

# Tri-Par Estates Park and Recreation District

## Minutes

### Board of Trustees – PUBLIC HEARING

September 30, 2020

**TIME:** ..... 10:00 AM  
**CALL TO ORDER:** ..... Chairman Koenig  
**INVOCATION:** ..... Michael Neff  
**PLEDGE OF ALLEGIANCE:** ..... All  
**ROLL CALL:**.....Carol Bryant  
**PRESENT:** In Attendance...Chairman Koenig, Ron Houchin, Toni Borman, Michael Neff, Laurie Legler, Birdie Bollenbacher, Cindy Little-Koenig, Daryle von Holdt  
**Absent:** .....Dan Via  
**ALSO PRESENT:** .....Lee Morris, Park Manager; Carol Bryant, Meeting Recorder

**OPENING COMMENTS** – Chairman Koenig opened the Public Hearing and noted the meeting is broadcast on Channel 195. Carol Bryant reviewed the information for viewing/calling in via Zoom.

**1. PUBLIC HEARING ON POLICY and PROCEDURE UPDATES - FINES and SUSPENSIONS in RESPONSE to LEGISLATIVE CHANGES ADOPTED by the STATE OF FLORIDA**

- **Park Manager Lee Morris** noted that no comments or questions were submitted via email, phone or in person prior to this public hearing. Lee reviewed the proposed updates to policy and procedures regarding fines and suspensions as required due to legislative changes made to our enabling act. These procedure updates provide the steps for addressing deed restriction violations.
- **Trustee Houchin** stated that these changes provide a check and balance system. The Board of Trustees can recommend fines or suspensions; the Compliance Committee is then the check and balance to ensure residents are treated fairly. The Compliance Committee has the final say as fellow citizens.

**2. PUBLIC INPUT:**

- **Dale Funkhouser** – 5226 Tri Par Drive – questioned the item on the Fine Schedule that states “All fines subject to a maximum of \$1,000.” Does that mean that once \$1,000 is paid a resident can then break any and all rules without further fines? Mr. Morris responded that we need to pay attention to the words “per occurrence”. Using the example of someone misusing a FOB, if a person misuses a FOB for 10 days with \$100 fine per day, that \$1,000 would then need to be paid and a new occurrence would begin.
- **Trustee Borman** raised a question on the Fine Schedule regarding residents having RV’s parked at their dwelling overnight. Will the fines apply to all vehicles if people are preparing their RV

to head home for the season and need to plug it in for electricity at their home? Mr. Morris noted that the vehicle can be in the yard during the day but cannot be parked at the dwelling overnight. Lee also clarified that if individuals arrive late at night and are unable to get to the office until the next morning to get a permit, they are not fined. Trustee Legler noted that if residents need to have their camper on their property for a few days they need to go to the office to get the appropriate permit. Mr. Morris responded that we try to work with residents before imposing fines or suspensions and currently there is no one up for fines or suspensions.

- **Trustee von Holdt** stated building permits are missing from the fine schedule and should be added. Mr. Morris clarified that “permits” are included in the fine schedule under “Any other violation of Policies & Procedures”. Chairman Koenig asked if “permits” could be spelled out in the fine schedule. Lee noted this can be added as this is a working document and has not been voted on. Chairman Koenig asked that RV parking section be modified to include “RV parking overnight is allowed with an office permit.” Mr. Morris responded that the RV section will be updated for clarification and “permit” violations will be also added to the fine list.
- **Dale Funkhouser** – 5226 Tri Par Drive – noted that the word “overnight” is not definitive and suggests that this be clarified. Dale also asked for clarification on what you need a permit for. Mr. Funkhouser also asked if the 18% interest rate to be charged for unpaid invoices is a legal rate. Mr. Morris responded that these documents are a working copy and before adoption the RV parking section will be clarified and building permits will be added to the fine section. Lee also noted that the 18% interest rate is within the usury laws. Mr. Funkhouser asked if there will be an opportunity for the new updates to be reviewed prior to the final adoption. Trustee Legler and Mr. Morris noted that the changes will be discussed at the next Board Workshop on October 20<sup>th</sup> and will be open for a vote at the Board Meeting on October 20<sup>th</sup>.
- **Trustee Borman** asked what exactly do residents need permits for? Trustee von Holdt noted that the first paragraph of the Deed Restrictions addresses the specifics for building permits.
- **Park Manager Lee Morris** stated that today is the last day for public input via Zoom. Beginning on October 1<sup>st</sup> meetings will be open to the public in-person using the appropriate protocols. Going forward we will continue to broadcast on Zoom but no public input will be available on Zoom when in-person participation is allowed.

### **3. ADJOURN THE PUBLIC HEARING**

- **Trustee Borman made a motion to Adjourn the Public Hearing.**
- **Trustee Neff seconded the motion.**
- The motion carried on a unanimous roll call vote.
- **The Public Hearing adjourned at 10:31 AM.**

***This copy of the Minutes of the aforesaid Public Hearing of the Board of Trustees of Tri-Par Estates has been transcribed for approval by the Board of Trustees at the next called meeting of the Board.***