

**TRAILER ESTATES PARK & RECREATION DISTRICT**

**BOARD OF TRUSTEE WORKSHOP**

**March 18, 2019**

**1903 69<sup>TH</sup> AVENUE WEST**

**BRADENTON, FLORIDA 34207**

1. Items Carryover from 2/4/19 (Sansone)
2. Consolidation of Regulation in Policy (Sansone)
3. Building an Email Database for Resident Comm. (Chandler)
4. Reservation Validation (Opper)
5. Update PP44 – Use of Facilities: Beach and Community Park Policy (Dalton)
6. Refinish Sap – Change Main Drain (McIlveen)

**RESIDENT COMMENTS**

Pursuant to Section 286.0105, Florida Statutes, should any person wish to appeal a decision of the Board with respect to any matter considered at this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Pursuant to Section 286.26, Florida Statutes, and the Americans With Disabilities Act, any handicapped person desiring to attend this meeting should contact TJ Miller at 756-7177, at least 48 hours in advance of the meeting, to ensure that adequate accommodations are provided for access to the meeting.

**MAR 11 '19 AM 10:34**

TRAILER ESTATES PARK AND RECREATION DISTRICT  
BOARD AGENDA ITEM FORM/POLICY PP 38

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item Building an Email Database for Resident Comm.

For Upcoming Meeting—Date March 18, 2019

Type of Meeting (check one): Workshop  Board Meeting  \*

**\*It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.**

Rationale (for workshops)/ MOTION (for board meetings): \_\_\_\_\_

Do we want to build an email database for our property owners? How to  
gather the information and what types of communications would we provide?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Costs/Estimated Costs: (Required if agenda item includes spending district money.)  
\_\_\_\_\_  
\_\_\_\_\_

Attachments: (Please attach any diagrams or pertinent information concerning this  
Agenda Item. Please list the attachments.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Trustee Mary Chandler

Date Submitted March 6, 2019

Chairman/Designee Mike Sansone

Office Manager/Designee: Date Posted 3/11/19 Initials FW

TRAILER ESTATES PARK AND RECREATION DISTRICT  
BOARD AGENDA ITEM FORM/POLICY PP 38

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item Reservation Validation

For Upcoming Meeting—Date March 18, 2019

Type of Meeting (check one):  Workshop  Board Meeting \*

\*It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.

Workshop Rationale (for workshops)/ MOTION (for board meetings): \_\_\_\_\_

Checked pickleball reservation as assigned at March 4 Workshop.

Costs/Estimated Costs: (Required if agenda item includes spending district money.)

Attachments: (Please attach any diagrams or pertinent information concerning this Agenda Item. Please list the attachments.)

Trustee Hail Opper

Date Submitted March 4, 2019

Chairman/Designee Mike Sansone

Office Manager/Designee: Date Posted 3/11/19 Initials [Signature]

MAR 5 '19 PM 9:15

**TRAILER ESTATES PARK AND RECREATION DISTRICT**

**BOARD AGENDA ITEM FORM/POLICY**

**PP 38**

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item Update PP44-Use of Facilities: Beach and Community Park Policy

For Upcoming Meeting—Date March 18, 2019

Type of Meeting (check one): Workshop  Board Meeting  \*

**\*It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.**

Rationale (for workshops)/ MOTION (for board meetings): Discuss the  
need to update PP44 to 1) include the TEN property, 2) clarify pets not  
permitted and 3) introduce a policy that prohibits prospecting.

Costs/Estimated Costs: (Required if agenda item includes spending district money.)  
None.

Attachments: (Please attach any diagrams or pertinent information concerning this  
Agenda Item. Please list the attachments.) Proposed PP44

Trustee Lori Dalton

Date Submitted 3-5-2019

Chairman/Designee Mike Sansone

Office Manager/Designee: Date Posted 3/11/19 Initials MD

**TRAILER ESTATES PARK AND RECREATION DISTRICT  
USE OF FACILITIES: BEACH, AND COMMUNITY PARK AND TEN  
POLICY PP 44**

The Beach, ~~and~~ Community Park and TEN are for the exclusive use of Trailer Estates residents and their guests. Reservations for the Wayne Hamblen Pavilion or TEN can be made through the Trailer Estates Park and Recreation District Office by contacting the Secretary of the Board of Trustees. The Beach Pavilion may be reserved by the same group for an extended time only once a month from November 1 through April 30.

Manatee County does not approve swimming at the beach and no lifeguard is on duty. Beach swimming is at your own risk. No fishing, crabbing or netting is allowed.

Pets are not permitted in TE Common Areas which include the beach, community park and TEN areas.

Prospecting (digging) on TE property is not allowed.

TRAILER ESTATES PARK AND RECREATION DISTRICT  
BOARD AGENDA ITEM FORM/POLICY

PP 38

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item Refinish spa-change main drain

For Upcoming Meeting—Date 3-18-19

Type of Meeting (check one):  Workshop  Board Meeting \*

\*It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.

MAR 8 '19 PM 2:21

Rationale (for workshops)/ MOTION (for board meetings):

- Finish on spa pitted, main drain  
not foot friendly

\$12,000 Budgeted

Costs/Estimated Costs: (Required if agenda item includes spending district money.)

Pools by Lowell \$9,400, Fountain Pools \$10,722.  
Galaxy Pool Plus approx \$1000 for new lights

Attachments: (Please attach any diagrams or pertinent information concerning this Agenda Item. Please list the attachments.)

Trustee Jim McIlveen

Date Submitted 3-8-19

Chairman/Designee Mike Sansone

Office Manager/Designee: Date Posted 3/11/19 Initials JM

MAR 1 '19 AM 9:38

**TRAILER ESTATES PARK AND RECREATION DISTRICT  
BOARD AGENDA ITEM FORM/POLICY PP 38**

DUE IN OFFICE 10:30 A.M. WEDNESDAY PRIOR TO MEETING THAT YOU WISH TO BRING ITEM FORWARD.

Agenda Item Consolidation of Regulation in Policy

For Upcoming Meeting—Date 3/18/19

Type of Meeting (check one):  Workshop  Board Meeting \*

\*It is recommended that Board Meeting Agenda Items be an agenda item on a Workshop prior to the board meeting.

Rationale (for workshops)/ ~~MOTION (for board meetings):~~ Pursuant

to Attorney memo of 2/13/19 to consolidate Rules & Regulation into Policy & Procedures thereby providing one document that has all information in one place.

Costs/Estimated Costs: (Required if agenda item includes spending district money.)

none

Attachments: (Please attach any diagrams or pertinent information concerning this

Agenda Item. Please list the attachments.) 2/13/19 memo from Mark Barney to Mary Chandler.

Trustee Michael Sansone

Date Submitted 2/11/19

Chairman/Designee Mike Sansone

Office Manager/Designee: Date Posted 3/11/19 Initials MS

**TJ Miller**

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**From:** Mark Barnebey <mbarnebey@blalockwalters.com>  
**Sent:** Wednesday, February 13, 2019 10:20 AM  
**To:** Mary Chandler  
**Cc:** TJ Miller  
**Subject:** Trailer Estates/CERT [IWOV-BWPA\_WORKSITE.FID845745]

Mary - I have reviewed the policies that were provided related to the use by the Trailer Estates CERT of the hall and the rental of tables? Before we begin, it is important to distinguish the questions raised and the issues raised a couple of years ago regarding CERT as I have had inquires related to the status of CERT.

Approximately two years ago, the District had included information related to CERT in its one of its policies. At that time, it was determined that CERT was not sponsored by the County and thus, not an officially recognized CERT under the Federal requirements. For that reason, the District removed CERT references from the policy. As of today, the Trailer Estates CERT is, to my knowledge, still not sponsored by any governmental entity.

However, since that time, CERT has registered, and is recognized by the District, as an official club of Trailer Estates. As such, it is entitled to all of the privileges (and subject to all of the responsibilities) afforded any club within Trailer Estates. My responses below are intended to be generic to all facility use and not limited to CERT.

**INQUIRIES:**

You asked us to review the following questions:

- 1. Do the current Rules & Regulations clearly define use of the facilities by Clubs or Organizations who have complied with the requirements of PP42?**

This question is not specific but the current rules may not be as comprehensive or detailed as intended and this question may be answered more completely by the responses to the other two questions. One item that the Board should consider is consolidating the Rules and Regulations in the Policies and Procedures for a variety of reasons, including the clarity of having the regulations all in one place. As a side note, forms generally do not have to be adopted as a PP, but can be implemented with the efforts of the appropriate Trustee and the Office Manager. However, until the forms are removed from the Policies and Procedures, any changes have to go through the formal rule adoption (as would removal).

- 2. If use by a Club or Organization is approved, can the Club or Organization open their event to nonresidents?**

Yes. First, there are no restrictions on the composition of membership of clubs within Trailer Estates in PP 37A or PP 42. Further, the District cannot regulate club membership. The District may impose different regulations in regard to facility use and the number of non-residents can be a factor on facility priority and rental fee amounts. To some extent, this has been done in Section II of the Rules and Regulations. Currently, PP 37A states, in relevant part, as follows:

“Rules and Regulations – For all one day only requests which may include persons or groups who are not residents or property owners, a deposit of \$100.00 for meeting rooms/small hall and \$200.00 for large hall must be submitted at the time of the reservation request and will be returned if the room reserved is left in the same condition it was when reserved. Any damages in excess of the deposit will be charged to the person, club or organization making the reservation.”



Thus, if the request is for use by persons or groups who are not residents or property owners, a deposit appears to be required. Although not absolutely clear, this policy appears to be intended to apply to residents and registered clubs within the District. This policy does not appear to require a rental fee. Section VII of Part B of the Rules and Regulations is worded slightly differently and states in part as follows:

Trailer Estates District property owners and renter residents may use the facilities for activities such as birthday parties, wedding receptions, anniversaries, testimonials, memorial services and other events which are one day out-of-park activities they are sponsoring.

A. All requests for the use of the facilities by property owners and renter residents which may include persons or groups who are not residents or property owners must be approved by the Secretary Trustee.

B. At the time of the reservation request, sponsors of any property owner function shall deposit a refundable clean-up and damage charge with the District. The deposit shall be returned if the sponsor cleans up after the event and there is no damage done to District property. If property damage exceeds the deposit the sponsor shall be responsible for all damages or repairs necessary. Deposit amounts: \$100 for small hall or meeting rooms, \$200 for the large hall.

An important incidental comment is that it is unclear under what criteria must be met for "approval by the Secretary Trustee." My interpretation is that it is for informational purposes only, but if any other criteria is used, then the criteria should be clearly set forth in any policy. Further, it is unclear what an "out-of-park" activity is intended to include. Does it intend to include any activity which involves a non-resident or property owner of the park? Reviewed as a whole, it would appear to, which I do not understand to be the intention of the Trustees.

However, the aforementioned policy and rule may be limited by Section II of Part B of the Rules and Regulations which states:

To support fair and equal availability of all function rooms for property owners, the following rules apply:

...

B. If a property owner wishing to reserve a function room more than two times per month the event must be listed as "Public" event on the park calendar allowing any property owner, renter or guest of either to attend.

C. At no time can the number of individuals participating from outside the park (visitors) exceed those who wish to participate as property owners, renters and their guests.

D. Please refer to Rules And Regulations Part A Section II for the definition of "Guests".

There are other sections for the Rules and Regulations that provided some distinctions between resident and owner use, club use and Trailer Estates sponsored activities. Sections III, IV, and VII of the Rules and Regulations state, in relevant part, as follows:

)

(Based on PP 37A, the deposit appears to be required whoever is renting the facility if it is to be open to nonresidents.

**3. If use by a Club or Organization is approved and the event is open to nonresidents, is a refundable deposit required?**

Yes

## When is the \$75 Vender Fee required by a Club or Organization using our facilities?

Part C, Section III of the Rules and Regulations provides as follows:

FILED 14 03 10 12 10

### SECTION III.

- A. Commercial renting of park facilities will be considered by the Board of Trustees on an individual basis.
- B. Commercial vendors visiting Trailer Estates with plans to sell merchandise during an event sponsored by Trailer Estates residents, clubs, or organizations must pay \$75 before the event to do so (Adopted 4/10).
- C. No commercial businesses allowed that do not comply with Manatee County codes (511.7, etal.)

Based on this Rule and Regulation, it would appear that any commercial vendor which plans to sell merchandise at Trailer Estates during an event sponsored by the residents, clubs or organizations (it is unclear what is an "organization", if different from a club), is required to pay \$75 before the event. Please note that a commercial vendor is not specifically defined, but unless defined otherwise, it would appear to include any person who sells wares. If the event is not sponsored by one of those groups, then it would appear to fall under Section III.A. On another side note, it is recommended that the District establish some criteria for approval or denial of facility rental to protect against allegations of discriminatory policies.

As for compliance with County regulations, I do not have enough information to provide an informed opinion at this time on this requirement as to any specific event.

I have focused on the documents that you have provided me in making this provision. If you have any questions, please feel free to contact me.

Mark P. Barnebey  
Board Certified in City, County and Local Government Law



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