

**BOARD APPROVED AS CORRECTED JULY 6, 2009
TRAILER ESTATES PARK AND RECREATION DISTRICT
BOARD OF TRUSTEES SPECIAL MEETING**

June 18, 2009

9:30 a.m.

SMALL HALL

**1903 69th Avenue West
BRADENTON, FL 34207**

Meeting called to order: 9:04 A.M. by Martha Brauer, Chairperson. Martha announced that there would not be a public hearing after the Shade Meeting, because there is no signed agreement at this time.

ROLL CALL: Martha Brauer, Margo Cushman, Harry Fitzpatrick, Fred Hoch, Janet Jones, and John Vander Molen were present. Pam Cole, Gail Oppen, Joe Salerno were absent.

APPROVAL OF MINUTES: No minutes for approval.

CORRESPONDENCE: All correspondence is in the office and available for public viewing.

REPORT OF TREASURER: Treasurer not present. Not report given.

APPROVAL OF BILLS: Martha presented a bill for Kirk Pinkerton for \$41,215.36 for one item in March, and April 29th – May 28th. John made a motion to pay this bill. Harry seconded it. No discussion. Motion passed 6-0.

INFORMATIONAL REPORTS OF TRUSTEES: No reports given

REPORTS FROM STANDING COMMITTEES: No reports given

RESIDENTS COMMENTS:

Tony Gaeta – 6818 Marina Drive – Stated that she appreciated Harry's information on the fence between DeSears and Trailer Estates. She also asked questions regarding the Insurance Policy that is being purchased for the trustees. Tony also asked questions regarding the public hearing part of the meeting today.

Bev Lew – 2008 Illinois – Asked questions about public hearing after the Shade Meeting.

Mark Barneby – attorney for district – stated that the public hearing part of the meeting should take place even though an agreement has not been signed regarding the lawsuit with Sharon Denson and Mary Lou Smith. Martha corrected her earlier statement saying that there would be a public hearing after the Shade meeting.

OLD BUSINESS:

Martha read a letter from Joe Salerno about attending the Shade Meeting today, the public

EXHIBIT

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hearing and remainder of the special meeting today June 18, 2009 by phone due to extra ordinary circumstances. (See attached letter) John made a motion to allow Joe to attend the shade meeting and the public hearing and rest of the special meeting by phone due to extra ordinary circumstances. Margo seconded the motion. No discussion. Motion passed 6-0. Martha read a letter from Gail Opper about attending the Shade Meeting today June 18, 2009, the public hearing and remainder of the special meeting today by phone due to extra ordinary circumstances. (See attached letter) Janet made a motion to allow Joe to attend the shade meeting and the public hearing and rest of the special meeting by phone due to extra ordinary circumstances. Harry seconded the motion. No discussion. Motion passed 6-0.

Mark Barneby – attorney requested a Shade Meeting to discuss the litigation in the matter of Smith and Denson vs. Trailer Estates Park and Recreation District (2008CA11315)

Martha announced that Martha Brauer, Pam Cole, Margo Cushman, Harry Fitzpatrick, Fred Hoch, Janet Jones, John Vander Molen, Mark Barneby and Tom Schultz would be present. Gail Opper and Joe Salerno would be present by telephone per the stipulations she read. (See attached.) Martha closed the meeting temporarily for the Shade Meeting with attorneys at 9:20 a.m. Martha concluded and adjourned the special Shade meeting at 12:40.

Pam Cole was present for the public hearing and completion of emergency meeting and Joe Salerno and Gail Opper were present by phone.

NEW BUSINESS:

Martha opened the Public Hearing at 12:40 to consider mediated settlement in the matter of Smith and Denson vs. Trailer Estates Park and Recreation District (2008CA11315). Mark Barneby stated that there were no results at this meeting to be announced. Martha requested resident comments in regards to this matter.

Bev Lew – 2008 Illinois - She asked about rescheduling of attorney meetings. Mark answered that new meetings would be scheduled as needed. Bev also asked about total of all legal fees regarding this lawsuit. Martha responded with the figures that she had knowledge of up to now. Bev also requested the amount that Sharon Denson and Mary Lou Smith had paid out thus far. Mr. Barneby said it would be inappropriate to discuss those matters right now. Martha stated that she would take all the comments that Bev made under advisement.

Bruce Smith – 2316 New York – Asked Pam to post the lawsuit cost somewhere since day one of lawsuit. Pam said she would do that.

Tony Gaeta – 6818 Marina Drive – She thanked John for his part in Waste Management early pick up. She also expressed concerns about the insurance policy for trustees.

Mary Huston – 1714 Minnesota – She questioned the legality of having Errors and Omissions Insurance since we are a government body. Martha replied in regards to insurance and governments having insurance of this type. Mark Barneby also commented on this question.

Connie Zack – 6819 Mass. – Commented that all the blame is being placed directly to the board of trustees. She mentioned a letter by the Attorney General to try to abide by the Sunshine Law by September of 2009. She also discussed the mediation outcome.

Bev Lew – 2008 Illinois – Discussed how the lawsuit started and blamed the trustees for all of the legal actions taking place.

Harry Fitzpatrick – trustee – Commented that he agreed that the cost of legal fees should be posted. Harry also questioned the confidentiality issue in this case regarding a comment made by a resident.

Public Hearing was closed at 1:00 P.M.

Resumed regular Special Meeting at 1:01 P.M.

CLUBS AND ORGANIZATIONS:

Tony Gaeta – 6618 Marina Dr – Announced the Sun setters Club meets on Friday at the beach.

Peg Durham – 6908 Tarpon Lane – Church 4th of July picnic tickets are on sale for \$3.00

TRUSTEE COMMENTS:

Harry Fitzpatrick – trustee – question regarding outside players for duplicate bridge. Trustees discussed the matter and determined that it should be put on the workshop agenda and a policy should be put in place. It was suggested to wait until fall when Joe Salerno could be present.

MOTION TO ADJOURN MADE BY: Fred Hoch

SECONDED: Margo Cushman

TIME ADJOURNED: 1:14 P.M.

The meeting was adjourned at 1:14 P.M.

Respectfully submitted,

Margo Cushman, Acting Secretary

Lenora Neal, Recording Secretary