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Trailer Estates suit set for trial

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MANATEE — Trailer Estates property owners who filed a lawsuit in November will finally get their day in court.

Judge Janette Dunnigan has set a trial date of Sept. 8 for a case involving two Trailer Estates residents who claim the mobile home park's board of trustees is violating Florida's Government in the Sunshine laws.

Mary Lou Smith and Sharon Denson say they filed the lawsuit after repeatedly requesting documents from the governmental agency concerning how rates are set for the marina and parking spaces.

"It is regrettable that we have had to reach this point," Smith said in an e-mail response sent to the Bradenton Herald. "Mrs. Denson and I reached a mediated settlement with the chairman of the Board of Trustees (who had been elected by the board to be the park spokesperson at the mediation) a few weeks ago. The Board of Trustees refused to accept this mediated agreement, reached by their representative, forcing the matter into the courts and costing even more taxpayer dollars."

The trustees of the Trailer Estates Park and Recreational District contend they followed the law.

The board controls an annual budget of about \$1 million.

The district became a governmental body, subject to the state's Sunshine and Open Records laws, when it was established by the Florida Legislature in 1969 as a special taxing district.

Court records show that after six months of court hearings, the parties tried to mediate the dispute June 9, but mediator Gary Larsen reported to the court July 15 "the mediation resulted in an impasse."

The Trailer Estates board held a closed-door meeting, sometimes called a "shade meeting," July 13 with attorney Mark Barnebey to discuss the litigation, according to minutes posted on the mobile home park's Web site.

After meeting for more than two hours, the board convened a public hearing to consider a mediated settlement, but Barnebey reported that there was no settlement.

Two trustees who were named in the suit as individuals, Janet Jones and Joseph Salerno, could not be reached for comment.

John Vandermolen, another board member named in the suit, said he had no comment.

Mary Lou McNulty, a former board member, also was named in the lawsuit and referred all questions to her attorney, Jim Dye.

"It's an unfortunate situation," Dye said.

"It would be great if this could be resolved without going to trial."

He said going to trial was a waste of the district's funds, but was hopeful a resolution could be achieved without a trial.

"But if not, we're prepared to go to trial," Dye said.