

BOARD APPROVED AS CORRECTED 12/20/10
TRAILER ESTATES PARK & RECREATION DISTRICT
BOARD OF TRUSTEES MEETING
NOVEMBER 29, 2010
9:30 A.M.
SMALL HALL
1903 69TH AVENUE WEST
BRADENTON, FL 34207

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

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

APPROVAL OF MINUTES

Oct. 18, 2010: A motion was made by Joe, seconded by Jim, to accept the minutes. Corrections: Page 1, middle of page, change “answer” to “questioned”; Page 3 where Mary Lou Smith speaks, change “information” in line two to “addresses” and change “records” in line 3 to applications/records. Minutes were approved with corrections, 9-0.

Nov. 1, 2010 Meeting: A motion was made by Margo, seconded by Joe, to accept the minutes. With no corrections, the minutes were approved 9-0.

Nov. 1, 2010 Workshop: A motion was made by Joe, seconded by Pam, to accept the minutes. Correction: In line 3 of the address book section, the word “we” should be before the word “order”. Minutes were approved with correction, 9-0.

Nov. 15, 2010 Meeting: A motion was made by Margo, seconded by Joe, to accept the minutes. Corrections: Page 1, line 5, add “Board agreed” after the word “announcements.” Page 2, first paragraph, after “\$650,907.73,” add: This amount is minus the accounts payable figure of \$180,122 from 2008-09. In line 5, add the words “legal expenses” after “Other”. Minutes were approved with corrections, 9-0.

Nov. 15, 2010 Candidates Night Workshop: A motion was made by Pam, seconded by Margo, to accept the minutes. Correction: In line 9, change “There” to “Their.” Minutes were approved with correction, 9-0.

Nov. 22, 2010: A motion was made by Joe, seconded by Jim, to accept the minutes. Corrections on page 2: Line 4—add “the” before “Wednesday” and add “before Thanksgiving” following “Wednesday.” In line 5—after “evening” add “as this was a trial period for November only.” Remove the word “as” and capitalize “only” as a new sentence. Line 13 should read: “The Litigation Assessment meeting was closed and the public meeting was reopened.” Bottom of page: Change “resident” to “residence”. Minutes were approved with corrections, 9-0.

REPORT OF TREASURER

At the end of October 2010, the balance in the checking account was \$12,074.36 and the balance in the investment account was \$758,531.31. We have received \$52,729.91 in assessments. Income budgeted was \$142,865; actual, \$17,835.91. The difference is due to the assessments, which we collect from November through March, with stragglers in April. We are actually over budget in income. Where expenses are concerned, we budgeted \$62,500 for legal fees but none were expensed in October. Pam took them out of the accounts payable account. Trash removal is 4 percent higher than it should be. We budgeted \$12,083, but the bill was \$12,554.96.

APPROVAL OF BILLS—None

Martha brought forth a motion to approve additional billings through trial for services rendered in the amount of \$3,150 by Dan Scott who represented John VanderMolen. Motion passed 8-1, with Pam voting against.

REPORTS OF TRUSTEES

Pam— Made some adjustments as to what our fees would have been if we didn't have to defend ourselves in the lawsuit. We would have spent \$40,000 instead of \$485,000; we would have had \$600,000 more. Our assessment could have been dropped to \$800 instead of \$1,300.

Joe—Wants to thank all who decorated the Large Hall. He would like to keep the decorations up an extra week to keep the Christmas spirit going a while longer. The Board agreed. He discussed changing the laundry hours for the winter.

Martha: People are concerned about the laundry hours. It warrants our going back to the regular hours.

Pam: Keep turning the lights off.

Joe: The new hours will be in effect tomorrow.

Martha: Joe, will you put a notice on Channel 95 about laundry hours? Joe will do that.

Showtime is Thursday, Dec. 2, at 7 p.m. when the Venice Theater performs. New Years Eve tickets go on sale Monday, Dec. 6, at 9 a.m. in the Large Hall. Proceeds from the Nov. 27 dance was \$205; 50/50, \$44. Christmas Party tickets are available beginning today in the office. Please take only what you need. The party is Dec. 18.

Jim—There is trouble with a tree, and the owner can't be located.

Margo—Called the Salvation Army about the tree for the needy, but they haven't returned her call.

Gail—A resident spoke with her regarding ideas for Candidates Night 2011. He suggested the candidates limit information about their background and speak about their ideas for Trailer

Estates. He also feels there should be no questions. Another resident requested the Board briefly go over the Sunshine Law and the Homestead Act as many residents are unaware of the facts regarding those.

Joe: The tax collector has information about Homesteading.

Martha: The Sunshine Law meeting should be held before January since new trustees must abide by the law as soon as they are elected. She asked the Board how they felt about having such a meeting Dec. 13. The Board agreed.

Pam: We should put the Sunshine Law Workshop announcement on Channel 95.

Gail: Gave a brief explanation of the Sunshine Law. Two trustees, five, nine trustees, etc., can be together anywhere discussing anything. They just can't discuss an issue coming up for a vote in the foreseeable future. If a trustee simply errs in this, the law states it is ok since to break the law a trustee must have spoken in a willful and/or knowing manner. The idea of the Sunshine Law is to stop back-door deals.

Martha: Trustees can give an opinion as long as there is not a debate. It was ok for Joe to send a memo opinion, as he did.

Gail: Stated someone explained the Homestead Act very easily by stating that, for example, a traveling salesman cannot be held in Florida for any amount of days just because of the Homestead Act. Gail is not a Florida resident and hasn't looked into it but understands the Homestead Act means you need a Florida driver's license and car license to qualify under the law. She said she was also told you have to be in Florida on Jan. 1.

Harry: You need a driver's license and car license but there is no requirement to be in Florida in regards to days.

Martha: You also need a voter I.D.

Fred—Said his son feels we need to cleanup our Web site. If you want to help decorate the Small Hall, see Mark. Fred will call about road repaving, which was suppose to be done by the end of November. Maintenance will buy new solar blankets for the pool.

Joe: Should we look for a better grade?

Fred: We're satisfied with what we have.

Martha: What is the temperature in the pool?

Fred: 82 degrees. Mark will hook up the spa heater, as it will get cold soon.

Debbie—Another resident's tire split while turning onto Florida Blvd. from 14th Street last Wednesday. Residents have suggested we write a simple paragraph on the Sunshine Law.

Harry: This is the third TE resident who has had a tire split. 14th Street is not a county road. It is a state problem. The problem is on the northwest corner when you turn west from 14th Street onto Florida Blvd.,

Joe: Harry, perhaps you should call Robin DeSabatino.

Pam: They put some concrete over the piece that stuck out. Make a wide turn; don't hug the corner.

Harry—No report.

Martha—1) Office hours are 9 a.m. to 3 p.m. Monday-Friday except when posted or on holidays. 2) Fred, will you do a PP34 to get Mike on the agenda for ARC? 3) In regards to Let's Talk Club's Candidates Night, Martha stated she won't be there.

Gail: Wishes very much that she could go but she can't risk a Sunshine Law violation for the park so she won't be going, either.

4) Sunsetters Club invitation in regards to "free hot dogs" on Friday, Dec. 3. Martha reiterated that if our kitchen is used, a notice must say: "For Trailer Estates Park & Recreation District Residents and Guests Only." She is concerned about the Sunsetters putting themselves in a questionable position since their notice simply used the word "residents". She urged clubs and organizations to be careful about this. 5) Food advertisements: Do we need to consider common ground usage and write a PP? 6) People have called about our present assessments with the question: What assurances can be given that the assessment won't be \$1,300 next year? Martha explained that the four defendants will no longer be part of the lawsuit no matter what is ahead so costs are saved there. She then passed out a sheet of budget and assessment estimates from now until 2015. The sheets are available in the office. To do the estimates, she took the highest expense figures rather than the lower expense figures in the present budget. She also took the lowest income. She favored a worst-case scenario in the plusses and minuses and also added 5 percent to the expenses, and she left another \$23,000 in capital outlay. Following are her estimated assessments to 2015:

2011-2012: \$1,150 with a reserve of \$350,000
2012-2013: \$1,150 with a reserve of \$305,000
2013-2014: \$950 with a reserve of \$312,000
2014-2015: \$950 with a reserve of \$313,000

Harry: Can Smith and Denson stop this lawsuit?

Martha: Yes

Fred: What about the \$1,600 assessment we heard at Candidates Night?

Pam: I gave that information before the judge's ruling. We had no idea what was going to happen.

REPORTS FROM STANDING COMMITTEE

ARC—No Report

Beautification Committee—Will meet Dec. 8 at 11 a.m. in the Blue Heron Room

RESIDENTS COMMENTS

Barb Durrin, 6517 WA—She thanked the Board for representing the people in a professional manner. She is upset about the vague, incomplete, and downright wrong information coming from the TE Future Committee. Comments are a privilege and not a right. Will Rogers would turn over in his grave if he knew how his comments have been turned around by the TE Future Committee.

Lenora Neal, 6619 CA—The DBPR said that whether we give food away or sell it, they can come in and fine us. They don't care where it is being served.

Carolyn McCormick, 6615 Dakota—She rarely attends meetings but feels this is not a good time to elect someone new. Nothing has been done maliciously by past or present Board members.

Ruth Schneider, 1918 IN—Spoke about some half-truths from the TE Future Committee. They say they don't support candidates but whose names are in bold print on their flyer? Stated the kitchen was closed because of a comment from Jean Cotter, but the kitchen was closed through the actions of Bev Lew. Bingo wasn't discussed because it is just fine. They say the lawsuit isn't over, but Part I of the lawsuit is over and TE won. All seven candidates want to be chairman. All seven lean toward the new TE Future Committee and share the philosophy of Mary Lou Smith and Sharon Denson. Candidates attend church but undermine the authority of the Board. That is not biblical. She wants residents to consider the five incumbents.

Mary Hollett, 2004 FL—People don't realize all the time spent by members on the Board. Once you get involved, you realize what goes into the job. She wants to thank Martha for saving the park a lot of money.

Martha closed public comment.

BOARD RESPONSE TO PUBLIC COMMENT

Martha--She is concerned about food at the Sunsetters Club this Friday night.

Pam: Can't we put a disclaimer out that all clubs, etc., must meet the requirements of the DBPA and any errors, put the fine on them.

Martha: We need a PP for food on common grounds.

Joe: Put this information on Channel 95.

Martha—Received information from the DPBR that there “was no matter” in the case of our kitchen.

Jim: In regards to the Shuffle Club, the food sold used to pay for the resurfacing of the shuffle courts. Now that will have to fall on the park.

Gail: Let’s hope there were some lessons learned. We can’t go back; but in the future, perhaps we could investigate before we accuse and not be led by anger.

Fred: What we hear is: “It’s the law!”

Martha: TE Future Committee is a political action committee. They belong to the park but not the government. In regards to the Web site Committee, it was done at the end of the year. We were locked out of the Web site by Dan Smith, husband of Mary Lou Smith, so we had to build our own. The former Board didn’t even know Dan Smith was the designer of the Web site. I wrote a manual for Coffee Break and hope to write one for Bingo and the Web site.

Harry: Campaigns are fine but they should not be about suspect truth.

NEW BUSINESS

1. Beach Pavilion—Gail asked that this item be tabled. She stated that she filled out the PP weeks ago without realizing that the Nov. 29 meeting was only a week before the election. She feels this topic should be left to the new Board to handle.

Martha: Do you want to take it off the agenda and then it can be brought back in January. Gail agreed to that.

2. Tribune—Gail read PP61 and asked the Board for their opinion. Changes were suggested. Gail will make the changes and send the form to Scott Rudacille and will then call him. When the form is approved by Scott, Gail will bring it back to the Board for a vote.

3. Canvassing Board Appointee—Martha discussed the job of a Canvassing Board member. She then made a motion, seconded by Joe, to approve Ed Neally as Canvassing Board Member for the 2010 election. Motion passed 9-0.

CLUBS AND ORGANIZATIONS

Bocce—Will meet at 8:30 a.m. Wednesday, Dec. 1, in the Small Hall.

Kitchen Bees—Christmas Day Dinner tickets will be available Monday, Dec. 6, at the Post Office. They are free.

Meeting was adjourned at 11:50 a.m.

Respectfully submitted,

Gail Opper, Secretary