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Revised 12/29/94    Revised 03/09/07  
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## HOLIDAY PARK, PARK & RECREATION DISTRICT

### BY-LAWS

#### **Article I** Location of District Office

5401 Holiday Park Boulevard, North Port, Florida 34287

#### **Article II** Purpose of By-Laws

The purpose of these by-laws is to supplement Florida Law as enacted by the Legislature as House Bill #1855, which is the prevailing law governing the operation of Holiday Park, Park and Recreation District and which law specifically directs many procedures which need not be covered by these by-laws.

#### **Article III** Annual Organizational Meeting of Board of Trustees

The annual organizational meeting of the new Board of Trustees shall be held following the election of Trustees in March in the Main Hall at Phase I. The agenda shall be as follows:

- I. Call to Order
- II. Invocation
- III. Pledge of Allegiance to the Flag
- IV. Oath of Office
- V. Adjournment

The new Board of Trustees shall then meet to elect officers and make committee appointments.

Approved 05/08/14

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The agenda shall be as follows:

- I. Call to Order
- II. Election of Chairperson
- III. Formal Presentation of Gavel to Chairperson
- IV. Election of Officers
- V. Appointment of Committee Chairpersons
- VI. Adjournment

#### **Article IV** Duties of Officers

Article IV Duties of Officers and Trustees (Revision adopted ~~4/10/97~~ May 2022). The Chairperson and all other Trustees shall vote Aye or Nay on all matters submitted to a vote of the Trustees unless a conflict of interest as defined by Florida Statutes exists.

The Chairperson shall preside at the Trustee meetings and vote on all matters submitted to a vote of the Trustees. He/she shall appoint special committees when necessary and coordinate the activities of all committees.

The First Vice Chairperson shall assist the Chairperson and in the absence of the Chairperson shall preside at any meeting.

The Second Vice Chairperson shall assist the Chairperson and in the absence of both the Chairperson and the First Vice Chairperson shall preside at any meeting.

The Secretary shall keep the minutes of all proceedings of Trustee and Workshop meetings. The Secretary may be assisted by a Corresponding Secretary, who need not be a Trustee. **There is also an assistant secretary who shall assist the Secretary in the absence of the Secretary.**

The Treasurer shall keep accurate accounts of all monies due and received. All disbursements shall be at the direction of the Treasurer with approval of the Trustees. All disbursements (except payroll) shall be upon receipt of a voucher or invoice approved by a Trustee. During any absence of the Treasurer, a Trustee approving a voucher or invoice shall sign a check in payment of the voucher or invoice. The Treasurer's books shall be audited annually by a certified public accountant, or more often if requested by the Trustees. Administrative Assistant Employees shall be under the direction of **District Park** Manager and Chairperson in Manager's absence. Administrative Assistant Employees shall be bonded for an amount to be determined by the Board of Trustees.

The District's attorney is on an as needed basis. The District's attorney must be appointed and approved by a vote of the Board of Trustees at a regular meeting. Any calls or contacts with the attorney must be channeled through the Chairperson or in their absence, the first Chair or 2<sup>nd</sup> Chair, or Secretary or Treasurer. The District's **District Park** Manager must have the approval of the Chairperson or in their absence the first Chair, 2<sup>nd</sup> Chair, or Secretary or Treasurer to contact the attorney of record.

## **Article V** Committees and Assignments

### Section 1

In any emergency situation, i.e. loss of power, loss of air conditioning, damage to buildings, physical plant problems, etc., a meeting may be called by the **Chairman Chairperson** or in his/her absence by the First Vice **Chairman Chairperson** or 2<sup>nd</sup> Vice **Chairman Chairperson** or in their absence, the Secretary or Treasurer. This public meeting notice will be posted in both halls and advertised in the local newspaper as required of any meeting.

### Section 2

The Chairperson of the Board of Trustees, with the approval of the Trustees, shall select the Trustees to work with the **District park** Manager in the following assignments. **Each Trustee must take an assignment to support the fellow Trustees, District Manager and the District.**

1. Personnel
2. Maintenance, Roads & Grounds
3. Compounds
4. Rules and Regulations
5. Architectural
6. Operations
7. Liaison for the **Homeowners Association-(ARC) Activities & Recreation Council**
8. **Security-Safety/Property Monitors**
9. Lawn Maintenance and Drainage
10. **Communications & Technical Support**
11. Committees as may be deemed necessary

### Section 3

Any new project or commitment for capital acquisition shall conform with the requirements of House Bill #1855.

### **Article VI** Vacancies

Any vacancy occurring on the Board of Trustees shall be filled for the remaining term by appointment by the Board of Trustees. The vacancy shall be posted for (5) five working days. All interested persons shall submit in writing a statement indicating their eligibility. The Board of Trustees at a workshop meeting shall review the applicant. The selection of the appointee shall take place at a Regular Board of Trustees meeting with the date selected by the Chairperson.

The Board of Trustees is not obligated to fill the vacancies of any Trustee.

### **Article VII** Meetings

Workshop Meetings will be held on the 4<sup>th</sup> Tuesday of each month in the Main Hall at 9:00 A.M. unless otherwise changed. Regular Trustee meetings shall be held on the 2<sup>nd</sup> Thursday of each month at 7:00 P.M. in the main Hall unless otherwise changed. Regular and Workshop meetings shall be posted in Phase I and Phase II in a reasonable amount of time. Regular and Workshop meetings will be published in the North Port Sun Herald.

An officer of the Trustees must be present to conduct the meeting.

### **Article VIII** Order of Business

The Chairperson shall be guided by latest edition of Robert's Rules of Order when not inconsistent with the By-Laws or state laws.

The proceedings shall be as follows unless voted otherwise:

1. Call to Order
2. Invocation and pledge of Allegiance

3. Roll Call
4. Approval of minutes of previous meeting (Date of Meeting)
5. Report from Park District Manager
6. Treasurer's Report
7. Bond Report (If applicable)
8. Chairman's Chairperson's Report
9. Trustee Report
10. Resident Comments
- ~~10.~~ 11. Old Business
- ~~11.~~ 12. New Business
13. Supplemental Items
- ~~12.~~-14. Trustee Comments
- ~~13.~~ 15. Resident Comments
- ~~14.~~-16. Adjournment

**Article IX. Home Owners Association Responsibility—(ARC) Activities & Recreation Council**

Each fiscal year reports are required to the Board of Trustees from ~~the HP Home Owners Association~~ ARC in order for them to be brought under the Board of Trustees control for compliance with the laws and other purposes only. The ARC report must include the Men's Club & Just Us Girls.

1. On November 15<sup>th</sup> each year a proposed Activity Report shall be submitted to the Chairperson of the Board of Trustees or his/her designee for filing for each group.
2. A quarterly report on activities shall be submitted to the Chairperson of the Board of Trustees or his or her designee for file purposes only.
3. A yearly report of these activities shall be submitted to the Chairperson of the Board of Trustees or his or her designee by September for each group.
4. A financial report, compiled by an outside person, shall be submitted to the Chairperson of the Board of Trustees or his or her designee for each group. Be it understood that in no way will the Board of Trustees interfere with the elected officials of the ~~HP Home Owners Association~~ ARC, Men's Club & Just Us Girls, except for record purposes only and to assure that the ARC, Men's Club & Just Us Girls Association is in compliance with the District under State Law.

5. The Chairperson of the Board of Trustees shall appoint a Trustee to work with the **ARC, Men's Club & Just Us Girls HOA** to assure compliance with all State and Federal laws if applicable. The appointed Trustee will keep the Board of Trustees properly informed of any problems that may arise. The Trustee appointed shall have access to all **ARC Home Owner** functions.

#### **Article X** Amendments

Amendments to these by-laws may be introduced by any Trustee or owner in writing at any regular meeting of the Trustees. A copy of the proposed amendment(s) shall then be posted on both Recreation Halls' Bulletin Boards at least ten (10) days prior to the next regular Trustees' meeting. A public hearing shall be held at said meeting after which the Trustees shall vote on the proposed amendment(s). Six (6) of Nine (9) affirmative votes by the Board of Trustees shall be required for adoption.

#### **Amendment X.a**

~~A letter dated January 5, 2007 from the park Attorney David Boyette of the law firm of Ruden & McClosky of Sarasota, FL. informing the Board of Trustees that "the Amended and Restated Declaration of Restrictions for Holiday Park should be preserved until the year 2025." He further advised we should "calendar the 30<sup>th</sup> year anniversary to revisit the issue and take appropriate steps before the 30<sup>th</sup> anniversary from March 7, 1995."~~

~~Note: Suggest the subject be investigated in the year 2024.~~

#### Article XI Conflict of Law

Any portion of these by-laws in conflict with Florida Laws and House Bill #1855 shall be invalid.

These revised by-laws of Holiday Park Park and Recreation District were adopted on **December 9, 1999**. (Date of Public Meeting)