

**BOARD APPROVED AS CORRECTED OCTOBER 18, 2010
TRAILER ESTATES PARK AND RECREATION DISTRICT
BOARD OF TRUSTEES MEETING**

DATE: September 27, 2010

9:30 a.m.

SMALL HALL

**1903 69th Avenue West
BRADENTON, FL 34207**

Meeting called to order by Martha Brauer at 9:34 A.M. Margo Cushman gave the invocation and then led the Pledge to the flag.

ROLL CALL: Martha Brauer, Margo Cushman, Harry Fitzpatrick, Fred Hoch, and Joe Salerno were present. Pam Cole was not present. Five members of board being present at meeting met quorum.

After roll call Martha read letters regarding Gail Opper and Jim McIlveen be allowed to participate in the meeting and the private litigation meeting via telephone. Joe Salerno made the motion to allow Gail and Jim to participate by phone. Motion was seconded by Harry Fitzpatrick and was passed by a majority of 5 yes and 0 no.

Jim McIlveen and Gail Opper were present via telephone call placed by Martha Brauer.

Martha then appointed Margo Cushman as Acting Secretary and Lenora Neal as Recording Secretary.

APPROVAL OF MINUTES: Tabled until Friday October 1, 2010 meeting. Minutes to be approved at the Friday, October 1, 2010 meeting are 4/26/10, 5/3/10, 5/4/10 (continued from 5/3/10), 6/14/10, 7/26/10, and 9/13/10.

REPORT OF TREASURER: Due to Pam Cole's absence no report was given.

APPROVAL OF BILLS: Due to absence of Pam Cole no bills were presented at this time.

INFORMATIONAL REPORTS OF TRUSTEES: Harry Fitzpatrick reported that there are 93 trailer parks in Manatee County. He also addressed the kitchen situation.

Fred Hoch reported that a weekend, holiday open and close person was hired. He also reported that the slippery pavement at the post office was being addressed. He also reported that the Activity Center structure problem and the air conditioner problem are being looked into and Mark is obtaining estimates in maintenance.

Martha announced the meeting schedule for the upcoming month. 10/11/10 and 10/25/10 will be workshop meetings. Friday, October 1, 2010 meeting will be held at 9:30 A.M. October 4, 2010 meeting will be held at 7:30 P.M. October 11, 2010 meeting will be a workshop and meeting at 7:30 P.M. October 14, 2010 meeting will be at 7:30 P.M. October 25, 2010 will be a workshop at

9:30 A.M. She also announced that the opening for Continuing Recreation Board position has been posted. The letters for this opening are due in the office by October 6, 2010. Trustee vacancy candidate interviews will be held at October 11, 2010 meeting and the appointment will be made at the same meeting. PP3 will be followed and is available in the office. October 4, 2010 will include a litigation assessment meeting regarding the Kitchen situation. That meeting is at 7:30 P.M. The auditing contract will be added as an item for the Friday, October 1, 2010 agenda.

Gail Opper thanked Lenora Neal for volunteering her time to take minutes, and TJ and Jane for the work they did in taking care of faxing requests for use of facilities all summer. She also thanked Martha and the Attorneys for all their hard work. Gail expressed concern about the photos taken of medical and personal documents by a resident. She requested a second opinion on the legality of this taking place. She was looking at the federal HIPPA law. She will fax her research information of the Florida Law to TJ to add to these minutes.

Jim McIlveen commented on Federal and State law information brought up by Gail. Board discussed this topic.

Joe Salerno had no report other than information that is posted on bulletin boards regarding entertainment for the winter season. He also mentioned the trash contract needs to have workshop done.

Margo Cushman reported that there were 5 deaths and 7 cards sent in May, 3 deaths and 5 cards sent in June, 11 deaths and 16 cards in July, 2 deaths and 6 cards in August. The cards sent included get well and sympathy. She announced that the next dance is October 23, 2010. She also reported that Bingo had 413 players in May and took in \$2,121 and paid out \$2,121 with an average of 46 players, jackpots totaled \$1,665. We had 328 players in June and took in \$1,693 and paid out \$1,693 with an average of 36 players, jackpots totaled \$1,364. We had 274 players in July and took in \$1425 and paid out \$1425 with an average of 34 players, jackpots totaled \$1201. We had 389 players in August and took in \$1801 and paid out \$1801 with an average of 43 players, jackpots totaled \$1571.

REPORTS FROM STANDING COMMITTEES: Fred Hoch reported that the ARC committee would like to change Deed Restriction #1 by removing time limit on permits. He also asked about the fence on Marina Drive situation. Martha did not answer question due to conflict of interest.

Margo had no report from the Beautification Committee.

RESIDENTS COMMENTS: George Sipich – 6517 Nebraska – Spoke about the crime problem and the code enforcement violation of Linda Brush and her son. He also mentioned several crime situations that took place in our park.

Ruth Schneider – 1918 Indiana – She commented on the Brauer fence issue stating that the fence is not the problem. The problem as she sees it is the utility box and a tree near the guardrail, which is not on Brauer's property. She also mentioned a problem with the view at the corner of Florida Blvd. & Canada Drive.

Gloria Marshall – 6522 Washington – Gave her opinion of the legality of taking photos of documents on file in our office. She felt that medical information is not public information without the consent of the person, which the information is about.

Harry Fitzpatrick commented on the Linda Brush situation. Martha spoke to the position of the District regarding this situation.

OLD BUSINESS: None

NEW BUSINESS: Employee Health Insurance – Board members discussed the different options of premiums. See attached information. Fred Hoch made a motion to accept Alternate #1. Margo Cushman seconded it. Martha requested a roll call vote. Harry – yes, Fred – yes, Gail – yes, Jim – yes, Joe – yes, Margo – yes, Martha – yes. Motion carried unanimously. 7-0. See attached motion.

Martha recessed for lunch at 11:44 A.M. The meeting will resume at 1:00 P.M.

Martha announced return from recess at 1:04 P.M.

Mark Barnebey requested a private attorney-client session to discuss litigation assessment with Board of Trustees regarding current case of Denson-Smith versus Trailer Estates Park and Recreation District. He stated that the meeting would last approximately 30 minutes.

Martha recessed meeting to move to the office to commence a private attorney-client session to discuss potential settlement or strategy sessions related to litigation expenditures in the case of Denson-Smith versus Trailer Estates Park and Recreation District. The following people will be in attendance: Martha Brauer, Margo Cushman, Harry Fitzpatrick, Fred Hoch, Jim McIlveen (via phone), Gail Oppen (via phone), Joe Salerno, Mark Barnebey, Esq. And Kurt Lee, Esq. Mark asked in regards to Pam Cole. Martha indicated that Pam Cole did not want to be present by phone.

Martha closed the litigation assessment meeting at 2:40 P.M. and reopened regular meeting at 2:42 P.M. Mark Barneby stated that the park was ordered to mediation. The mediation will begin tomorrow. The trial is set to begin October 4, 2010.

Martha reconnected with Gail and Jim by phone for the remainder of the regular meeting. There was no response to the public hearing.

NEW BUSINESS CONTINUED:

Selection of Moderator for Trustee Vacancy Interviews was tabled until October 1, 2010 meeting.

PP59 Candidates' Night Policy was tabled until October 1, 2010 meeting.

PP50 Emotional Support Animal – Board approved motion for revision to Emotional Support Animal policy. Margo Cushman made motion. Joe Salerno seconded it. Motion passed unanimously. See attached changes and motion.

ARC Candidates – Joe Salerno made a motion to approve candidate Gloria Marshall be appointed to the ARC Committee. Margo Cushman seconded it. Motion passed unanimously. 7-0.

Deed Restriction Violation – Margo Cushman made a motion to authorize attorney to begin legal action regarding Linda Brush Deed Restriction violation 6508/6515 Nebraska. Fred seconded it. Motion passed unanimously 7-0.

Office Hours – tabled until October 1, 2010 meeting.

Role of Attorneys/ Role of Board – tabled until October 1, 2010 meeting.

CLUBS AND ORGANIZATIONS: No announcements.

TRUSTEE COMMENTS: Harry discussed his petition he is preparing for other mobile home parks in regards to the food service in our park. Martha cautioned Harry's plan to petition other parks.

MOTION TO ADJOURN MADE BY: Margo Cushman

SECONDED:

TIME ADJOURNED: 3:20 P.M.

Respectfully submitted,

Margo Cushman, Acting Secretary

Lenora Neal, Recording Secretary