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# BRADENTONHERALD.COM

Tuesday, Dec 2, 2008

Posted on Tue, Dec. 02, 2008

## Trailer Estates residents claim Sunshine Law violated

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BRADENTON — Two sisters are suing the Trailer Estates Park and Recreation District and some of its board members, claiming they are violating state open government laws.

Sharon Denson, of Illinois Avenue, and Mary Lou Smith, of Tarpon Lane, allege that since May 2006, the board and four other defendants violated the Florida Sunshine Law by holding meetings — including executive committee meetings — in private to discuss the public business of the park, according to a lawsuit filed Nov. 26.

District board Chairman Janet Jones, former board Chairman Mary Lou McNulty and board trustees John Vander Molen and Joseph Salerno are named as defendants in the 18-page suit. The petition also accuses them of charging "unreasonable fees" associated with the sisters' requests for public records.

"And in some cases they are withholding the documents completely, claiming exemptions that don't exist under the law," said Kevin Hennessy, one of the attorneys with the firm of Lewis, Longman & Walker, representing Denson and Smith.

For instance, he said the special public taxing district is withholding a "resident information database" that includes demographic information. District officials claim that information is private, Hennessy said.

McNulty, who said she and the other defendants had not been formally served with the suit Monday, declined comment.

"We have not read it through yet," she said.

Trailer Estates' attorney Mark Barnebey declined comment, saying he also had not seen the lawsuit.

"We'll have to look it over," he said.

The Legislature formed the Trailer Estates special taxing district in 1969 so that residents could pay an annual fee for the upkeep of recreational facilities and other amenities.

The suit states that for the past two years, the park's legal counsel has repeatedly advised the board of the Sunshine Law and Public Records Law and warned the board that committee members may not meet in private to discuss district business.

The lawsuit comes on the heels of several residents voicing concern over the behavior of some of their district's elected officials.

They have said the board conducts itself more like a homeowners' association than a local government overseeing a \$1 million annual budget.

In mid-May, Trailer Estates' board of trustees held a refresher course on the Sunshine Law.

Barnebey had recommended the seminar in April after the board's vice chair and most prominent member, John Vander Molen, told the Bradenton Herald that the board's Sunshine compliance could be better.

The suit seeks an injunctive relief and attorney's fees.

"We're hopeful to get the attention of the board and individual board members who refuse to comply with the laws governing public meetings and public records," Hennessy said.

Smith, who also has a home in East Lansing, Mich., said she lives in the park during the winter months. She's owned her home on Tarpon Lane for about 10 years.

Denson said she spends about nine months at her Trailer Estates home and spends the remainder of the year in Michigan.

They deferred comment to their attorneys.

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TX237-001