

BOARD APPROVED MARCH 16, 2009 AS CORRECTED
TRAILER ESTATES PARK AND RECREATION DISTRICT
BOARD OF TRUSTEES WORKSHOP

MARCH 9, 2009

9:30 A.M

SMALL HALL

1903 69TH AVENUE WEST

BRADENTON, FL 34207

The workshop was called to order at 9:30 a.m. by Chairman Martha Brauer.

Announcements:

- 1) Joe Salerno dropped his agenda item entitled Schedule of Activity Craft Room. He wants to gather more information.
- 2) Move Item #4--Trustee Protection Policy--to the end of the agenda.
- 3) Martha informed residents that there is a Florida statute regarding stopping, standing or parking directly opposite another vehicle on our roads potentially or actually impeding emergency vehicles.
- 4) Marina sign--was removed because the park cannot place a sign there. The sign was not taken down because there was a misspelling.
- 5) Joe is looking for people to play the Wii game and decide if the game should be pursued.
- 6) The Beautification Committee meeting scheduled for today has been cancelled.

Agenda Items

- 1) Deed Restriction violation at 1803 Indiana--The procedure to handle this is time-consuming: Refer violation to the attorney; the attorney requests public records; a demand letter is sent; and then the TE board is asked to determine how the attorney should proceed. Martha explained that another complaint came in on Feb. 27. A neighbor was bitten by the dog at this address. The board received a letter stating that the dogs were off the leash. This letter was faxed to the attorney. Martha recommended that we pursue the situation with a judge. The judge then declares the consequence. The board will call the attorney and ask him to go forward with the case and get information in writing.
- 2) Advance Deposit on Public Records (PP 24)--We have taken the fees out of PP 24 and moved them to PP 54. Will be brought forward next week for a vote.
- 5) Communication--Gail believes there is a communication gap between the board and the residents. She feels it is because people don't watch six hours of meetings on TV; they don't read long minutes;

they may have to watch several six-hour meetings to find the answer to their concern. Residents still want information and may be hearing information from others that is not correct. People are interested in the lawsuit, especially since there is a court hearing next week. Suggestion: Use The Tribune, Channel 95 and the Web-site to keep residents informed of things the board is doing as well as the lawsuit. The board agreed to "bullet" important points from board meetings and summarize the lawsuit. Martha will put the information on both Channel 95 and the Web-site.

6) Web-site expense--\$2,000 was allocated for the Web-site; nothing has been spent yet. We need a Web conversion to put videos on the site. It compresses videos. Cost: \$400. We also need to upgrade our Web-site. We have a 2.5 version but we need a 3.5 version. The plan we have only uses 2.5, but we can upgrade the plan. Cost maximum of \$200.00 memory stick and other related expenses up to \$700.00 total.

7) Complaint Review--Fred Hoch discussed the difficulty between residents George Sipich and Linda Brush who are neighbors on Nebraska. At a May 23, 2008, ARC meeting, the matter was turned over to the Board of Trustees. Fred wondered if we could keep talking about this rather than going to the attorney. Martha stated that the problem is an underage grandson. Mrs. Brush owns two homes. If her son is in the other house, he is not meeting the age requirement. John said that the age requirement is automatically sent to the attorney. He then stated that this is a neighbor squabble that we have addressed and it has now gone beyond that with graffiti on the side of the shed. Janet stated that she was subpoenaed to the court for a hearing but was excused because she had no personal knowledge in the case. She never heard from the court after that in regards to what happened. Martha said the court issued a temporary restraining order and not a permanent one. Pam stated that there is a grandson living there. She said she doesn't know how to stop it without going to the lawyer. The general agreement of the Board is that the situation should go to the attorney. Fred will bring a motion forward next Monday to take the case to the attorney.

8. PP 53 Auditor Selection Committee--Our attorney recommended that just one trustee--rather than two--and four property owners be on the committee. The trustee will serve as the liaison to the board. John Vander Molen has resigned from the committee and Martha remains as the trustee liaison. The attorney will send the recommendation for proposals that they have done. Niles Kenyon, Joe Trinkl, Ruth Langton and Sue Rycoff will be on the committee. Minutes of this committee have been posted. The committee found an error beginning on the 2005 auditor's report: The accrual of the staff sick leave--the auditor uses 100 hours for this and our policy says 100 days. Mark Yawberg already has accumulated 100 days.

9. TV contract update--Pam stated that Bright House will freeze our contract for four months--Sept.-Dec. 2009. Then there will be a 5 percent increase for four years. We now pay \$13.50; Jan. 1, 2010, we will pay \$15.89. Martha stated that Bright House cables come to the houses in the park. Verizon would have to bring the cables to the houses from the road. Joe said this was not a problem. John said we should rate check with other companies. Martha suggested that two years before the contract would end we send out a questionnaire about stations. Joe stated that would make it really complicated and stated that we should negotiate. Fred asked, "If we stay with Bright House, can we flip a couple channels?" Joe said we can buy different packages. Pam said she didn't think we could flip channels because they come in packages. The Board decided we will get proposals from other companies.

10. Trustee Protection Policy--Martha received a policy from our attorney in regards to coverage for trustees; she read that policy. She stated that she also asked the attorney for a policy for staff. Pam felt there were two ways to look at it: 1) As a trustee, you want to be covered but 2) trustees may not be as careful. Pam wondered if we could put a lien on the property of a trustee if they do not reimburse the Board in the case of malfeasance. John said that would happen when the property sold. Gail shared

with the board that she had, that morning, heard from an insurance company in regards to Officers and Directors Insurance...the same company that covers parks in Port Charlotte and Terra Ceia. After discussion, it was decided that Pam will contact Chancellor; Gail will complete the application for the insurance company; Martha will write the letter required by the insurance company discussing the lawsuit.

Public Comment

Bill Secraw, 1803 New York--He did some research on TE lawsuits--31 by TE and 8 by plaintiffs. He stated residents can go to the courthouse to investigate these and the present one.

Bev Lew, 2008 IL--Not mediating is a problem. It costs under \$14,000 to mediate. Those involved in the lawsuit cannot vote.. She stated that if the four trustees are dismissed next week, charges will be pursued against old board members as well as new ones.

Tom Featheringill, 1816 Michigan--read a letter written by Toni Gaeta.

At this point, Martha read a memo written by Attorney Mark Barneby in regards to questions Mr. Featheringill and others had raised about the marina. Mr. Barneby's response: "There was evidence that the rental spaces to people outside of Trailer Estates (at the marina) goes back to at least the early 1980's. I spoke with Joaquin Servia in the Manatee County Planning Department regarding this matter and we concluded that the use of the marina was a grandfathered non-conforming use under the Land Development Code."

Lenora Neal, 6619 California--Trustees deserve to be protected. The majority of residents spoke when the Board was elected. They will use this to break us. Why would they sue the entire park?

Flo Mallory, 6919 W. Bayou--Information from gossip and rumors can be damaging in its repetition.

Joe Langton, 2107 Ohio--This has been going on for three years. One person gets people together to get the flack going. If the flack keeps up, you will get rid of volunteers. He told the Board to stand up and fight; the lawsuits will continue if the Board doesn't do that.

At the end of public comment, Martha discussed her rationale for placing things like wages and rate reviews before the budget. She believed those deliberations were necessary.

The Workshop was adjourned at 11:38 a.m.

Respectfully submitted,

Gail Opper, Secretary