

October 25, 2006

COPY

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Mark P. Barnebey, Esq.
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Dear Mr. Barnebey,

I am a resident of Traller Estates and was present at the "Interview" meeting. I was impressed with your background and conduct. I am the resident about whom the board was referring. The board made reference to a letter, to you and read a portion of the written minutes of the meeting in which the letter was read. I am enclosing a copy of my letter to the park secretary about the minutes of the October 16th board meeting. I am also enclosing the letter that was referenced by the minutes, and the written minutes of the October 16th meeting. I have waited to see if the minutes would be corrected, but since they have been e-mailed to people, and read to you in the interview, I am considering that they are final. I know you have not been officially retained by the park, but the board indicated they were going to hire you, and I believe they will. Public input into the process is unimportant to them. I am happy to see that it is important to you. As you probably have gathered, there are many "needs" to be addressed by the trustees.

I have asked repeatedly for the board to identify the authority which gives them the right to interfere with the use of common areas of the park by residents, by charging fees when the charter only authorizes non ad-valorem assessments as the method of revenue production. The charter does not authorize any fees, and there is no mention in the charter of the "method of collection" of the fees being charged, both required by Chapter 189 FS. I want to be clear that all I have ever asked is that the Board of Trustees abides by the charter language. I have not sued them, and have no intention of suing them unless it is a last resort. I do not know if the board hears or believes this, despite the fact that I have told them as recently as the October 16th board meeting. I will be quite content with the knowledge that they are finally seeking competent advice. I have been ignored, bullied, and belittled, and they have "dared" me to sue them on a number of occasions, because until very recently, they have refused to consider that my contention could be a correct one. My level of frustration is high.

What I have done is to exercise my constitutional rights as a citizen to hold my public officials accountable when they ignored my legitimate issues, as they have been ignoring residents for some time. My purpose is to bring their activities into the "sunshine". The questions of the board members to you in the interview gives you some understanding of the lack of knowledge by the board, of what the public is entitled to when it comes to the behavior of public officials. What I am interested

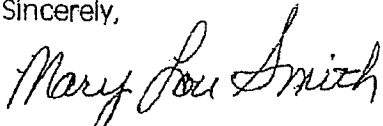
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It is that the park operates within the limitations of the charter. I would much rather see attorney fees paid to fix the problem than to have a costly court battle to force compliance. I live in the park, too. I want your firm and the park to focus on interpreting the charter, deed restrictions, by-laws, and the rules and regulations promulgated by the park, and not worry about strategizing for litigation, as their prior attorney has been doing. I have urged the board to become educated, and have asked that money be appropriated in the budget for the education of the board. I gave each member of the Board of Trustees a copy of the *Florida Special District Handbook* at the October 16th board meeting at my own expense, as well as furnishing an office copy. They had never seen or heard of it. As recently as the beginning of September, they didn't know that they were governed by Chapter 189 FS, despite the fact that they have been paying an attorney since the beginning of June. I am comforted by the fact that you told them in the interview.

My purpose in writing you and providing the documents is so that your firm can have some immediate insight into my issues with the board without having to wade through a mountain of documents right off the bat. I want the money spent by the park on attorney fees, to be utilized in the best way possible to straighten out the issues I have raised and for the board to become educated about the expectations of public officials. This is not personal about any board member or members. As far as I am concerned, it doesn't matter who sits in the nine chairs in the front of the room, as long as they are following the law. I do, however, expect whoever assumes the title of "trustee" to uphold his/her oath of office and truly serve the public.

Sincerely,



Mary Lou Smith

pc Mary Lou McNulty

