

HOLIDAY PARK, PARK & RECREATION DISTRICT
Board of Trustees Regular Meeting Minutes

Main Recreation Hall
October 8, 2020 at 10:00 AM

I. Call to Order

The meeting was called to order by Chairperson Richard Gortz at 10:00 AM.

II. Pledge of Allegiance

III. Roll Call

Taken by: Barbara Vitolo

Present: Chairperson Richard Gortz, 1st Vice Karin Anderson, 2nd Vice Ken Judd, Secretary Cheryl Morris, Trustees Bob Bachman, Betty Hart, and Jim Oliver, and District Manager Tess Schofield

Absent: Sergeant at Arms George Clinch, Excused Don LaMaster, and Mike Nasalski.

IV. Approval of previous meeting minutes:

Motion to approve the minutes from the previous meeting of May 28, 2020, by Bob Bachman, 2nd by Jim Oliver. Motion carried.

Motion to approve the minutes from the previous meeting of July 31, 2020, by Bob Bachman, 2nd by Ken Judd. Motion carried

V. Report from District Manager:

See Attached Report

VI. Treasurer's Report:

Given by Chairman Dick Gortz, see attached Report.

VII. Chairperson's Report:

None

VIII. Trustee Committee Report:

Betty Hart gave a report of the Mowing Company and is aware they are not doing a good job on the park as a whole and the swales in particular. Please call her if you have issues.

Karin Anderson states that it is a requirement for every homeowner to get a copy of the new Deed Restrictions. She would like to thank Jim Oliver and Dick Gortz for going door to door to deliver copies to help reduce the cost of mailing. She also reported that residents in general were happy with the Trustees response to COVID and keeping the homeowners safe.

Ken Judd will get with the office and work on the compound spaces and waiting list.

Residents Robyn Pless and Roland Ficken expressed their issues with Brightview the lawn care service company.

IX. Resident Comments:

None

X. Old Business:

None

XI. New Business:**1. Architectural Rules and Regulations proposed changes and additions:**

Bob Bachman reported the new changes were approved by the ACC.

Motion to approve the proposed changes was made by Jim Oliver, 2nd by Karin Anderson. Motion passed.

Jim Oliver would like to thank Bob Bachman for doing an excellent job. The committee members need to follow all procedures and do their homework prior to approving permits.

Karin Anderson questioned if an attorney had been contacted about having non-conforming issue corrected prior to sale.

Dick Gortz reported that we are waiting on a legal opinion on this issue. He recommended that each coach have 6' of grass on each side of driveway and 25% of front area as grass.

Cheryl Morris questioned how will the 25% be determined.

Jim Oliver stated that the new home with a full concrete front yard should not have been given a permit.

Bob Bachman reported that the blueprints on that home did not match what was done.

Dick Gortz stated that this change applies to current home that are making changes to concrete and pavers, and new homes to be installed. New rules cannot be applied retroactively.

2. General Rules and Regulations proposed changes and additions.

Karin Anderson explained the difference between a registered day guest and an overnight guest.

Dick Gortz explained the 3 conflicting sections of code the park is dealing with.

House Bill 1855 states that persons entitled to use the facilities of the district shall be limited to property owners, their family members, and guests. The Deed restrictions state that only registered occupants of a lot shall be permitted to use recreational park facilities. Finally, the Rules and Regulations state that persons eligible to use facilities are residents, registered guests, registered caregivers, and day guests are only permitted to HOA dances and tournaments sponsored by various groups. The Attorney opinion is that the House Bill supersedes the other rules.

Karin Anderson stated that the Deed Restrictions cannot limit the House Bill.

Cheryl Morris would like to table this discussion until more information is received from the attorney.

Karin Anderson explained sections D, P, Q and T4 and the proposed changes to the General Rules and Regulations. She believes that allowing fire pits/open fires on Park property creates a liability for the Park.

Bob Bachman stated that permanent fire pits may not be feasible on many properties within the park due to North Port City and Fire restrictions.

A motion to approve the General Rules and Regulations proposed changes, all but Section C, which was tabled, was made by Bob Bachman, 2nd by Cheryl Morris.

Resident Roland Ficken verified that there is an exception for outside teams during a tournament.

Resident Linda Snelling questioned if her local pet sitter that stays at her home when she is out of town is considered a overnight guest or a day guest.

Cheryl Morris called to amend the motion to exclude both C and D. There was not second to this motion.

Motion Passed to approve the General Rules and Regulations proposed changes excluding section C. Section C was tabled. Two Trustees opposed.

Betty Hart asked if all visitors should be registered.

Karin Anderson stated only if using facilities.

3. Barcode Rules Proposed Changes

Cheryl Morris explained the proposed changes that allows for annual renters to have a entry code. Proximity cards will no longer be refunded when returned. Barcodes and Proximity cards are sold for \$10 for new residents and new vehicles. A replacement barcode will be issued at a cost of \$5.00 if it was issued less than 3 years prior. If the barcode is older than 3 years, the replacement is free.

Motion to approve changes to Barcode Rules by Bob Bachman. 2nd by Ken Judd.

Motion passed.

4. Revision of Fitness Center Rules

Karin Anderson explained the changes to the Fitness Center rules. Guests may only use the fitness center for 30 days per year and must be at least 18 to use the facilities.

Motion to approve the new Fitness Center Rules by Karin Anderson. 2nd by Jim Oliver. Motion Passed.

5. Proposed change to Holiday Park Employee Benefits

Dick Gortz explained this is to clarify how long an employee can be off work on a leave of absence and still maintain the employer paid health benefits.

Karin Anderson clarified that any extended leave of absence would be approved by the Board of Trustees.

A motion to approve the change to Holiday Park Employee Benefits was made by Cheryl Morris. 2nd by Bob Bachman. Motion passed.

6. Establishing fines for violations of Deed Restrictions and Rules.

Dick Gortz stated that currently when a resident fails to comply with deed restrictions or rules and regulations the park will send a certified letter to the resident with a time frame to comply. The next step is that the Park's Attorney will send a letter with a time to comply statement. If the resident still does not comply the Park has to take the resident to court. This is often a long drawn out procedure that can cost a lot of money. With the new changes to the House Bill 1855, the Park has the authority to establish a fine structure. The park will establish a 3-person committee (none of who can be a Trustee or a relative of a Trustee) who will hear appeals to the fine system. The park is relying on voluntary compliance and in many

cases are not getting it currently. At the next workshop the Chairman will bring forward a comprehensive fine schedule.

Bob Bachman reminds everyone that even if you have an ACC permit, a city permit may be required, and the resident is responsible for obtaining.

Karin Anderson thinks that the fine structure will be positive for residents as there will be less problems in the long run.

Ken Judd states we cannot put a lien on the property.

Dick Gortz stated that if the fine is not paid the resident will not be able to use park facilities.

XII. Supplemental Items:

Motion by Ken Judd to approve the schedule of meetings for the upcoming year. 2nd by Jim Oliver. Motion passed.

Dick Gortz updated the residents on the status of the Sunshine rules concerning meetings. Meetings and workshops will be at the regularly scheduled time in the Main Hall. The next workshop meeting will be on October 27, 2020 at 9 am.

XIII. Trustee Comments:

Betty Hart asks residents to call her for lawn issues.

Karin Anderson asks residents and trustees to reach out for any changes they would like to see on the next deed restriction revision. This process usually takes at least a year.

Bob Bachman had no comments

Dick Gortz stated the Park Manager works with the trustees to determine the best course of action to open the facilities. We are aware we cannot keep the lockdown forever.

Jim Oliver stated that we have paid 6 months with our current lawn care and we should have had the swales worked on twice in that time. The manager is not following through with her obligation to the park.

Both the residents and trustees voiced their concerns with Brightview and the job they are doing for the park. It may be time to put them on notice of our intent to cancel if these issues are not addressed. The issues include swales, trimming, blowing, and issues with damage.

XIV. Resident Comments:

Resident Frank Lampe would like to see the number of people allowed in the pools increased and urged people to vote in the 2020 election.

Tess Schofield would like to increase the number to 10 soon.

Norm Olszewski thanked the trustees for their concern during the pandemic.

Robyn Pless wanted to clarify that overnight guests can use facilities and day guests may not. She would also like to be able to sunbathe at pool if she brings her own chair.

Karin Anderson stated that the chairs available at the pool are for putting on shoes and at this time sunbathing at the pool is not allowed.

Linda Snelling would like to know the cut off time for construction or repair work in the park. She also would like the indoor facilities to reopen.

Bob Bachman stated the rule is 7:30 am until 7:00 pm Monday thru Saturday. No construction work on Sunday.

Lynn Leonard announced that there will be a Halloween Golf Cart parade on October 31 at 6 pm. This parade will start in Phase I, please feel free to join in or watch from your yard. Please follow social distancing guidelines.

Sharon O'Reilly is in favor of moving forward with opening the park. She appreciates all the trustees work but reminds them that the CDC recommends people stay physically active during this time. She would like clarification of any plans or procedures in place for reopening. She reported that she had done a informal survey of other 55+ parks in the area and they all report all facilities are open.

Dick Gortz reported that there is not at this time a formal plan/process for reopening. The Florida Board of Health considers communities like ours an "at risk population" and recommends no meetings of more than 10 people. Therefore, at this time there are no plans to open indoor facilities.

Motion to adjourn the meeting by Bob Bachman, 2nd by Karin Anderson.

Meeting adjourned at 11:44 AM.

Respectively Submitted,



Barbara Vitolo
Bookkeeper, Holiday Park

Approved By,



Cheryl Languirand Morris
Secretary, Board of Trustees