

Tri-Par Estates Park and Recreation District

Minutes

Board of Trustees - WORKSHOP

July 21, 2020

TIME: 6:30 PM
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, Cindy Little-Koenig, Daryle von Holdt
Absent:Birdie Bollenbacher, Dan Via
ALSO PRESENT:Lee Morris, Park Manager; Carol Bryant, Meeting Recorder

OPENING COMMENTS – Carol Bryant reviewed the information for viewing/calling in via Zoom.

1. MEET and GREET with ATTORNEY ANDREW COHEN

- Chairman Koenig asked the Board Members to introduce themselves to Attorney Cohen.
- Attorney Cohen thanked the Board for allowing him to appear by Zoom.

2. DISCUSS RENTER and GUEST RULES and REGULATIONS

- **Trustee Houchin** – noted concern that not all owners process the required paperwork for having renters in their home. Board needs authority to enforce the rules and regulations and a penalty to the owners if rules that are in place are not followed. Are there options for enforcement? **Attorney Cohen** responded that recent legislature empowers the Board for more enforcement and a procedure for fining. Fines might not necessarily be the best option, but possibly some sort of penalty of not being able to rent in the future or suspension of rights could be implemented.
- **Chairman Koenig** asked if the fine would be against the owner or renter. **Attorney Cohen** stated the property owner/landlord should be held responsible.
- **Trustee von Holdt** asked if the Board could implement a policy for inspection (inside and out) of vacant homes (especially the homes that have been vacant for a very long time). **Attorney Cohen** stated inspection would depend on justification for entering the home. If the vacant home is having a negative effect on neighbors (for example with rodents or mold, etc.), you could potentially move forward. Need specific justification, and if you have the justification, use that right sparingly. If you enter property, you open yourself up for other issues.
- **Trustee Houchin** raised concerns regarding eviction of individuals who have moved into Tri-Par without completing paperwork or passing a background check. Lack of compliance causes eviction issues. Trustee Houchin also asked if it is possible to set rules that if an owner violates the renter policy twice they will no longer be allowed to rent their property in Tri-Par. **Attorney**

Cohen stated you can place limits for violations, but you must be cautious, give owners notice, and the violations must be egregious to move forward with penalties.

- **Trustee Borman** asked if the 30-day per year visitor time limit could be eliminated during times of need (such as a death). **Attorney Cohen** stated he would not recommend changing the current 30-day per year limit. Possibly we could provide exceptions to streamline the process by having residents come to the Park Manager, rather than having to go through the Board, for an exception. **Lee Morris** noted that we also must consider HUD certification for the 55+ age limit restrictions in Tri-Par Estates. **Attorney Cohen** agreed and stated streamlining the exception process could possibly address this concern.
- **Trustee Houchin** asked if once the rules and regulations have been updated and approved regarding renters would it be a good practice to send a registered letter to the owners of multiple properties so they know what the new rules and regulations are. **Attorney Cohen** stated that giving notice is a good idea, but we need to make sure all parties are notified. Giving notice and due process help with enforcement.
- **Chairman Koenig** asked if there is a length of time a lot can remain vacant when a home is removed. **Attorney Cohen** does not believe Tri-Par has anything on this in current restrictions. You would need justification, specifically if they are keeping up the property.
- **Lee Morris** asked Attorney Cohen to give a review and update on his working relationship with Tri-Par Estates. **Attorney Cohen** stated it has been about a year since his firm engaged with Tri-Par Estates. His firm is small with five attorneys'. He works with Special Districts and on finance issues. Projects with Tri-Par have included: new legislation, covenant enforcement, budget streamlining and proper adoption, deed restriction revisions, and policy and procedure review.
- **Trustee Little-Koenig** asked if there is an age limit for caregivers in Tri-Par and if there is a limit on the length of time the caregiver can be going into the home. **Attorney Cohen** noted that caregivers must have proper documentation from a medical provider; the age of the caregiver does not matter; and the length of time must go by orders of the medical provider. **Trustee Houchin** noted that due to past issues the current requirements are that a caregiver must be approved by a medical provider; must pass certification tests; and must be a minimum of 18 years of age. **Trustee Legler** noted there are no requirements for a certification. **Lee Morris** stated he does not believe we have requirements for caregivers to have certification, but we can look into tightening the restrictions for caregivers to be certified. **Attorney Cohen** replied that if the caregiver has documentation from the medical provider and they are capable of taking care of the person, we cannot delve further into the relationship. **Chairman Koenig** reviewed an example of a caregiver going elsewhere during the day for work and being gone all day leaving the resident they are supposed to be caring for alone. **Attorney Cohen** noted that abuse must be addressed. **Trustee Houchin** stated that caregivers must also pass a background check. **Attorney Cohen** agreed that is allowable, but requiring certification is a potential problem.
- **Chairman Koenig** asked if we could restrict breed and weight for emotional support animals and service dogs? **Attorney Cohen** believes you cannot put restrictions on a service dog, but with an emotional support animal he is not positive. **Chairman Koenig** asked Attorney Cohen to look into this for clarification.
- **Trustee von Holdt** asked if it would be possible to have two or three realtors that take care of the rental properties within the park. **Attorney Cohen** replied no. This would not be supportable and not recommended.
- **Trustee Legler** asked a question regarding possibly providing more pet section housing by opening the whole perimeter of the park for additional pet section. **Attorney Cohen** noted you

could start a discussion on this, but those that purchase in a no pet section could possibly have issues.

- **Chairman Koenig** thanked Attorney Cohen for taking time to participate in the Workshop with the Board. Attorney thanked the Board for giving him the opportunity.

3. NEW BUSINESS

- **YARD WASTE** --- Chairman Koenig gave an update on Sarasota County temporary suspension of curbside collection of yard waste for up to three weeks. Tri-Par will have another dumpster brought in for “Yard Waste” and will be available at the Maintenance Building Monday – Friday from 3:00 AM to 3:00 PM. Ensure you use the dumpster marked “Yard Waste” and this is for **yard waste only**. This is posted on TV and on the Tri-Par webpage: triparpark.org

4. PUBLIC INPUT

- **Butch Ferreira** – 5143 Tri Par Drive – raised a safety concern regarding the speeding on Tri Par Drive. Asked for Board discussion to provide a solution. Past requests to the County Commissioners and the Sheriff’s Department were discussed and reviewed. They would not approve speed bumps due to fire trucks and ambulances. Radar speed signs, flashing pedestrian lights/signs or rumble strips were discussed. Chairman Koenig asked Lee Morris to research options and bring information back to the Board in August.
- **Dale Funkhouser** – 5226 Tri Par Drive – asked 1) is anyone aware of anyone in Tri-Par with the Covid 19 virus? 2) any development on green cards from individuals wanting to purchase? He also reviewed the Deed Restriction regarding accessing vacant homes. Lee Morris noted HIPPA laws must be followed and as such we are unaware of any Covid 19 cases within Tri-Par. Chairman Koenig answered that records were researched, and we are not aware of anyone using the company referenced in the “green card”.
- **Bob Bass** – 1775 Old Elm Street – raised concern regarding the new signs on buildings at Tri-Par and why do we need them? Believes if appearance of buildings is going to be changed residents should have input. Chairman Koenig, Lee Morris, and Trustee von Holdt noted that the signs are an asset to the park for visitors and perspective residents to identify our facilities, and beneficial for police, fire, EMT’s.

5. ADJOURN THE BOARD WORKSHOP

- **Trustee Houchin made a motion** to adjourn the Board Workshop.
- **Trustee Borman seconded the motion.**
- The motion carried on a unanimous roll call vote.
- **The Board Workshop adjourned at 7:34 PM.**

This copy of the Minutes of the aforesaid Workshop 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.