

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

----- -X
:
MARY LOU SMITH, an individual, and :
SHARON DENSON, an individual, :
:
Plaintiffs, :
:
vs. : DEPOSITION OF
:
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 PLAINTIFFS HEREIN

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

DATE: May 19, 2009
Commencing at 2:02 P.M.

PLACE: LUCENTE & ASSOCIATES, INC.
526 Twelfth Street West
Bradenton, Florida 34205

1 A No, I'm sorry, committee. Committee meet --
2 committee, not clubs. I'm sorry.

3 **Q Okay.**

4 A I misheard.

5 **Q To your knowledge, did the District provide**
6 **financial assistance to the clubs?**

7 A No club gets financial assistance.

8 **Q Okay.**

9 A As -- you mean in the way of giving them money
10 for something?

11 **Q Yes, ma'am.**

12 A Usually the clubs give the park back money.

13 **Q Okay.**

14 A That's -- or -- or donate something from their
15 coffers to the park for whatever reason.

16 **Q Okay. Are you aware of the District**
17 **purchasing equipment for the Video Club?**

18 A Purchasing equipment for the Video Club?

19 **Q Yes.**

20 A I've got to stop and think.

21 **Q Or -- or paying --**

22 A I know that we purchased -- we purchased for
23 the Web Committee, and I don't know if that's part of
24 the Video Club --

25 **Q Okay.**

1 the -- from the park, but --

2 Q Are you aware that the District has a public
3 records policy?

4 A Yes.

5 Q Have you seen that public records policy?

6 A Yes.

7 Q To your knowledge, that -- does that policy
8 include a fee provision?

9 A That was recently removed in January, I
10 believe, but there was.

11 Q Removed or added?

12 A It was removed because they just said for a
13 fee, and now we have the fee schedule on a separate
14 paper.

15 Q Okay.

16 A And it says, Refer to fee schedule.

17 Q All right. And that fee schedule, do you know
18 when it was adopted by the Board?

19 A I believe it was January or February.

20 Q So was that the first time that you saw the
21 fee schedule, in January or February of this year?

22 A No, it was -- the fee schedule was attached to
23 the policy prior to that.

24 Q Okay.

25 A We removed it so that whenever we changed any

1 of our fees, we don't have to go in and change every
2 policy.

3 Q Okay. But now you attached it again?

4 A No.

5 Q Oh.

6 A It's a separate -- the fee schedule is
7 separate.

8 Q Is a separate policy now?

9 A Is a separate policy, yes.

10 Q Before January, do you recall -- January of
11 this year --

12 A Uh-huh.

13 Q -- do you recall ever voting on a fee
14 schedule?

15 A No, I don't recall, because it wasn't part of
16 the original policy when it was -- when it was
17 presented.

18 Q Uh-huh.

19 A And then Mr. Vander Molen put it on all of our
20 desks and said, this is part of the policy; I think
21 that's how it went. I don't remember that it was
22 attached at the time that we voted on it.

23 Q Okay. So it's your recollection that
24 Mr. Vander Molen took it upon himself to add it to the
25 policy?

1 MR. SHULTS: Object to the form.

2 THE DEPONENT: I -- I don't know. I don't
3 know if he took it upon himself. I know that he's
4 the one who passed it out.

5 BY MR. HENNESSY:

6 Q Okay.

7 A And I don't know if someone helped him do it
8 or if he did it on his own, but --

9 Q Did you participate in it?

10 A Nope.

11 Q Do you recall voting on that, adding that
12 fourth page?

13 A No, I don't.

14 Q Okay.

15 I'm sorry, there were so many different media
16 questions. Did -- I don't think I asked you though did
17 you have any involvement in the content of The Tribune?

18 A Only if I submitted an article.

19 I would proofread it.

20 Q Okay.

21 A But I -- other than that, no.

22 Q Do you know who is in charge of the content of
23 The Tribune?

24 A At this point I'm not sure anybody is, unless
25 it's Martha, because there's not a committee, there --