

DRAFT
TRAILER ESTATES PARK & RECREATION DISTRICT
BOARD OF TRUSTEES MEETING
FEBRUARY 15, 2010
9:30 A.M.
SMALL HALL
1903 69TH AVENUE WEST
BRADENTON, FL 34207

The meeting was called to order at 9:33 a.m. by Chairman Martha Brauer.

ROLL CALL: Martha Brauer, Pam Cole, Margo Cushman, Fred Hoch, Ken Ilg, Jim McIlveen, Gail Opper, Joe Salerno. Absent: Harry Fitzpatrick.

APPROVAL OF MINUTES

January 14—A motion was made by Margo and seconded by Jim to accept the minutes. With no corrections, the motion passed 8-0.

Feb. 1—A motion was made by Joe, seconded by Fred, to accept the minutes. A correction was made on page 3. In Martha's comments, add "to simple plan" after the word contribution. The minutes were accepted as corrected, 8-0.

Feb. 8—A motion was made by Pam and seconded by Ken to accept the minutes. The following corrections were made: Page 1, the word Vendors should be replaced with Bright House; and on the same page, the laundry contract should say 2013 instead of 2011. On page 2 at the top, it should say, "The figures Joe gave are actually half as much as the ones given." On page 4, "The discussion regarding our ability to pay the attorney's fees determined that we can pay the fees since we haven't gone over the budget." Also on page 4, Martha said 10,000 "papers" not e-mails. On page 5, the amount should not be \$1.62 but should be \$11.62. The minutes were accepted as corrected, 8-0.

REPORT OF TREASURER

No report. There is a bill from Kirk Pinkerton for \$40,137.76. We will hold that until Old Business. Pam did not get bills from Kirk Pinkerton, Dye or Turffs. Martha will remind Jane to give bills to Pam when TJ is not in the office. Pam expressed a concern that there may not be enough trustees at the summer meetings to pay attorney bills over the \$15,000 she is authorized to pay. Martha will check with Mark Barnebey on that.

REPORTS FROM TRUSTEES

Ken—January Bingo report: There were 1,420 players with an average of 158. We took in \$6,392 and paid out that amount. The jackpot was \$4,713. Ken thanked the many

residents who work with him. Potluck will be this Wednesday at 5 p.m. in the Large Hall. Coffee Break is Saturday at 9 a.m. The 85+ party was great.

Fred—The pool will be closed until Thursday afternoon due to the weather. Florida Power and Light will do a survey to see if we can save money. Joe will also attend and is not breaking the Sunshine Law because this is a fact-finding meeting. Fred asked if the Woodshop can put up a banner on their building advertising the spaghetti dinner. Martha felt Fred should check with Manatee County. Joe believed Fred didn't have to check with the county because the sign would be totally within our property. Fred will complete a PP34 on this.

Gail—She is still gathering lists of officers of clubs and organizations that are required in our Rules and Regs. Most clubs and organizations have responded but she will continue to announce the ones she needs. She would like to see some changes made in regards to the bulletin board on the west side of the post office and on the back side of the Small Hall. She will discuss this at the Feb. 22 meeting.

Margo—She sent out 19 cards. There were five deaths. The Health Fair will be this Thursday from 9 a.m. to noon in the Large Hall.

Jim—There was another laundry break-in Friday night. Money was taken from the water machine. It has been repaired. There have been no complaints from residents.

Martha: Does the water machine have to be inside the laundry? Are there any other options we can think of?

Jim: We can move it outside but we'd have to repipe it.

Pam: Moving it outside makes it easier to break into.

Ken: Is there a camera?

Jim: I don't know. I don't want to talk about that at this time.

Martha: How much money are we making on the machine?

Fred: We are supposed to make 16 percent on it; I found the contract in my desk.

Pam: I don't have a copy of the contract.

Fred will get a copy of the contract to everyone.

Joe—Year-to-date dance revenue is \$4,585. Year-to-date 50/50 is \$767. Vegas Night is Feb. 25. Tickets are on sale at the post office. Joe announced there is a Wii bowling league now. Joan Dietz who is blind is one of the best bowlers. Joe placed calls about the marina slips. Bradenton Herald ad is \$226 for three lines for 15 days. Marina Times

is \$45 for 1/8 page once a month. The deadline for this ad is this Wednesday. Joe said most ads are for six months' rental. Hix feels we should rent for six months.

Martha asked if we should amend our PP now to reflect a six-month rental. It was agreed that was a good idea and we should advertise via a flat price.

Bocce will help Special Olympics. Joe will help train some of the coaches. Can we have the Special Olympics tournament here?

Martha: We can allow groups to use our facilities from time to time. We need Board action to approve a Special Olympics tournament. Joe should bring this before the Board.

Joe gave us information in our mailboxes that he sent to Harry Splett about the mowing of county property. He also talked to Waste Management. Our contract will be up Feb. 2011. Waste Pro's verbal proposal would be a better than 20 percent savings for us. Joe feels a lot of lights are left on unnecessarily in the park. We should be more conscious of that. He feels perhaps we should put signs up.

Martha: "Fred, ask TJ to make signs and Mark will post them."

Joe asked what is included in the light bill for the parking lot. Is more included in that bill than just the parking lot? Pam will bring the bill to the next meeting and will put copies in our mailboxes.

Martha stated she will amend the agenda to amend the marina lease and permit us to advertise.

Pam—She spoke with Linda at the post office. Her lease was up Dec. 27, 2009. Linda has a contract until she leaves or they fire her. If we raise the rent, it comes out of her earnings. Pam also spoke with Hix. He has the power over the ramp. If a resident has a boat but not a boat slip, he/she can put the boat in the slips by Hix's building over the weekend and take it out when Hix gets there on Monday. He is opposed to just letting anyone come in. He will be glad to open the restrooms as long as the park buys bars for the windows. He is supposed to pay for the septic cleaning twice a year but we have paid for it. He will go along with a five-year contract if it is like the one he has now. He cannot afford an increase.

Joe: After so many pumpings of the septic, Hix has to pay. Pam and Joe will check on this.

Pam will fill out a PP34 for the post office and the marina and will bring it to the Feb. 22 meeting. She also talked to Kelly with Merrill Lynch about matching contributions for the simple plan. There are no contractual obligations for us to match. She also talked to Andy Hansen about kitchen liability. He said the park is covered unless we have people

cooking in the kitchen. The Board was confused by this. Andy said we can add an addendum that will cover it. Our policy does not cover the volunteers.

Martha asked what the addendum will cover and what it will cost. Pam will check on this.

Martha—Wondered if we have budgeted enough money for the lawsuit or too much. \$600,000 in litigation costs and \$150,000 for appeals will overlap over two years. It was agreed that there should be \$950,000 in the budget for the lawsuit but legal should be \$25,000 less. In regards to the laundry, the contract has been sent to the attorney for review. Is there a way we can collect money from the past? The kitchen report was sent. Word is that we are a trailer park. Martha suggests people ask in advance of their activity if they are doing anything unusual in the kitchen. Outside caterers cannot use our kitchen to cook.

STANDING COMMITTEES

Beautification—They will go ahead with the project on the west side of the Large Hall when weather permits. Walter Dietz would like video coverage of the project.

ARC—no report.

RESIDENTS COMMENTS

Flo Mallory, 6919 West Bayou—On PP10 #1 and #2, does “Board of Directors” mean trustees or someone else? At the Feb. 8 meeting, Joe stated the report is very good regarding the kitchen. This investigation is a protection for our park and not a condemnation of the Board.

Joe stated again that he felt the report was a good one.

Martha shared that the things were minor that needed correction and since we’re a trailer park, this report might not be something we ever have to pay attention to.

Joe Gordon, 1817 OH—He appreciates the Board but feels the kitchen facilities should be open to all groups in the park. For the second year in a row, the caterer for the Michigan/Canada dinner was not allowed to use the kitchen.

In response to residents’ comments, Martha said she will check into PP10. She also said that Joe, with years of inspections behind him, still feels the kitchen report was excellent. The report is available in the office. We don’t have to go line by line over it. In response to Joe Gordon, Martha stated the kitchen is closed to outside caterers.

Gail: We need more information from residents about an activity before it occurs. This is the second problem this year due to lack of information. Maybe we need to change our reservation form to collect more data before the event to avoid problems.

Bruce Smith (Dockmaster), 2316 New York—He advises that we should be careful how we advertise the marina. Use “a 20’ slip” and the Dockmaster will have discretion.

OLD BUSINESS

In regards to the motions to pay the attorneys, Gail suggested the motions be separated into one for Kirk Pinkerton and the other for the four other attorneys. Martha made a motion to approve the bills for Scott. Joe seconded the motion. Pam wondered if we should pay just the \$3,490 we owe him or the \$5,000 we agreed to in the installment plan. She thought we shouldn’t pay \$5,000 if we only owe \$3,490. Gail pointed out that we already agreed to the installment plan and we should stick to it. It would make the accounting process much simpler. Martha withdrew her motion and Joe withdrew his second. It was agreed that we will follow the payment plan for the four attorneys so we simply voted on acceptance of the attorney bills as invoiced.

Martha made a motion, seconded by Joe, to approve bills of \$9,630 and \$8,490 for Dan Scott. Motion passed 8-0.

Martha moved and Margo seconded that we approve bills of \$13,542.71 and \$9,037.83 for Mathews. Motion passed 8-0.

Martha made a motion, seconded by Joe, to approve bills of \$9,750 and \$1,583.04 for Robert Turffs. Motion passed 8-0.

Martha made a motion, seconded by Joe, to approve a bill of \$11,521.20 for Dye. Motion passed 8-0.

Martha made a motion, seconded by Ken, to approve a retainer of \$100,000 for Kirk Pinkerton. Gail felt we couldn’t vote on this motion until we rescinded the installment payment to Kirk Pinkerton that we had already agreed upon. Martha felt that wasn’t necessary but Gail still felt it was so Martha withdrew the motion and Ken withdrew his second of the motion.

Martha then made a new motion, seconded by Ken, to rescind previously voted upon \$15,000 per month payment to Kirk Pinkerton with amount paid in full by Dec. 15, 2010, and instead make a new payment schedule with Kirk Pinkerton as follows: 1) pay the retainer of \$100,000; 2) current bill of \$40,137.76 will be drawn from the retainer; 3) upcoming bills will be drawn from the retainer. When the retainer reaches zero and/or a bill exceeds the balance in the retainer trust, the installment plan of \$15,000 will begin, with the account to be paid in full on Dec. 15, 2010.

Gail stated that she did not feel this was right. Kirk Pinkerton agreed to accept a \$15,000 a month installment--a plan the Board had worked on and wanted for a long time--and a week later Kirk Pinkerton changed its mind.

Martha said she felt the problem was with her. She spoke with Mark Barnebey who said the installment amount was fine but the partners disagreed. Martha thought her conversation with Mark Barnebey sealed the installment plan but it didn't.

Gail did not feel it was Martha's fault. Gail still felt that though this was a good business decision for Kirk Pinkerton, they had not voted us in as trustees and an installment plan is what we all agreed to. She said she believes your "yes" should be "yes" and your "no", "no". She also felt this was setting a precedent for the other four law firms to follow suit.

Martha said the other four law firms realize that Kirk Pinkerton will always get more.

The vote was taken. The motion passed 7-1, with Gail voting no.

NEW BUSINESS

1. A motion was made by Martha and seconded by Pam to appoint Peg Jansen to the Auditor Selection Committee. Motion passed 8-0.
2. Martha made a motion, seconded by Pam, to approve the fees listed on PP54 as written but change the date to 2010. Motion passed 8-0.
3. A motion was made by Martha, seconded by Margo, to extend last year's appointment of Dockmaster (Bruce Smith)/Asst. Dockmasters (Frank Riedel and Ken Meierjurgen) until new Dockmaster duties are written and approved. Motion passed 8-0. Dockmaster duties will be discussed at the March 8 combined Workshop and Board meeting.
4. A motion was made by Martha, seconded by Joe, to approve the promissory notes as follows:

(TJ: Please insert the notes here. Thanks!)

5. A motion was made by Martha, seconded by Pam, to change the marina lease so it will be in effect for a six-month period and also remove the "asked to leave with a 60-day notice" clause. The motion passed 8-0.

REPORTS OF CLUBS AND ORGANIZATIONS

None.

Fred made a motion to adjourn the meeting. Joe seconded. Motion to adjourn passed 8-0. The meeting was adjourned at 12:38 p.m.

Respectfully submitted,

Gail Opper, Secretary