



**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 (APPROVED)

March 14, 2022 – 7:00 PM

Richard Brooks
Chairman

Karen Allen
1st Vice-Chairperson

Gary Vincent
2nd Vice-Chairperson

Carol Sommers
Secretary

Trustee

Keith Rittscher
Treasurer

Mark Bodoh
Assistant Treasurer

Paul Goblick
Assistant Secretary

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 7:00 PM
2. Invocation given by Richard Brooks
3. Pledge of Allegiance
4. Roll Call: Present: Richard Brooks, Karen Allen, Gary Vincent, Carol Sommers, Keith Rittscher, Mark Bodoh, Paul Goblick, Terry Steimer
Sheree Morris was also present
Palm Bay Police Officer Troy Smith, present
5. Carol Sommers read a statement on behalf of Robert Shortlidge reprimanding Chairman Brooks for violating the Florida Sunshine Laws when he spoke to Mr. Vincent regarding Annette Ragas' letter of intent. The statement called for Mr. Brooks to resign from the Board. Letter attached to these minutes for public record. It should be recorded that Mr. Brooks refuse to resign as he felt he did not willfully violate the laws.
6. Chairman Announcements
 - A) Zoom fails due to all the cellphones being brought into the meeting. They are all connected to the WIFI causing it to overload and drop out. It was asked that all cellphones be placed on the airplane mode to cut down the WIFI usage.
 - B) Lawn Service – contract with Flawless clearly spells out that they are not to trim any closer than six “6” inches from your homes. Residents are responsible for weeding around your homes; spraying for weeds; and lawn fertilization.
7. Keith Rittscher moved to accept the minutes of the meeting from 2/28/22. Motion was seconded by Paul Goblick.

Vote: 8 - Yes 0 - No

8. Gary Vincent introduced Armando Martinez from Sani-Effect Environmental to do a presentation on Air Purification Systems that could be used within the clubhouse to ensure proper purification of the air within the building. They were asked to do an air quality test within the building and check to see if our air ducts should be cleaned. They will work up a report and get it back to Mr. Vincent to present to the Board.

9. District Managers Report

Sheree Morris presented her report and the report will be filed in the District Office for public records.

Carol Sommers moved to accept the quote for \$3,530.00 from Alpine Tree Services to trim 140 palm trees located within the park. Motion was seconded by Karen Allen.

Vote: 8 - Yes 0 - No



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10. New Business

- a) Proposal to change the method in the way the money is collected from the laundry room and vending machines. Mr. Brooks read the proposal – copy attached. Mark Bodoh moved to accept the proposal as presented, 2nd by Carol Sommers

Vote: 8 - Yes 0 - No

- b) Keith read a proposal in which it was noted the health insurance for the DM cost \$1,013.00 per month or \$7,091.00 for the remainder of the year. DM agreed to release the District from responsibility, if we agree to increase her salary by \$5,500.00 to cover her added cost for our dropping the insurance.

After extensive discussion the topic was tabled until further information can be collected on health insurance for all employees.

11. Old Business

1. *Fine Systems* – Paul Goblick will work with the ACC Board to come up with a better more reasonable *fine system* to present to the Board.

Gary Vincent moved to remove the current *fine system* that was placed into effect in 2019. Motion, 2nd by Mark Bodoh.

Vote: 6- Yes 2 - No

2. Sheryl Moore spoke about updating he *SOP manual* for the District Office. She noted that these were several questions that need to be addressed. Her statement is attached to these minutes for record.
3. *Pond Lights* -after discussion it was decided to drop this item and keep lights as they are.
4. *Update on Stage One Items:*
- a) Terry Steimer reported that they did finally located the problem with the *drainage* located at the Cheswick entrance gate. He will continue to work with Palm Bay Public Works to get the issue resolved.
- b) Paul Goblick got estimates on the *solar* for the building. He wants to set up a presentation to be done at a future meeting.
- c) Gary Vincent has one quote for *replacement of the bridge* at the back pond. He is working on getting two more.



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- d) Mark Bodoh reported that he has two headsets that he wants to try out. He has been working with Diane Bell. He is working on a presentation for the next meeting.
- e) Carol Sommers – working on the kitchen wish list. Currently has two contractors coming to look at the kitchen and give quotes on possible upgrades.
- f) Keith Rittscher working on the audit
- g) Karen Allen still working on the pools. Hopes to have her information ready for our next meeting later this month.

12. Trustee Comments

Mark Bodoh spoke about the division within the park and how it seems to all stem around the District Manager. During our last meeting many issues were brought up about the DM. He noted that the DM works for the Board and the Board works for the residents. We need to work for the residents. We need to work towards finding ways to resolve the division. He also questioned why a background check was done on a potential board member. This is NOT normal policy or procedure. This was uncalled for and should NOT have happened. This MUST STOP.

13. Public Comments

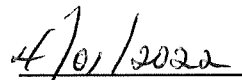
Spoke about respect within the meeting. If the residents are to show respect to the Board – then the Board should show respect to the residents. Keith Rittscher was called out about being on his phone during the last meeting showing total disrespect to Earl Simmons.

It was asked that we please place the topic of creating an HR Committee on the agenda. Residents want to see this get done.

Terry Steimer moved to adjourn the meeting at 9:40 pm., 2nd by Keith Rittscher.



Carol Sommers, Secretary



Date



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Mr. Chairman you consciously and unquestionably violated the Florida Sunshine Law at the February 28th meeting. At which time you admitted to speaking with another trustee about something that was on the agenda and up for a vote. This clearly violates the Florida Sunshine Law 16: "Telephone Conversations" and Virtual Meetings; 16 (a) Private telephone conversations between board members to discuss matters which foreseeably will come before the Board for action – which violates the Sunshine Law. When you spoke to Mr. Vincent about the letter of intent for Ms. Ragas asking him to speak to her about rewriting her letter as in breach of the Sunshine Laws.

F: Remedies and Penalties

F(1) Criminal Penalties:

A Knowing violation of the Sunshine Law is a misdemeanor of the 2nd degree. Sect 286.011(3)(b) of the Florida Status declaring that the Sunshine Law is "serious business" because there is criminal liability for officials who knowingly disregard it. Any person convicted of a 2nd degree misdemeanor may be sentenced to a term of imprisonment not to exceed 60 days and/or a fine up to \$4,500.00.

F(3) Non-criminal infractions –

Sect 286.011(3)(A) imposes non-criminal penalties for violations of the Sunshine Laws by providing that any public officer who violated the provisions of the Sunshine Law is guilty of a non-criminal infraction, punishable by a fine not to exceed \$500.00. It has been held that the State attorney may pursue such action on behalf of the state.

You are, therefore, requested to resign from the Board of Port Malabar Holiday Park Mobile Home Park Recreation District. If you choose to resign then the matter will be resolved. However, if you choose NOT to resign, then this matter will be forwarded to the State Attorney General in Tallahassee and pursued to the fullest extent of the law.

Signed by: _____

Carol Sommers
Carol Sommers

3/14/22

Presented at the request of Robert Shortlidge

D. NOTICE AND PROCEDURES 1. Agenda The Sunshine Law does not mandate that an agency provide notice of each item to be discussed via a published agenda although the Attorney General's Office has recommended the publication of an agenda, if available. The courts have rejected such a requirement because it could effectively preclude access to meetings by members of the general public who wish to bring specific issues before a governmental body. See *Hough v. Stembridge*, 278 So. 2d 288 (Fla. 3d DCA 1973); and *Yarbrough v. Young*, 462 So. 2d 515 (Fla. 1st DCA 1985) (posted agenda unnecessary and public body not required to postpone meeting due to inaccurate press report

March 6, 2022

Approved

Proposal to change the method for collection of money from the laundry room and ~~soda machines~~.

The Assistant Treasurer and the District Manager or a person appointed by the District Manager from the Office staff will agree upon a date to collect, count and wrap the monies from the above machines.

A form that shows the collection date will be created. The amount collected will be signed by the persons that did the collection.

A copy of that form will be given to the Assistant Treasurer who will maintain a file.

This should eliminate the rumors of theft by members of the office personal.

Richard Brooks



Rick Brooks <rnbrooks4@gmail.com>

Procedures Manual

1 message

Sheryl Moore <sherylmoore58@yahoo.com>

Sun, Mar 6, 2022 at 1:43 PM

To: Rick Brooks <rnbrooks4@gmail.com>

Cc: Sheree Morris <sheree@holidayparkfl.com>, Lori Lyon <lori@holidayparkfl.com>

Rick,

Per your request I have reviewed the Office Procedures Manual. Sheree provided me with a copy so that I could mark it up.

I requested the help of Dave and Patti Peck. Their history in the park and attention to detail was very helpful in the review. They will be a valuable resource in the follow up.

I believe the current office staff don't rely on referring to this manual regularly - as they know their tasks. This book should be looked at as a guide for incoming staff - a tool for the day-in and day-out responsibilities/requirements of those in the office. The current staff will be creating new procedure documents as they review this book and realize what is not in the manual. I have spoken with Lori and she will be receiving the markup copy to be reviewed by all staff. More eyes the better!

After the office review and update, it might be a good idea to sit down together for discussion/proofing and to make sure all questions were resolved. Perhaps a Board Trustee would like to take part.

Some of the suggestions/ideas:

- Table of Contents

- Indexing subcategories if necessary

- Remove duplicate items

- Make sure all forms are in this book. (Either with the procedure itself or all forms put to the back in a dedicated Forms Section. Or both!)

- Keep forms up to date

- Annual review by the Board - Just a look see to make sure everything is still running as indicated by these documents. Sometimes things change in the middle of the year and the update can get overlooked, ie: Amount of petty cash, amount the DM can spend without Trustee approval.

I have written on the hard copies some questions, and made some suggestions, that may help in the updating process.

I hope this is helpful in getting this done. Please let me know if there are any questions or suggestions. Thanks for letting me help.

Sherry Moore
315-225-11517

Sent from my iPad