

IN THE CIRCUIT COURT OF THE  
TWELFTH JUDICIAL CIRCUIT OF THE  
STATE OF FLORIDA IN AND FOR MANATEE COUNTY

CIRCUIT CIVIL CASE NO. 2008-CA-11315

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MARY LOU SMITH, an individual, and :  
SHARON DENSON, an individual, :  
:   
Plaintiffs, : CONTINUING  
: DEPOSITION OF  
vs. : PAMELA COLE  
:   
TRAILER ESTATES PARK AND :  
RECREATION DISTRICT, an :  
independent special taxing district, :  
JANET JONES, an individual, :  
JOHN VANDER MOLEN, an individual, :  
JOSEPH SALERNO, an individual, and :  
MARY LOU McNULTY, an individual, :  
:   
Defendants. :  
-----X

TAKEN BY: THE DEFENDANT, TRAILER ESTATES PARK  
AND RECREATION DISTRICT, HEREIN

BEFORE: JOANN L. ZECK  
Court Reporter  
Notary Public  
State of Florida at Large

DATE: August 10, 2009  
Commencing at 3:09 P.M.

PLACE: KIRK-PINKERTON, P.A.  
1301 Sixth Avenue West  
Suite 401  
Bradenton, Florida 34205

APPEARANCES: KEVIN S. HENNESSY, Esquire  
Lewis, Longman & Walker, P.A.  
1001 Third Avenue West  
Suite 670  
Bradenton, Florida 34205  
Appearing on Behalf of the  
Plaintiffs

1           A     The accounts themselves?

2           **Q     (Nods head up and down.)**

3           A     Some of the residents have -- since I've been  
4 Treasurer have wanted more of a breakdown of -- like in  
5 the Maintenance Department, they want to know how much  
6 is spent on the wood shop, how much is spent on the  
7 laundry, how much -- so I subcategorized all of them so  
8 that we could go in and see where our money is being  
9 spent on which of the items that we have.

10           **Q     Have you had conversations with Mr. Salerno**  
11 **concerning donations that may come from the**  
12 **organizations that he runs as Seasonal Recreation**  
13 **Director?**

14                   MR. TURFFS: Object to form.

15                   THE DEPONENT: He has talked about how  
16 donations -- say for example they have the -- one  
17 of the things that he's done in the past is the  
18 spaghetti dinner for the wood shop, and money that  
19 they donate to the park has never been earmarked as  
20 a donation, it's always gone into one account, and  
21 then as it's spent, it comes out of that account  
22 and is credited to an income account and then --  
23 then it's paid. And the conversation that he had  
24 with me is that we need to -- and then somebody --  
25 then some of the other clubs are just paying for

1 out of their treasury, so -- and so they don't get  
2 credit for the donation to the park from their  
3 club. So the conversation that we had was that we  
4 need to standardize how we do donations.

5 BY MR. HENNESSY:

6 **Q And was that conversation at a Board meeting**  
7 **or outside of a Board meeting, or both?**

8 A It was actually he wrote me a note and told me  
9 that we needed to do it.

10 **Q Was that a note he wrote at a Board meeting**  
11 **or --**

12 A No.

13 **Q Okay.**

14 A I didn't -- well, he could have written it at  
15 a Board meeting, but it was laying on my desk --

16 **Q Okay.**

17 A -- when I came in one afternoon.

18 **Q And did you respond to him about that note?**

19 A No.

20 **Q Did you make any changes to how you noted**  
21 **donations based on that note?**

22 A No.

23 **Q Your budgets indicate donations as**  
24 **expenditures by the District as well. What is that**  
25 **referring to?**

1           A     Well, the way that I -- the way that I have it  
2     set up is that the money that people donate to the --  
3     go into the donation account, the income account, and  
4     then they usually donate exactly how much an item  
5     costs. So then in theory, the income and the expenses  
6     are supposed to balance at the end of the year, but  
7     that's -- doesn't always happen because sometimes I'm  
8     not there, it doesn't get credited to the right  
9     account, it doesn't get debited to the right account,  
10    so then I -- at the end of the year I go back and look  
11    for it.

12           **Q     Okay. Your budgets that you've prepared also**  
13    **indicate expenditures for Cable TV by the District.**

14           A     Uh-huh.

15           **Q     Is the expenditures for Cable TV by the**  
16    **District the District paying for Cable TV that is a**  
17    **benefit to park residents?**

18           A     Yes.

19           **Q     Okay.**

20           A     It's part of the assessment package.

21           **Q     And does the Cable TV that is available to**  
22    **Trailer Estates residents, does that include the local**  
23    **access channel that covers park business?**

24           A     Yes.

25           **Q     And that local access channel, is that**