

Holiday Park Park & Recreation District  
Board of Trustees Regular Meeting

October 12, 2023

I. **Call To Order** by Chairperson Cheryl Morris at 7:00 p.m.

II. **Pledge of Allegiance**  
**Invocation** given by Sharon O'Reilly

III. **Roll Call**

Chairperson	Cheryl Morris	Present
1 <sup>st</sup> Vice Chair	Ken Judd	Present
2 <sup>nd</sup> Vice Chair	Deborah Perla	Excused
Treasurer	Don LaMaster	Present
Secretary	Sharon O'Reilly	Present
Assistant Secretary	Shawn Slattery	Present
Trustee	John Rabideau	Present
Trustee	Bob Bachman	Present
District Manager	Carmella Coons	Present
Sergeant at Arms	Robert Burleigh	Present

IV. **Approve Previous Minutes: September 5 and 26, 2023**

- Don LaMaster moved to accept the meeting minutes of September 5, 2023, with revisions. Second by Ken Judd.  
Motion carried.
- Ken Judd moved to accept the meeting minutes of July 25, 2023, with revisions. Second by Don LaMaster.  
Motion carried.

V. **District Manager Report given by Carmella Coons**

1. Pied Piper Plumbing is working on the backflow issue, but needs the City of North Port approval. Cheryl Morris asked Carmella Coons for clarification of the problem, and she responded that Steve Grossl could better answer that question, but he is on vacation.
2. Fence Outlet is repairing damage done to the fence, and this will be covered by the Holiday Park insurance policy.

3. A resident hit the front gate, then fled the scene. The incident was picked up on our cameras, the police were notified, and the resident was ticketed. The repair cost is over \$14,000, and a claim has been submitted to our insurance company.
4. Agenda Items, New Business, A. 1 and 2, will be postponed until the next regular meeting, due to the incorrect meeting time sent to owners.
5. Phase 2 pool is on hold until the new tank arrives, which could be another 4-6 weeks.
6. Carmella Coons reported that the bond is not closed, and that Sharon O'Reilly asked her to address this issue today. Cheryl Morris and Don LaMaster agreed that the bond **IS** closed, but Don LaMaster will continue to report on spending of leftover bond money which is now in the operating fund.
7. The sign replacement project is almost done, and final payment will be made upon completion.
8. The Ceramic Room fan has been installed. Cheryl Morris asked Carmella Coons if this will be covered by insurance, and Carmella Coons stated that she will check on this.
9. Carmella Coons spoke with Steve at Wessel, and the Phase 1 pool and clubhouse will need to be closed for a full week (Monday-Friday) to complete the electrical panel installation, including Florida Power and Light (FPL) inspection. This will probably be done mid-December.
10. Carmella Coons did a ride-around with Collin at U.S. Lawns. U.S. Lawns is working on the swales, but the highwater table is making cleanout difficult. It was agreed that water is moving.
11. Carmella Coons asked that residents complete the Corrective Action Forms, as needed.
12. We have received an insurance check for about \$33,000, and Carmella Coons thanked all those who worked on the insurance committee.

## **VI. Treasurer Report**

- Don LaMaster gave the September 2023 Treasurer Report (see Attachment A). He clarified that the Unrestricted Funds balance was \$283,023.64 after deductions, including payroll and outstanding checks.

- Don reported that we are already in the red for lawn care, due to under-budgeting associated with the new lawn care contract. Ken Judd pointed out that there is a larger draw in summer for lawn care, due to increased frequency of the mowing. Don LaMaster agreed.
- Don reported on the Trees for Tuscola Fund. He purchased 13 trees, for a cost of \$4,424.50 from the \$4,730 in the fund.

## **VII. Chairperson Report**

- Cheryl Morris stated that the Staff Florida Blue Insurance policy contract renewal should have been reviewed by the Board of Trustees at a workshop prior to signing. She suggested we schedule a meeting in July or August 2024 to discuss the health insurance policy renewal.
- Cheryl confirmed that New Business Referral to Fine Committee Item on today's agenda will be included in the next regular meeting agenda on 11/9/2023.

## **VIII. Trustee Report**

- Ken Judd stated he has removed a utility trailer from the compounds, and that there is a boat with Virginia tags in spot 33 that needs to be moved by the owner, or he will remove it. Bob Bachman asked about a trailer owned by a deceased resident, and Ken stated that he would investigate. Carmella Coons has spoken with an attorney who informed her that the estate is in probate. Carmella will discuss the travel trailer and motorcycle in the driveway with the attorney.
- Shawn Slattery: Nothing to report.
- Sharon O'Reilly asked about removing Bond Report from the By-Laws Article 8 Agenda, since the bond is closed. Don LaMaster stated he will continue to report on use of leftover bond money, now in the Operations Account.
- Sharon asked for a Federal Emergency Management Agency (FEMA) update. Cheryl Morris responded that we cannot get any FEMA money until our insurance claims, including Phase 2 pool, are complete. Cheryl is not hopeful that we will get any FEMA money.
- Sharon reported on safety in Holiday Park. She has been in contact with the North Port Police Department (NPPD). She requested a "Breakdown of Calls for Service Report," and distributed copies to the Board dated 8/1/22 to 8/31/23. She reviewed safety suggestions from the NPPD and has met with Carmella Coons to discuss these and other items. The NPPD offered to give a safety

presentation. Sharon asked that the issue of safety be placed on the next workshop agenda.

- Don LaMaster: Nothing to report.
- John Rabideau reported that Big Fish training was done and that tonight's (10/12/2023) meeting is being streamed on You Tube. Cheryl Morris asked why You Tube was chosen, rather than ZOOM, and John replied it was due to cost and convenience. Cheryl Morris is concerned about previously-agreed-to stream, but not record, meetings. Carmella stated that the You Tube meeting could be deleted, and she will do this.
- Bob Bachman: Nothing to Report

#### **IX. Resident Comments**

- Karin Anderson, 5012 Palena Boulevard, addressed the New Business Item #5, "By-Law Change for Trustee Meeting Time Change." She stated that the feedback she received when she was a Trustee was that residents wanted an evening meeting, as many could not attend morning meetings.
- John Sermersheim, 6882 Hikina Drive, will need to reschedule Men's Club meetings, if the Board votes to reschedule Board meetings. He asked to be notified of the Board's decision as soon as possible for planning purposes.
- Bill Mitchell, 6563 Hikina Drive, asked Don LaMaster what types of trees were purchased. Don stated that the Trees for Tuscola Committee decided to buy Christmas palms, which are self pruning.
- Bill advised that any sunshades used in Holiday Park be similar to those requested by the Tennis Courts Committee.
- Bill asked that the attachments be added to the posted agenda, so that residents can understand what is being discussed. Bill specified the By-Law changes on today's (10/12/2023) agenda. He stated that a resident in Ohio informed him that the live streaming is going well.

#### **X. Old Business**

##### **A. Reappoint Robert Burleigh as Sergeant at Arms**

Motion to reappoint Robert Burleigh as Sergeant at Arms by Sharon O'Reilly,  
Second by Bob Bachman. No discussion.  
Motion carried.

## **B. Priority List: Short-Term Priorities Approvals**

Items #12-28 on this list were discussed. It was agreed that Item #15, Trees for Tuscola; #18 c. and d., Ceramics building fan and AED inspection tags; and #22, Common Property Cleanup, have been completed or are in the process of completion.

Carmella Coons can approve and complete projects that are expected to cost \$1,500 or less, and it was agreed that the items on the list that are most likely in her spending budget include:

- Item #13, Phase 1 Walkway Repair
- Item #16, Kayak Rack Repair/Replacement
- Item #17, Additional Furniture/Decoration for Phase 2 Lobby
- Item #18 a., Signage Recommendations per Florida Insurance Alliance
- Item #20, Tennis and Pickleball - Old Fence Post Removal and Repair
- Item #23, De-Root picnic Area
- Item #24, Clothes Rack for Gym.

Item #12, Sink Hole Repair Paradis, was discussed among the Board and residents. It was agreed that this was not a sink hole, but rather a collapsed pipe that needs to be repaired. Bob Bachman knows someone who may be able to do this job, has discussed this with Steve Gossl, and will work with Camella Coons to get bids. It was agreed that this project must be done and is a priority.

There was also agreement that we will need bids for Item #14, Phase 2 Bath Building Outside Repair; and #25, Fix Phase 2 Bathroom Building. Carmella Coons will work on these bids. Item #25 must be completed prior to the opening of the Phase 2 pool.

The Board agreed to move the following items to the next workshop meeting for discussion:

- Item #21, Empty Lot Cleanup: Charge to Owner
- Item #27, Big Fish Maintenance Agreement

A motion was made to approve funds for Item #18 b., Fuel Storage Shelves for \$1,800; and to approve Item #26, Replace Electrical Board – Ceramics Building, and Item #28, Replace Electrical Board – Library, for a cost not to exceed \$3,000 per project, by Shawn Slattery, Second by Bob Bachman.  
Motion carried.

Cheryl Morris asked that an additional item be added to the Short-Term Project list: Demolition of the Groundskeeping Shed. There was a motion by Bob

Bachman, Second by John Rabideau, to accept the Graber bid of \$3,350 to demolish the groundskeeper shed.  
Motion carried.

Bob Bachman asked about the lack of electrical outlets in the lobby and if they were included in the original contract. Don LaMaster stated he would review the contract and report back at the next meeting.

Cheryl Morris asked if anyone wanted to discuss the Mid-Term Project list, and the consensus was “no.”

**C. Big Fish Maintenance Agreement**

Cheryl Morris spoke with Barry at Big Fish and advised him that we cannot sign the contract as written. She proposed that the changes she made in red be incorporated into the contract. She asked Board members to read the contract, give input to her, and the item will be discussed at the next workshop meeting. Cheryl will forward these proposed changes to Barry for his input.

**XI. New Business**

**A. Referral to Fine Committee**

These items were tabled and moved to the next regular meeting on 11/9/2023:

1. Bodner: Moved to November 2023 Trustee meeting.
2. MH Liquidity: Moved to November Trustee meeting.

**B. Architectural Control Committee (ACC) Rule Change #16 and #26 G**

Bob Bachman reviewed the proposed changes. Changes to Rule #26 G are that an example of the product to be used is required “and always maintaining 12 inches at the bottom for clearance.” The change to #16 is that the vinyl skirting could be white.

A motion to change ACC Rules #16 and #26 G, as proposed by Shawn Slattery, Second by Bob Bachman.  
Motion carried.

**C. Approval of Caregiver Application Changes**

Shawn Slattery clarified that the Board is discussing “caregivers,” not “caretakers,” as listed on the agenda.

It was agreed that the changes were discussed at length at the last workshop and are already in use.

Motion to accept proposed changes to the Caregiver Application by Shawn Slattery, Second by Bob Bachman.  
Motion carried.

**D/E. Activities and Recreation Council (ARC) Requested By-Law Changes/By-Law Changes for Trustee Meeting Time Change**

It was agreed that the Board needs to clarify the legal process to change any by-laws. Karin Anderson explained that, while the residents do not vote on the by-law changes, the proposed changes voted on by the Board must be posted, and a public information meeting be held before a final vote by the Board. Bob Bachman suggested that these items be tabled until the next workshop. Cheryl Morris will clarify the legal process for any by-law changes. Sharon O'Reilly and Shawn Slattery will review the by-laws to see if there are any other changes the Board may want to consider.

**F. Reschedule 12/26/2023 Meeting to 12/19/2023**

A motion was made by John Rabideau, Second by Shawn Slattery, to reschedule the 12/26/2023 meeting to 12/19/2023.

Cheryl Morris asked Ken Judd about the May 2024 proposed meeting schedule. The Board discussed revising the May 2024 schedule.

A motion was made by Ken Judd, Second by Bob Bachman, to move the 5/9/2024 meeting to 5/2/2024, and to cancel the 5/28/2024 and 5/30/2024 meetings.  
Motion carried.

It was agreed that the Board would vote on the Budget Approval for 2024-2025 at the 5/2/2024 meeting.

**G. Use of Funds: Trees for Tuscola**

Don LaMaster reported on this earlier in today's meeting.

**H. ACC-Referral: Sunshades for Tennis Courts**

It was agreed that this item had already been discussed at the last workshop.

A motion was made by Shawn Slattery, Second by Bob Bachman, to accept the Tennis Club ACC Permit application for sunshades and a canvas tent.

Discussion points: The Tennis Club will take these down during storms. Roland Ficken will work with Steve Grossl to put up these structures. The sunshade and tent will not interfere with mowing.

Motion carried.

**I. Employee Use of Fitness Center**

A motion was made by Shawn Slattery, Second by Bob Bachman, to allow employees to use the Fitness Center. No discussion.

Motion carried.

**J. Tim Seelow Permanent Appointment to ACC and Alternate Position**

Bob Bachman stated that Tim is a good candidate for this position.

A motion was made by Sharon O'Reilly, Second by John Rabideau, to appoint Tim Seelow as a permanent member of the ACC.

Motion carried.

Bob Bachman reported that Robert Burleigh will be serving as an alternate on the ACC Committee.

**XII. Supplemental Items**

Ken Judd stated that there were problems in the office and that Cheryl Morris was contributing to these problems. He made a motion for Cheryl Morris to resign, Second by Don LaMaster. Cheryl Morris stated that she would not resign, so the motion was null.

Bill Mitchell stated that the Board of Trustees cannot make a motion to remove a Trustee from office. He also stated that this is not legal, and that removing a Trustee from office would be a complex process requiring proof of wrongdoing, dishonest behavior crime, or law breaking. See Attachment B (3 pages), that Bill Mitchell read at the meeting regarding this process.

There was a discussion between Trustees and residents, and there was agreement that we need to look for better ways to communicate as a Board with each other, residents, and office staff, while staying within the Sunshine Laws. Cheryl Morris, Carmella Coons, and the Board were encouraged to work together to focus on the needs of the residents, as well as Holiday Park



**XIII. Trustee Comments**

Bob Bachman: There will be an Activities and Recreation Council (ARC) meeting next Tuesday, October 17, 2023, at 7:00 p.m. There will be an ARC membership meeting on 12/19/2023, as well as a Board of Trustee Meeting. Meeting times to be announced: one will be in the morning at 9:00 a.m., and the other at 7:00 p.m.

**XIV. Resident Comments**

Lynn Leonard, 6559 Greenview Court, reported that Triple F will be sponsoring a Halloween Thriller Dance on October 29, 2023 from 7:00 – 9:00 p.m. Tickets will be \$5 at the door.

John Sermersheim, 6882 Hikina Drive, would like to know the Board meeting times as soon as possible. It was clarified that the next regular meeting will be at 7:00 p.m. on 11/9/2023, so a change in the date for the Men’s Club is not necessary.

**XV. Adjournment**

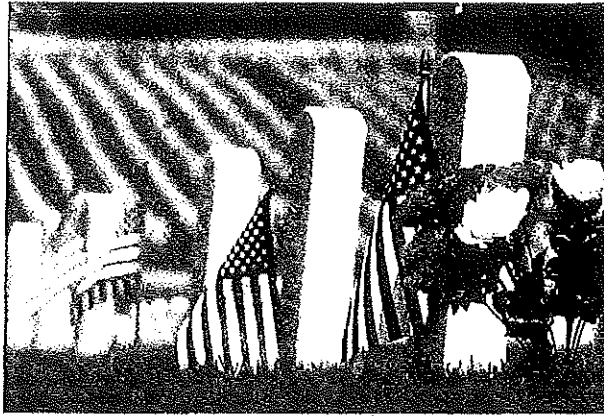
Motion to adjourn the meeting by Shawn Slattery , Second by Bob Bachman.  
Motion carried.

**MEETING WAS ADJOURNED AT 9:23 P.M.**

Respectfully submitted,

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Sharon O’Reilly, Secretary



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## Treasurer Report for September 2023

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### Assessments

Assessments Received: \$ 1,563.49

### Renovation

September Renovation Draws: \$ 51,869.00

### Monthly Income and Expenses

September Income: \$ 3,167.34

September Expenses: \$ 96,230.95

### Bank Balances as of September 30, 2023

Restricted Funds: \$ 724,721.26

Restricted Interest: \$ 28,122.19

Unrestricted Funds: \$ 401,156.62

283,023.64

Total Funds Available: \$1,154,000.07

Attachment B

Bill Mitchell 6563 Htkm Dr (3 pages)

## NOTES FOR TRUSTEE MEETING

12 NOVEMBER 2023

- Point of Order
  - a. Under what section of House Bill 1855, Rules and Regulations of Holliday Park, or By-Laws of Holiday Park is this board considering removal of the Chairperson of the Board of Trustees? How do you intend to proceed?
  - b. According to Robert's Rules of Order: Acceptable disciplinary actions are verbal warning; written reprimand; suspension; and termination.

### From Manuals of Parliamentary Procedure

c. Robert's Rules of Order Newly Revised allows this motion to be used if the chair's occupant is not the regular presiding officer of a society, in which case it is a question of privilege affecting the assembly. If the chair is the regular presiding officer, the motion to declare the chair vacant cannot be used.

d. Under Section VIII of Trustee By-Laws any motion not covered by State or Park Rules then the governing rules are under Roberts Rules of Order. Robert Rules of Order require in several sections pertaining to this situation a 2/3 vote of the body to remove the Chair from office.

Demeter's Manual states that the procedure is to either bring charges against the presiding officer for neglect of duty or abolish their term of office by amending the bylaws with

due notice to all members; either of these methods requires a two-thirds vote.<sup>51</sup>

- e. Malfeasance (Definition: Wrongdoing)
- Misfeasance ( Definition: Wrongdoing)
- Wrongdoing ( Definition: Dishonest Behavior Crime or Lawbreaking)

- Can anyone present explain what Dishonest event, Crime, or Lawbreaking has occurred? If so, have the proper authorities been contacted?

#### Robert's Rules of Order

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FAQs

General Robert

# We have answers

Not sure what to do in a meeting? Below are some short, accurate answers to commonly received questions. The material here is derived from Chapter 13 of *Robert's Rules of Order Newly Revised In Brief*.  
See the FAQs

## 20.

How can we get rid of officers we don't like before their term is up?

It depends. If the bylaws just state a fixed term for the officer, such as "two years," or if they say the officer serves for a specified term "and until [the officer's] successor is elected" (or words to that effect), then the group must use formal disciplinary proceedings, which involve the appointment of an investigating committee, preferral of charges, and the conduct of a formal trial. The procedure is complex and should be undertaken only after a careful review of Chapter XX of RONR.

On the other hand, if the bylaws state a term for the office but add "or until [the officer's] successor is elected," or contain other wording explicitly indicating that the officer may be removed before the term expires, then the officer can be removed from office by a two-thirds vote, by a majority vote when previous notice has been given, or by a vote of the majority of the entire membership—any one of which will suffice. A successor may thereafter be elected for the remainder of the term.

Of course, if the bylaws themselves establish a procedure for removal from office, that procedure must be followed. [RONR (12<sup>th</sup> ed.) 62:16.]