

**Board of Directors Meeting – Minutes
Riverland Inc – October 21, 2022**

Note: Item numbers in the minutes correspond to the item numbers in the original agenda.

1 Call to Order

- President Joanne Collagan called the meeting to order and led the assembled group in the Pledge of Allegiance and prayer.

- President Joanne Collagan called the roll with President Joanne Collagan, Vice President Bill Sparks, Secretary Don Barber, Treasurer and Transfer Director Brenda Nolin, Maintenance & Pool Director Cliff Wedel, and Compliance Director Jack Corliss present. Marina Director Neal Potts was not present. A quorum was established.

- President Joanne Collagan asked for a motion to approve the minutes of the April 15, 2022, regular business meeting without reading; Secretary Don Barber so moved with Treasurer and Transfer Director Brenda Nolin seconding and followed by unanimous approval from all present board members.

- President Joanne Collagan asked for a motion to approve the minutes of the May 2, 2022, special business meeting without reading; Secretary Don Barber so moved with Treasurer and Transfer Director Brenda Nolin seconding and followed by unanimous approval from all present board members.

3 Officer, Director, Committee and Staff Reports

3.1 President Joanne Collagan: It has been five months since the last meeting. We experienced a long, hot summer and a minor brush with a hurricane. The Board did not take the summer off; decisions still have to make during the summer months. Jack Corliss, new to the Compliance Director, makes a valuable contribution to the team and we extend our thanks. There is a lot of material to cover today; please limit your comments to three minutes.

3.2 Vice President Bill Sparks: Followed up on his comments during the February 2022 Board meeting on the State of Florida's Hurricane Loss Mitigation Program, which includes the Mobile Home Tie Down Program. At the time, the program had suspended acceptance of new applications as the wait list exceeded five years. That has since changed, and Bill has applied on Riverland's behalf and our application was quickly accepted. At some future point in time Riverland will be contacted by the selected service provider. The program is only for homes built in 1999 or prior, and for each home the tie-downs will be replaced/reinforced as needed, and the work includes skirting removal and re-installation, and all with no cost to program participants.

3.3 Secretary Don Barber/Social Club Liaison/Hearing Committee Liaison: Read into the record eight board approvals taking place being the last regular business meeting. Also shared a summary of his research over the summer on a past lawsuit mentioned by a shareholder during the May 2, 2022, on an age-related lawsuit involving the Ridgeway community and how the suit resulted in a lowering of community standards, and the shareholder recommended Riverland seek legal counsel prior to raising the minimum age for residency. Research over the summer indicated that while, yes, one of several plaintiffs was under 55-years old the core of the issue was structural defects in the formation of the Ridgeway community, and as a result of the lawsuit

being found in the favor of the plaintiffs the Ridgeway community no longer exists and the only community standards now in-place are those of Martin County. In summary, the Ridgeway lawsuit has no bearing on Riverland's raising of the minimum age for residency.

3.4 Treasurer and Transfer Director Brenda Nolin/Finance Committee/Transfer Committee: Provided a Treasurer Report with balances as of today and noted all accounts receivable are up to date with the exception of one outstanding fine. Provided a Transfer Report detailing the lot ownership changes since the April 15, 2022, board meeting. Briefly covered the proposed 2023 budget.

3.5 Compliance Director Jack Corliss/Compliance Committee: Mentioned the Security Team in on the job every night and self-monitoring ensuring among themselves adequate coverage.

3.6 Marina Director Neal Potts/Marina Committee/Boaters Club Liaison: Marina Director Neal Potts was absent, but Maintenance & Pool Director Cliff Wedel mentioned that Neal Potts is aware of the walkway issues in the marina.

3.7 Maintenance & Pool Director Cliff Wedel/Maintenance & Pool Committee: Briefed that maintenance employee Tom Nolin is doing an excellent job and specifically mentioned the recent repaired of the shower at the pool. Also mentioned the replacement over the summer of the maintenance work cart.

3.8 Maintenance Employee Tom Nolin: Welcomed back to those who recently returned to Riverland. Addressed the paver installation at the pool that included parking for golf carts, and if everyone would pack close together there would be room for more carts. Additional chairs are on the way for the pool, and the pool shower has been recently repaired. A wind damaged flagpole was replaced, and the clubhouse was painted. Please recycle and refrain from disposing of recyclable material in the dumpster. Mulch will be ordered soon. Lastly, an alligator has taken up residency at the marina, and do not feed the alligator – just leave it alone.

3.9 Office Manager/Bookkeeper Polly Brown: No comments.

4 Unfinished Business: Matters requiring action and continued from one or more prior meetings

Replacement Article VIII: During the April Board meeting a motion was passed to defer action on agenda item 5.6 – the replacement of Article VIII of the Riverland Rules & Regulations with an expanded more detailed policy incorporating an application process for service animals and emotional support animals – to allow for re-work for brevity during the summer season. The replacement article has been re-worked and reduced in size by 31 percent.

Motion to replace Article VIII of the Rules & Regulations as follows:

VIII. Animals, Service Animals and Emotional Support Animals

A. Riverland has a strict 'no-animal' policy. No animals are permitted unless expressly authorized by the Riverland Rules & Regulations or by application to the Board for approval prior to the animal being brought into the community.

B. *Small pets confined to suitable enclosures designed for the species; and indoor cats, are permitted without Board approval provided all such animals are contained solely within the Shareholder's unit and do not present a nuisance or disturbance to others. Removal of these animals is at the discretion of the Board when in the best interest of the community.*

C. *However, Riverland will make reasonable accommodations for service animals or emotional support animals in full accordance with the law.*

1. *Shareholders desiring to have a service animal or emotional support animal at Riverland should make application to the Board including adequate information necessary to demonstrate need as per Florida Statute 413.08 or 760.27 (as applicable). Other than requiring separate applications for each animal Riverland has no pre-established requirements for application other than demonstrating need and compliance with the statute. Once submitted, the application will be reviewed and placed on the next available agenda for a Board decision. Shareholders should assume that approval will require proof of compliance with all applicable state and/or local licensing and/or vaccination requirements (if applicable) and proactively include this information.*

2. *Due to past fraudulent applications and the Board consists of volunteers with no special expertise in this area shareholders should be aware that all applications for a service animal or an emotional support animal will be carefully reviewed. Shareholders should assume the approval process will be studious, executed with due diligence, and outside experts engaged as necessary, all of which may take considerable time. Shareholders should submit any application for a service animal or an emotional support animal well in advance of the animal's arrival at Riverland.*

3. *Applications by shareholders on behalf of others are acceptable. Applications by non-shareholders require approval of the applicable shareholder and the application must contain this information. Applications by those intending to purchase a Riverland unit should clearly identify the lot to be purchased. Future residents are cautioned against making any assumption that an application for a service animal or emotional support animal will be approved by the Board.*

4. *In the event an application for a service animal or emotional support animal is not approved and returned for re-work/re-submission the Board will appoint, upon request, a suitable shareholder as a point of contact when preparing any re-submittal of an application.*

On the motion to amend the motion by inserting at the end of Paragraph A the phrase "Under no circumstances will the Board approve any request for dogs or other canids of any type." Motion made by Secretary Don Barber; seconded by Treasurer and Transfer Director Brenda Nolin. All present in favor. **Motion passed.**

On the motion to replace Article VIII of the Rules & Regulations as amended and as noted in the agenda. Motion made by Secretary Don Barber; seconded by Treasurer and Transfer Director Brenda Nolin. All present in favor. **Motion passed.**

5 New Business: Matters presented for action and not previously addressed in a prior meeting

5.1 Employee Health Benefit: Riverland Inc does not currently provide any sort of employee health benefit or health insurance, but it is likely the 2023 budget will include some limited funds to do so. Determining what type of health benefit or health insurance to provide employees will

take time to research and implement, and - depending on the program - Riverland may also be required to provide up to 90-days advance notice to employee employees prior to program start.

Motion to establish an 'Employee Health Benefit' committee as a special committee of the Board with Vice President Bill Sparks as chairperson and staffed by not less than two (2) additional volunteer Shareholders, authorizing the Secretary to recruit for the same and requiring the Secretary to submit names for committee membership for Board consideration during the November board meeting, and requiring the committee to make recommendations to the Board no later than April 1, 2023, as to if some form of health benefit should be provided to Riverland employees, and if so, make recommendation to the Board as to specific program or plan, service providers and implementation timeline, and an assessment as to funding adequacy.

Motion to establish an "Employee Health Benefit" as a special committee of the Board and to take the other actions as noted in the agenda. Motion made by President Joanne Collagan; seconded by Maintenance & Pool Director Cliff Wedel. President Joanne Collagan, Vice President Bill Sparks, Secretary Don Barber, Compliance Director Jack Corliss, and Maintenance & Pool Director Cliff Wedel in favor; Treasurer and Transfer Director Brenda Nolin abstained. **Motion Passed.**

Note: President Joanne Collagan recruited volunteer shareholders (Rod Bower, Lot 18; Jan Doyle, Lot 14; and Barry Coombs, Lot 1) for this special committee on the spot making the recruitment of shareholders by the Secretary redundant. However, no discussion occurred on the matter of issuing the Board resolution needed to actually establish this special committee.

5.2 Electronic Voting: Riverland staff and volunteers expend a great deal of manual effort – and considerable expense – for the annual budget selection and board election processes. Readily available off-the-shelf Internet-based electronic voting solutions compliant with Florida Statute (FS) 719.129 are available at moderate cost – including a solution from our current legal services provider. The December budget selection could be used as a 'real-world' test of electronic voting at Riverland, and to determine to what extent typically seen increased efficiency, accuracy, and voter participation are actually realized.

FS 719.129 requires shareholders to consent in writing to online voting and FS 719.129(4) requires the Board to authorize use of electronic voting by issuing a Board resolution, which can be done during the November meeting. Shareholders must also be provided at least 14 days advance notice of any meeting during which the needed resolution will be considered, and Riverland's usual notice of meetings process can be used to meet this requirement. Nothing in the statute precludes Riverland from starting the process of obtaining shareholder consent for electronic voting now; that process can start prior to the resolution being issued in November.

Motion to authorize the purchase of a \$350 single-use license for BeckerBALLOT for the December budget selection and for configuration of the same as needed by the Treasurer and Office Manager, authorizing office and volunteer staff to solicit shareholder written consent for online voting as soon as reasonably practical; and directing the Secretary to draft a statute compliant resolution on online voting for Board consideration during the November meeting, and for the Secretary to make the needed 14-day notification to the shareholders, and for the Secretary to execute the required 14-day notice affidavit required by Florida Statute 719.129(4).

On the motion to authorize funds for electronic voting for the December budget selection and to take the other actions as noted in the agenda. Motion made by Secretary Barber; seconded by President Joanne Collagan. All present in favor. **Motion passed.**

1.3 Presentation by Indigo Stuart (formerly Bridgeview) Representative: This month's presentation was made out-of-sequence at 10:30am by Billy Mitchell, on-site General Manager for Straticon, and accompanied by other personnel. Starting next week, the irrigation system on the Riverland side of the wall will be installed with the fence extension of the wall shortly afterwards. The two apartment buildings have been topped, but a six-week delay was experienced due to delivery issues with the truss supplier. In about three weeks a leasing trailer will be on-site and operational. The complex will now be operational in February and March of next year, and with the first move-in anticipated in March. The complex has now been renamed from the former Bridgeview name to Indigo Stuart.

5.3 Bylaws Committee: Currently terminates on November 1. The committee provided the Board with a status report on October 10 which also included several recommendations.

Motion to accept the recommendations of the Bylaws Committee as outlined in the committee's status report of October 10, 2022; and which were to direct the committee to continue efforts and extend the term of the committee to May 1, 2023, require a status report not later than the April 2023 board meeting and an estimate of when the work of the committee can be completed, and authorize the recruitment of an additional shareholder volunteer as a replacement for one committee member no longer able to participate.

On the motion to accept the recommends of the Bylaws Committee as noted in the agenda. Motion made by Secretary Don Barber; seconded by President Joanne Collagan. All present in favor. **Motion passed.**

Note: President Joanne Collagan recruited replacement volunteer shareholders (Jan Doyle, Lot 14; and Pat Deron, Lot 156) for this special committee on the spot making the recruitment of shareholders by the Secretary redundant. However, no discussion occurred on the matter of issuing an updated Board resolution to actually extend the term of this special committee.

5.4 Page Feeds: The Riverland Rules and Regulations currently starts each article immediately after the prior article. While reducing the sheets needed when printing a complete set, the lack of any extra space at the end of an article means even the simplest change or addition can result in a cascading effect affecting all following pages. Earlier 2022 changes have been squeezed in by the creative use of font sizes; there is a limit on just how much this can be done.

Motion to reformat the current Riverland Rules and Regulations by starting all articles on the next available odd-numbered page, replacing the current dual page numbering format with a single page number, and adding an 'Article XXI' at the end to serve as a record of approvals and changes.

On the motion to reformat the current Riverland Rules and Regulations as noted in the agenda. Motion made by Secretary Don Barber; seconded by President Joanne Collagan. All present in favor. **Motion passed.**

6 Shareholder Correspondence/Shareholder Comment

6.1 Shareholder correspondence to the Board of Directors

Agenda item for Shareholder correspondence to the Board of Directors received but not yet actioned and not related to any agenda item (Shareholder correspondence pertinent to a specific agenda item are reviewed as part of those agenda items). Shareholder correspondence received too late for inclusion in this portion of the agenda are retained for inclusion in the next agenda. Shareholder correspondence not requiring retention per Florida Statute 709-104(2)(a)14 and involving routine administrative matters addressed by Riverland staff is not included, even if addressed to the Board.

6.1.1 Frank "Bunky" Barstow, Lot 45, August 26:

Subject: Re: Defibrillator

Polly

Please forward my note to the board

"I would like the board to discuss purchasing a defibrillator and installing it in the clubhouse."

Bunky Barstow, Lot 45

The Board has considered this matter in years past but without action since the Martin County Fire Rescue Station 23 (4181 S Kanner Hwy, Stuart) is located just minutes away (0.6 miles). Additionally, Station 21 (3290 SW Mapp Rd, Palm City) is also located just 2.1 miles away.

Motion for a Board response to the shareholder consisting of: "The Board is in receipt of your communication of August 26. This item has been previously considered by the Board and the Board sees no value in revisiting this matter."

On the motion for a Board response to Shareholder Barstow as noted in the agenda. Motion made by President Joanne Collagan; seconded by Maintenance & Pool Director Cliff Wedel. President Joanne Collagan, Vice President Bill Sparks, Treasurer and Transfer Director Brenda Nolin, Compliance Director Jack Corliss, and Maintenance & Pool Director Cliff Wedel in favor; Secretary Don Barber opposed. **Motion Passed.**

6.1.2 Angela Souza, Lot 85, September 27:

Subject: Lot 84

To the board. I was told to try to take care of this on my own. Today after I finished doing this water barricade, to try to prevent any more damage to my property. The female homeowner came out yelling at me to get off her property and told me to file a complaint with the office if there's an issue. I tried to tell her calmly that I don't want there to be an issue I just want her to do it correctly. She insisted that you guys ask them to remove the original they had there and that they followed your instructions. I tried to advise her that not only did she not pull a permit for the gutters that she did not follow Martin county's engineering of having the water flow to the back of the property, and asked her to call them and they would let her know. Of course this

got her very upset and this is exactly why I did not want to have to deal with my neighbor to handle this. I've been trying to get the board to make this correct, but yet everybody keeps blowing me off. It doesn't matter that I'm getting a brand new unit what's going to happen when I do get that there's going to be a 3-ft puddle of water in between us, if I have my water draining the same way. As you know Martin County will not get involved when there is an association. Therefore this lies once again with the board to make this correct. You all have copies of the survey with the water showing the proper drainage but yet you're still insisting that it doesn't matter. Why?.have you not sent them that? I'm not comfortable with confronting them about this issue. Please resolve it.

Thank you
Angela Souza

Shareholder previously engaged the office staff on this matter and on August 19 was advised that "the Board discussed it and decided this is not a Board issue to be resolved."

Motion for a Board response to the shareholder consisting of: "The Board is in receipt of your communication of September 27. This matter was previously raised by you to the Riverland office on August 3 with a response provided on August 19. The Board sees no value in revisiting this matter."

On the motion to amend the motion by replacing the second and third sentence with the phrase "The Board sees no value in addressing this matter." Motion made by Secretary Don Barber; seconded by President Joanne Collagan. All present in favor. **Motion passed.**

On the motion as amended for a Board response to Shareholder Souza as noted in the agenda. Motion made by President Joanne Collagan; seconded by Compliance Director Jack Corliss. President Joanne Collagan, Vice President Bill Sparks, Treasurer and Transfer Director Brenda Nolin, Compliance Director Jack Corliss, and Maintenance & Pool Director Cliff Wedel in favor; Secretary Don Barber opposed. **Motion Passed.**

6.1.3 Vickie Schultz, Lot 19, October 5

Subject: Board of Directors / For the record

Rules and regulations

IX. Occupancy Fees, Permanent Residents and Short-Term Guests A. Occupancy Fee Board of Directors:

I believe last year this regulation was changed from a consecutive 30 day stay to the new figuration of (how many people visiting x how many days totaling 30 days = \$30.

In 2021 my husband and I spent a total of 12 weeks in Riverland (just so you know I originally sent an email to the bylaws committee and reported 10 weeks forgetting that we could not go home when we had planned for Christmas due to our daughter's boyfriend and family having Covid)my children and grandchildren visited a total of

83 days between April, May, and November. If I take the 83 days and divide it by 2(this representing my husband and myself) it adds another 6 weeks to our stay at Riverland totaling 18 weeks for all of 2021. That means for 34 weeks no water, sewer, amenities, etc. were used. I also believe at least one third of Riverland residents spend anywhere from 3, 6, to 8 months in different states. Therefore, again no water, sewer, amenities, etc. are used. I believe for this reason it lowers the monthly cost for all Riverland residents.

Upon arriving in November, we went to the office and paid \$100 for this new regulation. From a recent email from the Riverland office, I have been notified that as of that date 9/30 \$430 had been collected for this new change. \$100 coming from my husband and I. I would like to take this opportunity to ask that you consider reversing this regulation back to the original 30 days \$30 fee. Thanking you in advance.
Vickie Schultz, Lot 19

Some clarity is needed on the shareholder's rational for reverting the current Article IX.A to the former Article VII.A. An in-person discussion has been requested following the shareholder's return to Riverland on November 1.

Motion to defer discussion to the November 2022 board meeting to allow time for an in-person discussion with shareholder.

On the motion to defer discussion as noted in the agenda. Motion made by Secretary Don Barber; seconded by President Joanne Collagan. All present in favor. **Motion passed.**

6.2 Shareholder Comments: Comments made by Sharon Sperry (Lot 2); Tom Nolin (Lot 35), Sue Beurskens (Lot 75), Christine Wolff (Lot 129), John Ross (Lot 166), and Michael Perna (Lot 190).

The meeting adjourned without addressing agenda items 7-10.

11 Adjournment: Motion made to adjourn by President Joanne Collagan; seconded by Maintenance & Pool Director Cliff Wedel. President Joanne Collagan, Vice President Bill Sparks, Treasurer and Transfer Director Brenda Nolin, Compliance Director Jack Corliss, and Maintenance & Pool Director Cliff Wedel in favor; Secretary Don Barber opposed. **Motion Passed.**

3 Attachments

- 1 Roll Call – Board of Directors Meeting – October 21, 2022
- 2 Treasurer Reports – Board Meeting – October 21, 2022
- 3 Transfer Report for Board of Directors Meeting – October 21, 2022