

BOARD APPROVED AS CORRECTED JANUARY 18, 2010
TRAILER ESTATES PARK & RECREATION DISTRICT
BOARD OF TRUSTEES WORKSHOP
JANUARY 11, 2010
9:30 a.m.
SMALL HALL
1903 69TH AVENUE WEST
BRADENTON, FL 34218

The Workshop was called to order at 9:32 a.m. by Chairman Martha Brauer. Topics of the Workshop were as follows:

1. **Public Safety**—Sgt. Mike Kenyon of the Manatee County Sheriff Department spoke in regards to parking problems and golf cart problems in Trailer Estates. He said there is a problem with people parking on the roads. The Sheriff Department will, if necessary, post roadway signs for parking; they don't want to do that, however. They are hoping residents will voluntarily comply with the rules or they will come into the park and enforce them. Violations besides parking on the roads include double parking and parking too far from the curb. When residents have parties, it is suggested that guests are asked to park at the shuffleboard courts and be shuttled to the homes. The Sheriff's Department will monitor our park for the next few months. In regards to golf carts, Sgt. Kenyon stated that because Trailer Estates has been grandfathered, golf carts can be ridden anywhere within the boundaries of the park but cannot be driven outside those boundaries. Drivers of golf carts must have a valid driver's license to operate them; thus, young children cannot drive golf carts. The fine for a violation is \$500. Golf carts can use the back entrance to the US 41 shopping plaza as long as parking the golf carts in the plaza is fine with the store owners. He advised residents that golf carts are not insured once they leave TE property. Residents can go on Florida Boulevard as long as they stay within the boundaries of the park. Tickets for violations are \$116-166. If residents have questions, they can call Sgt. Kenyon at 747-3011, ext. 1077 or e-mail him at www.manateesheriff.com.

Lonny Stanley, 6620 NJ—Can we still ride our golf carts on Florida Boulevard? Yes, within the boundaries of TE. Lonny stated he has spoken with Florida legislators about this and they are looking into it.

Bev Lew, 2008 IL—Can we drive on the sidewalks in TE with a golf cart? No, but there are no regulations for a personal device; they are permitted to use the sidewalks.

Bruce Smith, 2316 NY—Can we cross fleet maintenance to get to Burger King? No.

Harry—Some older people no longer have driver's licenses and use their golf cart as a means of transportation. Sgt. Kenyon was sympathetic but stated that he has to enforce the law.

Virgil Reinig, 2113 MN—There was a false alarm pulled at the TE Post Office at 2:10 a.m. Virg explained what a difficult situation this became.

Jim—If someone is killed or injured during a false alarm, those who pulled the alarm are responsible for a crime.

Fred will work with Mark to find out about new fire alarms as Virg stated the fire alarm boxes should be brought up-to-date. Virg said there is a place to call to learn about new boxes.

Martha said the information on public safety will be placed on Channel 95. Pam said we should add to PP49 the fact that people need driver's licenses to drive golf carts.

2. **Pool**—At Fred's request, Mark came to the meeting and discussed the recent pool closures. He said the pool is heated by both heat pumps and gas heaters. When the temperature dips below 50 degrees, the gas heaters support the heat pumps. The pool is covered when the temperature goes below 60 degrees. When the pool is covered, state law says the pool must be closed completely to prevent someone from stepping on the pool cover and falling in. The law in our case states that when the pool is closed, we must close everything—including the showers. Fred and Mark will discuss this and will setup guidelines for closing the pool.

3. **Marina Lease**—Martha read an e-mail from Attorney Scott Rudacille. He feels we should combine all information about the lease into one document and remove the lease form as a policy since forms should not be in the policy book. Scott wants to clarify things for us not only where leases are concerned but where other policies are concerned. Joe expressed a concern about the costs; Gail also was concerned. Martha will find out the costs.

4. **Fence Repair**—Martha received an opinion from our attorneys that if the DeSears fence is on private property, the district cannot authorize any work to be done on it. Volunteers can act on their own, without district backing.

5. **PP47 Web site and PP57 Webmaster**—The Jammers wanted space on our district Web site. Martha wondered if they should be able to do this since they are not a club or organization. Gail stated that PP47 uses the term "current events" and she feels the Jammers fit into that category. The Board agreed and felt the Webmaster should be the one to make decisions about the TE Web site.

Residents comments on the above issues

1. Pool—John Stephenson, 1703 TN: The weather should tell us when to close the pool.
2. Fence repair—John Stephenson, 1703 TN: We should check into who owns the property.

Harry—We know who the owners are. They are an appliance company in Colorado and are not interested in the issue.

Martha—We were trying to cooperate with DeSears and get some action over the fence; but because the fence is on private property, we can do nothing about it.

Bev Lew, 2008 IL—We should not encourage volunteers to trespass on private property.

Mary Huston, 1714 MN—Can residents put up a privacy fence?

Martha—They would have to check with ARC.

3. Web site—Mary Huston, 1714 MN: Why can't we just put anything on the Web site?

Martha: There has to be rules just like anything else in the park.

Mary Huston, 1714 MN: For information purposes, seniors do give up their vehicles but retain their driver's licenses.

6. **Use of Facilities**—Martha stated that the attorney has recommended we review our policies in this area. She reiterated that park policies are not just on a PP. Our Charter has policies as do the By-Laws, Rules and Regulations, and Deed Restrictions. A discussion ensued regarding a problem at a scheduled event in TE that took place on January 5, 2010. A reservation form was turned in Nov. 5, 2009, and approved Nov. 6, 2009, for the Art Expressions Club to have what they called a Demo Day. They stated on the form that 50 people would be attending. At the Jan. 4 TE Board meeting, Anne Terhardt and Sue Lemmon shared that Keeton's would sponsor the event and Michael Grisham would underwrite it. That was a total surprise to Gail. After the meeting, a resident called Gail to say that her friend—a non-resident--had received an e-mail from Keeton's inviting her to the TE event and that Keeton's would be selling products at the Demo Day. Gail called Bev Lew to explain to her that this is a problem because there can be no commercial sales on our property. Bev then called Martha who made the decision after speaking with our attorney that Art Expressions must follow our rules and pay \$75 to host the event. Gail stated that it is important for clubs and organizations to let her know exactly what will happen at the event so the reservation can be handled properly.

Harry asked Gail about a letter Bev Lew had written to the Board in regards to the incident. Gail explained that Bev Lew's perception of the Jan. 4 phone call and Gail's perception of it are miles apart. Gail stated that her phone conversation with Bev was very brief, and the first time Gail ever heard about Art Center Manatee was when she saw the body of Bev's letter. Gail went on to say that Bev's letter said there are no rules about this, but Gail pointed out that the rule is found in Rules and Regulations Section III. Gail also read a sentence from Bev's letter which states: "I assured Gail that I would not be canceling the event and I considered what she was doing as more harassment from her." Gail stated that absolutely no harassment took place in that very brief phone call.

Harry then asked Martha if she had, according to Bev's letter, hung up on Bev. Martha said she did not do that but that Bev stated she would see her attorney and Martha said she would not entertain threats but would enforce the rules.

Regarding this same situation, the Board had received a letter from the Art Expressions Club requesting more space as well as money to pay their instructor. Gail explained that the Art Club had agreed to give space to Art Expressions on Friday afternoons from 1-3:30. Since Art Expressions has the room already from 8 a.m. to noon, this gives them a full day in the art room. Gail stated that the Art Club did not have to give up this time because our rules say that clubs having space in previous years have precedence over new clubs, and Gail commended the Art Club for giving up space that rightfully belonged to them. Gail also stated that she saw nowhere in her duties that she has to be a mediator in club disputes. Clubs should handle their own problems. In regards to money for paying instructors, Gail again stated the firmness with which the club stated from the very beginning that they would pay for their own instructor. Joe said that other clubs have instructors who are paid. Gail agreed. Martha suggested Joe look into this and we will hold the money request until the Board can discuss it.

Bev Lew, 2008 IL—Lots of groups do what Art Expressions did. Bev said Martha did hang up on her; she has a witness. Bev also stated that she knew when Gail called and spoke about Christmas that she needed to get her calendar out because she and Gail aren't friends. She also stated that Gail changed the club's by-laws. Bev listed events in the park that she feels do the same thing as Art Expressions did on Demo Day. Bev said she thought Martha hung up on her and Martha thought Bev hung up on her. She then said that perhaps it was a dropped call.

Flo Mallory, 6919 W. Bayou—Asked if we were going to go over PP58? Martha said that due to a time constraint, it would be moved to the Jan. 25 Workshop. Flo feels we should include everyone in the office on that PP58 and not just the staff.

Jim: Read on the Internet that he was more interested in the staff than in the individuals. Jim stated that is not true.

Flo said the Art Expressions Demo Day was a beautiful day and she hopes we can heal the district.

Gail: Stated she did not change the by-laws of the Art Expression Club. She also reminded the audience that videotaping and voice recording is illegal unless the person being taped is notified. Martha added it is a felony. Gail told Flo that she is glad the Art Expressions Demo Day was a beautiful day; however, for the past three years, the Board has been told that they have to follow the law. It is also true that clubs have to follow the rules of Trailer Estates. Finally, Gail stated that she spoke with Bev about Christmas in an attempt to begin the type of healing dialog Flo wants but that obviously went nowhere.

Martha: Said that Bev was not comparing apples to apples in listing groups in the park that did what Bev feels Art Expressions did. District functions for TE residents are

not the same as a vendor coming into the park to sell at a club activity in which county residents have been invited.

Ann Terhardt, 6809 Mass—Stated you get back \$75 if you clean up after yourselves and the Art Expressions Club could use that \$75.

Martha: The \$75 is non-refundable because an outside organization came in and used our facilities to sell things.

Joe: Why don't you go back to the company and ask them for the \$75?

Bill Secraw, 1803 NY—He has twice heard a trustee speak that videotaping without the knowledge of one being taped is a FL law. He feels he should be told the number of the Florida statute.

Martha: The attorney told Martha this is true and if she had thought about it, she would have asked the attorney for the number; but she doesn't have time to look for the statute and feels we should not pay the attorney to do that.

For Your Information—New Years Party

Joe said that ticket sales for the party totaled \$3,344 and the amount spent was \$3,199, leaving an overage of \$145. He asked what should be done with the overage. Pam said she will check with the auditor.

This Workshop will be continued tonight at 7 p.m. in the Small Hall.

EVENING WORKSHOP

The Workshop was reconvened in the Small Hall and was called to order at 7 p.m. by Chairman Martha Brauer. By way of announcements, Martha told residents that Sgt. Mike Kenyon of the Manatee Sheriff Department had spoken in the morning meeting about golf cart laws and had left a pamphlet in that regard for residents to read. Martha also shared that Trustee Ken Ilg had a quintuple heart by-pass last week. He is expected home in the next few days but will not return to the Board for quite a while. She said he would appreciate phone calls but not about business.

Martha also announced trustee positions for 2010. Joe Salerno is Seasonal Recreation Trustee; Jim McIlveen is the trustee for Public Relations South; Pam Cole is Treasurer; Gail Opper is Secretary; Fred Hoch is the Maintenance Trustee; Harry Fitzpatrick is the trustee for Public Relations North; Margo is the Health and Welfare Trustee. Martha has several volunteers who will work with a trustee in regards to Bingo, but she is looking for volunteers for Coffee Break.

7. Cost Reducing Ideas From Residents

Pam shared that she today met with a man from Florida League of Cities. TE has received a refund check from FLC for \$10,389. FLC gives refunds when no catastrophic problems have occurred. Our FLC premium dropped from \$73,171 to \$58,151. Pam also informed the Board that FLC offers grants. If you buy safety equipment—such as the fire alarm boxes we're interested in purchasing, you can put your name in and once a quarter FLC gives a grant up to \$5,000. She also stated that she is looking for grants and wonders if there is anyone in the park who can write grants. Martha said that we are capable of writing grants but we need someone to search for grants that we might be eligible for. Pam also said there is a budget meeting Tuesday, Jan. 12, in the Craft Room by the stage in the Large Hall. All residents are invited to attend. Martha reminded the Budget Committee that original copies of anything they work with must first be given to TJ who will then make working copies for the committee.

Toni Gaeta, 6618 Marina Drive—Cut salaries, cut benefits, go to flex hours, do something with the computer, stop copy duplication, let one of the office people go, hire a park manager. She also stated that we lost interest because of the delay in the D/O insurance refund check.

Bev Lew, 2008 IL—Adopt coin-operated showers in the pool area, use solar for hot water, put in solar street lights, move bingo to Mondays, schedule staff both weekends and nights, get rid of golf carts, stop paying insurance for employees, charge outside people to use our facilities, don't call the attorneys so often, stop paying instructors, save on grass cutting, bid our telephone, hire a park manager, upgrade refrigerator and ice machines, never hire a full-time employee again, non-refundable charges for renters, stop planting non-drought resistant plants, hire a planter, use volunteers to work on the roses, don't pay someone to spray, don't mow county grass, no paid volunteer dinners, separate 50/50 and Bingo and Vegas Night from our books, charge everyone who caters a catering fee, bid through government bid system, stop using paper plates, get new dishwasher and a stove with no pilot lights, have a portable computer in the office, stop copying so much, charge for people going to the pool, refinish our own floors, cost accounting, stop serving alcohol.

Mary Huston, 1714 MN—Everyone should pay for their own instructors.

Harry Splett, 2104 OH—turned in a list of cost-cutting measures previously and will bring those and some new ideas to the budget meeting.

Bruce Smith, 2316 NY—Each trustee should find ways to save money in the duty in which they perform, be vigilant in the use of utilities, use different shifts for employees to cut overtime, cut out golf carts.

David Bliss, 1810 IL—Place motion-activated lights in our bathrooms.

Pat Prosser, 6819 American Way—We need income from boat slips so reduce prices if necessary, charge people for the facilities they use, tell the lawyers we can't pay them.

Trustee Comments

Martha: We have spent \$576,000 so far on the lawsuit.

Joe: We haven't received a penny from the laundromat in a year. The net expense of instructors to the district is \$3,602. He said he has spoken before about charging residents \$1 for activities served by an instructor.

Martha: Told the Budget Committee that she noticed two salary errors totaling \$9,000.

Joe: Spoke about our trash pickup. In the survey done during the elections, 249 residents and one non-resident—76 percent—said it was ok to pickup trash once a week if there is a substantial savings. He also checked into pickups with Waste Pro and Manatee County. Waste Pro with no rollofs would cost \$7.41 a month per resident and Manatee County with no rollofs would cost \$12.77 a month per resident. Jim asked if we have a lot of excess rollofs. Both Joe and Pam stated that we have them but it is very rare.

Martha: The attorney told her that the Charter doesn't require us to provide TV.

Pam: All money came back from Bud Wycoff's insurance.

8. Loans From Individuals

People in the park have offered to loan money to TE to help us through the lawsuit, and the attorneys feel there is no problem with that. Martha stated this would be a promissory note—an unsecured loan. By the end of March, there will be an additional \$400,000 in costs regarding the lawsuit. Once the judge determines fees are due one side or the other, there has to be a mini trial to award the fees. We may need an additional \$600,000--\$496 per household additional in assessments or \$168 per household to pay back \$200,000 in one year. Martha feels there should be a staggered payback with higher interest rates the longer we hold the money, suggesting 2-3 percent interest on a one-year loan, 3-4 percent on a two-year and 4-5 percent on a three-year. Martha said the loans would actually be for 14, 26 and 38 months.

Pam: The Florida League of Cities might find someone we can borrow from.

Bev Lew, 2008 IL—Have we considered the plaintiffs' attorneys? Can we cap the amount we allow the defendants to use?

Toni Gaeta, 6618 Marina Drive—Read minutes from 2006 in which Bob Poor suggested the trustees speak with Mary Lou Smith in regards to the problem with her. Toni

suggested we should have seen this coming and stated this wouldn't have happened if we had a park manager.

Martha: She doesn't care what happened in 2006 as she wasn't a part of that and she has spent much time rewriting the policies for the park.

Gail: Asked Toni if she was aware of the fact that this park has already had two park managers—one lasted six months and the other, two years. In the latter case, the Board decided it would be cheaper for the park without a park manager. Besides, Gail feels no park manager would do for TE what the nine Board members do and they do the work for free.

Bill Secraw, 1803 New York—We could get rid of all the attorneys and represent ourselves.

Gail: Wanted to end on a positive note. She said she heard a lot of negative comments tonight--among those the idea that we will lose the lawsuit. She chooses to look at it positively and feels we will win the lawsuit. She said we have a great park with a lot of good people in it and we should move forward positively.

Harry: There are lots of positive people who want to give their hard-earned money to the park. He feels the lawsuit has a lot of non-Sunshine law and non-public records violations—the very things we're getting sued for—and hopefully the judge will see that. He stated that though he disagrees with Martha at times, he feels she is doing an excellent job and should be applauded. The Board agreed and did applaud her.

Fred: In regards to the golf cart situation, Fred called the owner of the shopping plaza. He said the man owns the gate at the end of Pennsylvania. If we send him a letter, we can get the golf carts through there and can get to the plaza. We would open the gate in the morning and lock the gate at night. Martha will write the letter. Fred suggested we also try to get a path established to Burger King.

With no objections, the Workshop was adjourned at 8:47 p.m.

Respectfully submitted,

Gail Opper, Secretary

