle from the storage area. If the vehicle is not removed, the District shall have the vehicle towed at the owner's expense. Once a vehicle/boat/trailer is removed from the compound for outstanding violation(s), the space shall be assigned to another owner on the waiting list. Once violation(s) are cured, the owner can request to be put on the waiting list and assigned another space, once a space is available.

Decal: At the first opportunity after the required notification process is complete, the District shall remove the vehicle decal from personal vehicles owned by the owner and renter. Also, the District shall remove decal on any boat, trailer, R. V. Motor Home, camper stored in the compound.

Recreation Facility: Use of Recreation Hall and Swimming Pool will be suspended. Owner and renter will not be permitted to attend any function at the recreation hall.

Owner in Good Standing: Ref. No Violations cont.

Rental Property (lease property): Suspend right to lease the delinquent property. In the case of rental property, a notice to both the owner and the tenant shall be generated which includes, a statement that the Board may pursue eviction of the tenant, suspension of a renter's decal or non-renewal of a renter's decal. In the event that eviction of the tenant is pursued the owner shall be responsible for attorney fees and costs incurred by the District in pursuing such eviction

Voting: Suspend right to vote in a District wide ballot (suspension of the right to vote shall not apply to the election of District Board of Trustees).

A Property Owner shall have the suspended rights/privileges reinstated upon satisfactory proof of correcting all outstanding violations as determined by the District Manager or an appointee designated by the Manager. Proof of such suspended rights/privileges shall be noted on the violation notice sent by the District Office, of which a copy will be given to the Property Owner, original to be filed in Property Owner's file.

STORAGE COMPOUND RULES

RULES and REGULATIONS for the DISTRICT

Usage of the Vehicle Compound Storage space is not an entitlement but a privilege on a space available basis to property owners who reside in Holiday Park, either on a full time or part time basis. Full time renters and seasonal renters are **NOT** entitled to space in the storage compound. Their vehicles must be stored completely off the property of Port Malabar Holiday Park.

One space may be assigned per resident regardless of the number of properties owned or leased by an owner. The vehicle for which the space is assigned **MUST** be registered to the unit owner and the registration for the vehicle must have a current valid registration, proof of which a copy will be maintained by the District Office.

At no time will any property owner be permitted the use of multiple spaces within the Storage Compound. The Storage Compound is only for use by Holiday Park property owners. The stored vehicle must be registered to the property owner. The vehicle registration must remain current at all times. A current registration for the vehicle must be provided when registering the vehicle with the office. Storage Compound decals are provided by the office when the space is assigned and yearly thereafter at a date and time set by the District Office. Commercial vehicles are not permitted to be stored in the Storage Compound.

Any resident who has a space in the RV Compound must be in compliance with all Deed of Restriction's and Rules and Regulations. If there are any violations outstanding on the owner's home, owner's property, owner's rental properties OR vehicle in the Compound, the owner will be notified of said violation(s) and an expected end date to cure violation(s) per District policy. If violation(s) are not cured in specified timeframe, the owner will have 10 days to remove said vehicle from the compound and will lose their assigned space in the compound. If the vehicle is **NOT** removed within specified timeframe, the vehicle will then be towed at owner's expense. When all violations are corrected and signed off by the District Manager, the owner's name can be placed on the waiting list and, when available, new space will be assigned.

All owners who have a boat, trailer or R. V. are required to park it in the compound and must complete an application form that is available at the District Office. The owner will be assigned a numbered location within the compound and issued a decal. If space is unavailable, a number from the waiting list will be assigned and the owner who owns the vehicle will be notified as space becomes available.

RULES AND REGULATIONS for STORAGE COMPOUND cont.

New owners requesting a space in the compound should do so during regular office hours. In case of evening or weekend arrival, vehicles should be parked in the Recreation Hall parking lot as far away from the building as possible in such a way that it does not hinder the flow of traffic.

All spaces are sized to provide a maximum utilization and will be issued accordingly. Re-assignments will be required to accomplish this goal as necessary.

Once a user is assigned a space, the space cannot be 'lent out' while user is away.

Units must be centered within the boundary markers at all times. Compound access is by key only, obtainable through the District Office, Security Gate, or a key may be purchased through the District Office.

Any damage caused by user (i.e., fence damage, tire ruts, etc.) shall be user's responsibility to repair.

Registration for a space in the compound must be renewed annually at a date and time set by the District Office. All storage compound related business will be conducted during regular District business hours.

As required by the Deed Restriction, the following apply:

{(See Deed Restriction Article III, Section 12 (A))}.

Except as herein provided, no commercial vehicle, boat, trailer or recreational vehicle shall be parked on any resident lot. Any person, property owner, occupant, lessee, tenant or otherwise legally occupying the premises who shall permit parking or storing of such vehicles on private property shall be in violation of this section of the Deed Restriction.

Amended and Approved 01/14/2019

1. No disabled or dilapidated vehicles (decayed, deteriorated or fallen into partial ruin especially through neglect or misuse) of any kind shall be kept or permitted in the compound.
2. All vehicles in an allotted space must have up-to-date State license and District decal or the vehicle will be considered in violation and eligible for removal by the District at expense of owner.
3. This section shall not prevent convenient parking for the purpose of loading and unloading, for reasonable periods of time, not to exceed forty-eight (48) hours. The Vehicle Storage Compound may be used by owners at their own risk upon the following conditions. The "vehicle" to be defined as any recreational vehicle (e.g. boat, motor home, camping trailer, utility or boat trailer), shall **in no way** include any commercial vehicle.
4. All vehicles, boats, trailers, R.Vs etc., will be assigned storage areas, by the office, on "space available" basis. Owners may purchase a gate key to the compound at the office which may be returned with a copy of the receipt for a refund. or, may obtain a temporary key for access which is to be returned after access has been made.
5. All unauthorized vehicles after a 10-day notice to the resident who obtained the assigned space, will be dealt with as provided for abandoned vehicles in the City of Palm Bay. Only owners of property, who reside in Holiday Park either full time or part time, may store vehicles belonging to them in this area. No cars, trucks or motorcycles are allowed to be stored in this area.
6. Any vehicle in disrepair will be given two weeks to repair or remove said vehicle. If vehicle is not in compliance, the District has the authority to have the vehicle towed at the owner expense.
7. Owner is responsible for returning the key to the office until all violations have been cured. An inspection of said vehicle by the District Manager is required to approve or disapprove that outstanding violations have been cured within the timeframe.
8. If an owner loses their space in the compound, he / she **MUST RETURN** the compound key to the office.
9. All vehicles must have a current access decal issued by the office.
10. Any vehicle removed from the compound for more than 30 days without notifying the office will relinquish the Compound space.

11. Decals are renewed annually for all items in compound storage at a date and time set by the District Office.

12. District Manager or, in the absence of Manager, the Chairperson of Trustees has the authority to extend time to correct violations.

Amended and Approved 01/14/2019

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