



**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

SPECIAL MEETING MINUTES

March 2, 2021 – 10:00AM

Jack Emerich
Chairman

Carol Sommers
1st Vice-Chairman

James Zellner
2nd Vice-Chairman

Sheryl Moore
Secretary

Assistant Secretary

Keith Rittscher
Treasurer

Beverly Elias
Assistant Treasurer

Paul Goblick
Trustee

Terry Steimer
Trustee

Sheree Morris
District Manager

Karl Bohne
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 at 10:00 AM
2. Invocation
3. Pledge of Allegiance
4. Roll Call

Present were Jack Emerich, Carol Sommers, Sheryl Moore, Keith Rittscher, Paul Goblick, James Zellner, Beverly Elias, Terry Steimer. Also joining the meeting was Sheree Morris, District Manager.

5. **Chairman Announcements**

Deed Restrictions is the only item on the agenda.

Monday, March 8, 2021 is the next regular board meeting.

6. **Business: Deed Restrictions**

A team had been formed to review our deed restrictions and make recommendations. The members were Bruce Crabb, Becky Earnest, Gaston Pelletier, Bob Shearer. Four (4) topics will be discussed today based on their focus and presentation made July 27, 2020.

a. **Property Ownership**

Committee Recommendation: Number allowed. Team had recommended to allow ownership of two (2) properties instead of the current one (1).

Joanne Gaughan – Leave it at one (1) each. We have been talking too many renters. Need to tighten up rentals. Looking for long-term living. Allow renters for two (2) years then they must buy or leave.

John Bonasera – There is a trustee who has the most rentals, and they are not in good shape. Rules are not enforceable.

Becky Earnest – Be nice. We all live here. The committee has recommended two (2) units in order for current owner to get a 2nd home. Now she feels leave it at one (1) each. We want long-term residents living here; not to buy and rent out.

Bruce Crabb – There was a lot of discussion regarding this topic. Mainly to allow residents to move into a new unit. It should be worded for being able to move to a new home; given time limit to sell the first home. Feels there were not as many renters long



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ago. The committee discussed removing many of the items added in 2017. That document has those items circled.

Joanne Gaughan – There were not as many renters before. Nine (9) trustees are too many for our size. Attorney says next to impossible to change that.

Joe Little – Had to change my deed on my first home in order to buy another place. Did not like doing that.

Dianne Bell – Could reword this to say “occupied” property, then can buy 2nd property to occupy – the other stays empty until sold.

Sharon Schmitt – In order to increase ownership, give access to renters so they will want to come back and buy.

Carol Sommers – Do we need a motion to get us going in the right direction.

Bruce Crabb – This is more investigative. We are going to pay to have deed restrictions changed, we need to change it all at once. Leave at 1 house with time limit to sell the first home once you move into your second home.

Joanne Gaughan – This is a special meeting. We are just talking. Secretary to put out ideas as suggested. Give people time to read. Once we are ready for changes, it's sent to attorney who makes the wording changes.

Kay Allen – Enjoying this conversation. Rented in a place like this park. Two (2) units works for me.

Joe Little – Single owner vs joint owner. Any aged person can buy here.

Jack Emerich asked Dianne Bell to clarify her “occupied” recommendation.

Dianne Bell – One (1) occupied unit, 2nd stays empty – must sell. This would be for the situation when choosing to move to another home. You vacate your first home to move into the second home. You only ‘occupy’ one home. The other cannot be occupied while that owner has the second home. Cannot be rented to anyone. Must be sold.

Liz Garcea: 1056 Wood – Need a renter's agreement for all. Some in the Park have signed nothing. There are people in the park renting without agreements with the park. Never signed anything.



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Keith Rittscher - We have the agreements in place. We are not finding that out – that needs to be reported to the office. Not sure how they are getting in the park without stickers.

b. Caregivers.

Committee Recommendation: Caregiver registration is not on a renewable schedule. Suggest that they renew their status every 6 months.

Bruce Crabb – Remove from the Deed Restrictions. Put in Rules and Regulations.

Keith Rittscher – Asked if this renewal schedule could be accommodated with the paperwork involved.

Sheree Morris – System is being taken advantage of. A 6-month update can be handled by the office.

Deb Bennett – Notary would make physician think twice before signing. Should have form on Dr. Letterhead.

Sal Cursi – Caregiver taking resident's vehicle.

Keith Rittscher – Rulebreakers are going to break rules.

Terry Steimer – Do caregivers reside in the home?

Sharon Schmitt – Define caregiver. Can they be given a temporary card for entry?

Sheree Morris – Can have a live-in caregiver or a daily arrival.

Joanne Gaughan – Deed Restrictions vs Rules and Regulations. It is difficult to change Deed Restrictions, as it should be. Each Board can change Rules and Regulations. Keep this in the DR – we are a Deed Restricted community.

Karen Foote – Doctor will not put our form on their letterhead.

Bruce Crabb – No matter how many R/R - people will break all of them. Make it simple – use R/R. Six (6) months was the suggestion of the committee.

c. Fine Structure.

Committee Recommendation: Delete the whole fine structure section. Too cumbersome. Use sister park wording on this topic. If the office has the correct alternate address and phone numbers, this should not be a problem. Sheryl Moore read the suggested wording:



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“Homeowners who, in the opinion of the Park Manager or her designee, are in violation of the provisions above, shall be notified by the Park Administration of such violation by phone and mail. If the violation is not corrected within fifteen (15) days of notification, the Park Manager or designee may cause the violation to be corrected. The Homeowner shall be invoiced for the cost of remediation, in addition to a one hundred dollar (\$100) administrative fee for each violation. Labor shall be billed at actual cost, but not less than \$20 per hour, with a one-hour minimum charge. Mailing of a notice to the property owner’s address on file in the Holiday Park office shall be considered “notification” for purposes of the fifteen (15) days’ notice above. If the invoice is not paid by the homeowner within 30 days of invoice date, a lien may be placed on the property for the value of the invoice, plus any fees associated with attaching the lien.”

Becky Earnest – Wording came from Holiday Park North Port.

Bruce Crabb - Feels he was left out of the last meetings of the committee yet he’s the only original member left.

Sheree Morris – Has correspondence regarding fines from our attorney which gives a 30-day notice to cure; if not cured, park would cure and charge them. He would like to be involved in the discussion of this topic.

Joanne Gaughan – Power washing homes. Did not get reimbursed for all. Would the attorney do this for collection payment.

Sheree Morris – Liens to be filed today.

Bruce Crabb – With liens, if property is sold by the County or foreclosed on, we get no money. With the nine (9) homes the city owns, we got ‘0’.

Keith Rittscher – If it costs us \$100 to get something bad to look good, not a lot of money. Will never get 100% compliance.

Sheree Morris – Legal avenues are liens and injunctions. Our attorney would need to explain how this works. With the nine (9) homes the City owns, we will get injunctions if they do not do what we want.

Keith Rittscher – Are we spending more money than it’s worth?

d. Survey.

Committee Recommendation: Add that a survey be done and staked out before unit is sold or a new unit approved.

Terry Steimer – Good idea.



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Keith Rittscher – Agrees.

Karen Foote – Needs to be pinned. Flags were moved at the new house on Holiday Park.

Bruce Crabb – Flags were moved at houses in the past. Surveys must be done. It is in the rules.

Sheryl Moore – Can the City of Palm Bay help with the new house situation?

Sheree Morris – Once the City gives their permit, they do not care.

Patti Peck – It is in the ACC rules for a survey already.

Keith Rittscher – For new unit.

Karen Allen – Does someone from the Park watch the unit being put on?
Recommend someone to oversee.

Keith Rittscher – That is what ACC is to do. Hard to accomplish when there is no one on the ACC Board.

Bruce Crabb – The ACC is a difficult committee to navigate. The first homes here (1971) were not put in with a survey. Lines were pinned afterward.

7. Public Comments

Jack Emerick – Any future issues?

Becky Earnest – Support vs Service Dogs.

Keith Rittscher – Spectrum. Recommends Cable/WiFi together.

Bob Adey – Survey is beneficial to all: Seller, Buyer, Park. The flag is a witness – should be a pin nearby. Pins are in the ground. The original park built with set locations. Permanent markers for surveyors if there is a question where to start.

Bruce Crabb - Asked if a computer could be connected to our audio unit. Sheree is addressing.

That and is hoping for better sound at Monday's meeting.



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Asked that trustees go through the original document to review the circled items to be removed. Areas include: Owner in Good Standing, Cable Service (sec 8), Visitors (sec 5), Refuse (sec 9), Signs (partial sec 16), Clothes Poles (sec 17), Enforcement (sec 18); Article IV Rules/Regs (sec 2), Assessment (sec 3 as noted), Article V Amendment (sec 4 as noted).

Joe Little – Rentals; a set number of rentals or a percentage? Visitors vs Guests; definitions. If a visitor has a day pass and stay overnight do they become a guest? Resident Age Requirement; 40 years. A 55-year-old renter can rent out a room to a 40-year-old. What are family rights? Do not let people rent out rooms.

Sheree Morris – Has not seen that happen yet.

James Zellner – How to maintain 20% rentals. Danger of unintended consequences.

Carol Adey - (via chat, had not been recognized) Violation letters should be sent by certified mail. Fifteen (15) days begins with signature date. Compare our Deed Restrictions to our sister park.

Keith Rittscher – Would like to speak as a resident, not a trustee. Will wait for another meeting.

8. Trustee Remarks or Announcements

9. Adjournment

Motion made by Beverly Elias

Seconded: Paul Goblick to adjourn.

Vote Yes – 8.

Meeting adjourned at 11:48 AM.

Sheryl R Moore
Sheryl Moore, Secretary

3/23/2021
Date