

BOARD APPROVED AS CORRECTED
TRAILER ESTATES PARK & RECREATION DISTRICT
BOARD OF TRUSTEES MEETING
NOVEMBER 15, 2010
9:30 A.M.
SMALL HALL
1903 69TH AVENUE WEST
BRADENTON, FL 34281

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

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

Martha: Since our litigation meeting is scheduled for 9:45 a.m., I'd like to suspend the agenda until after that meeting and ask the trustees if they have any announcements.
Board agreed.

ANNOUNCEMENTS:

Debbie: Coffee Break will be this Saturday at 9 a.m.

Margo: There will be a Memorial Service this Sunday from 1:30-3:30 p.m. in the Large Hall.

Pam: Isn't it at 2 p.m.? That is what it says on Channel 95.

Martha: 1:30 is probably for preparation, with the service at 2 p.m.

Joe: Went to Tri Par and Quality Inn to check into new keys. He will present his findings at an upcoming Workshop. Tickets will go on sale Dec. 6 at 9 a.m. at the rear of the Large Hall for the New Years Eve Party. Tickets are \$6 for residents and \$12 for guests. The dance on Nov. 6 took in \$305 and on Nov. 13, \$200. Showtime revenue was \$200. 50/50 brought in \$49 on Nov. 6 and \$46 on Nov. 13. Showtime will be Dec. 2; the Venice Theater will perform. Christmas Party tickets will be available beginning Nov. 29 in the office. They are free to residents and guests. Residents: Check to see if the Wii game is available.

Jim: Peddlers are selling meat in the park. They wanted to come into a resident's home.
Suggestion: Don't let people in the house, and know what they're selling.

Fred: They will resurface Bay Drive and maybe Marina Drive this month.

Margo: We need to get the streets repaved.

Harry: The northwest corner of 14th Street and Florida Boulevard has a problem at the drain that is ruining tires. He has called about this.

Pam: Now that the computers are working, she has a final budget. People want to know about payroll and legal fees. Payroll is 4 percent over budget but that will be corrected. Final legal costs for the year: \$650,907.73. This amount is minus the accounts payable figure of \$180,122 from 2008 & 2009. \$15,000 of the total is non-legal. The cost broken down: Kirk-Pinkerton--\$401,034; Miscellaneous (court reporters, etc)--\$33,899.71; Other legal expenses --\$15,201.10; Dye (for Mary Lou McNulty)--\$84,142; Scott (for John VanderMolen)--\$137,540.13; Matthews (for Janet Jones)--\$100,442.51; Turffs (for Joe Salerno)--\$58,845.52.

CLUBS AND ORGANIZATIONS

Bocce: Will serve at Coffee Break this Saturday, Nov. 20.

Share-a-Craft: The Christmas lunch will be held Dec. 6. The bazaar is Dec. 4.

Shuffle Lunch will be held Thursday and Friday of this week.

ANNOUNCEMENTS (CONTINUED)

Joe needs help decorating the halls for Christmas. Come at 8 a.m. Saturday, Nov. 27.

Margo: First Beautification Committee meeting will be in December.

Debbie: Can we do an Angel Tree for the Salvation Army? Maybe at the Post Office?

Margo will research this.

LITIGATION ASSESSMENT MEETING

The District's attorney Mark Barnabey requested a litigation assessment meeting in the case of Smith/Denson vs. Trailer Estates.

Martha read the names of those who will be in attendance at the meeting.

The Board meeting was recessed at 9:56 a.m. for this meeting.

The attorney/client session ended at 11:48 a.m. and the Board meeting reconvened.

One of the District's attorneys Kurt Lee spoke to the Board and the public about the costs involved in the lawsuit. He gave the following reasons why the costs were high:

1. It required five law firms because the Charter states we must defend trustees unless they are found guilty.

2. There were a large number of complaints. There was the original filing and then three amended complaints as well as an addendum. There were more than 100 allegations brought against the District that had to be defended.

3. There were a large number of public records requests.

4. More than 1,000 exhibits were listed for trial.

5. There were a large number of witnesses. The plaintiffs' attorneys just before trial stated they may call 30 witnesses.

Attorney Lee continued by explaining how the legal costs were kept down:

1. There was a summary judgment on 30 claims and many were dismissed.

2. We used only one day of the ten days scheduled for trial.

3. When Attorney Shults got ill, Kurt Lee did not charge the District to be brought up to date on the case.

4. Two attorneys divided the work and Scott Rudacille gave the closing remarks.

5. Kirk Pinkerton charged us at the government rate. Their normal rate is much more than the \$225/per hour they charged Trailer Estates.

6. Our attorney fees were far less than the \$1.6 million the plaintiffs' attorneys claimed was owed before the trial. Had we lost the case, we could have been responsible for these fees.

Attorney Lee concluded that it was important for Trailer Estates to defend themselves. Trailer Estates is getting a good value for its defense dollars. Kirk Pinkerton is currently putting forth a motion to get back costs from the plaintiffs.

At this point, Martha moved that the Board suspend the rest of the agenda except for residents' comments and questions. There were no objections to the suspension.

RESIDENTS COMMENTS AND QUESTIONS

Barb Durrin, 6517 Washington—Read a letter in support of the Board from Ruth Schneider.

Public comment was closed.

Harry read a letter of congratulations to the Board regarding the lawsuit from former trustee Ken Ilg.

The meeting was adjourned at 12:08 p.m.

Respectfully submitted,

Gail Opper, Secretary