

Save the Beach

...Riviera Beach that is!!!

WE CAN MAKE A DIFFERENCE! This is a democratic society, and we do have a vote on what happens to our community, so please continue your support and focus on the goals. The following is what this campaign stands for and wanted to share this with everyone. We firmly believe in delivering information...just the facts. Remember, we encourage you to call us with YOUR ideas and suggestions! Call Robynn Squires at 410-255-1223 or 410-736-2779.

“SAVE THE BEACH” mission statement: We encourage all residents to participate and be active in our community so that we can re-unite and operate a legal, ethical, and DEMOCRATIC community we can be proud of and to disburse all information and facts known so that, as residents, we can make **informed** votes.

Goal #1: To get control of RCIA encouraging residents to voice their desires on important issues

1. Determine whether we believe the current President of RCIA is representing the community's best interest (not meant to personally attack any one person, but this is the leader of the community who needs to be the role model for other board members, and this has not happened and trust has been lost due to betrayal)
 - a. Failure to discuss proposal of sale of community property with residents or other board members
 - b. Withholding sale of property from the remaining board and residents until **6 months after the sale**
 - c. Chose allegiance to Riverbea over residents of Riviera Beach (Should have given us opportunity to have fundraising or other ideas to raise money if needed, rather than sell community property)
 - d. Did not abide by established By-Laws, including voting, committee requirements, county rules
 - e. Liability to community...signed affidavit for the county that budget was submitted and approved according to our By-Laws which was untrue (no bids, illegal vote, improper committee)
 - f. Chose contractor for \$365,000 pond project without soliciting bids to analyze price to determine if other work could be done in the community with the tax money (Still have not seen a contract)
 - g. Not allowing members to join erosion committee when there were openings and By-Laws state "it shall be a goal of the association to have at least seven (7) committee members at all times"
 - h. Did not get out facts and information pertaining to community-no more "secret society"
2. Start to follow By-Laws and Roberts Rules of Order
 - a. Proper votes: By-Laws (Article III, Section 2), "Each household membership is entitled to one vote."
 - b. By-Laws state we must have an Erosion committee with certain duties
3. Establish a fair Erosion Advisory Committee that will follow RCIA By-Laws (About \$100,000 tax revenue/yr paid by residents on tax bill to be used on our community waterfront property for erosion control)
 - a. Research projects for level of priority concerning damage by erosion control
 - b. Solicit bids (for price and also qualifications), have open meetings, get resident input
 - c. Have Treasurer and President of RCIA sign off on all erosion expenditures, according to county rules (Has not been done in the past, they were signed by RCIA Pres. and Riverbea Pres.)
 - d. Get three bids on current pond project to be sure costs are in line (We are in the process of getting these bids and will share with entire community after we have received)
 - i. If we can complete the pond project much cheaper and efficiently and can use the money to improve other beach areas, consider, firing current contractor and hiring new one
 - ii. By-Laws (Article VII, Section 4) states that "all expenditures over \$500.00 must have three (3) written estimates."
4. Continue to investigate and be sure there are no criminal wrongdoings with RCIA to eliminate liability issues
 - a. Work with States Attorney, State Prosecutor, AA County Office of Law, and private lawyer
 - b. Verify if work done is in boundaries of shore erosion control district so we will not lose privileges
 - c. Define "erosion control" according to state critical area law to be sure current and future work is considered erosion control according to state definition
5. Review and evaluate current By-Laws, consider changes necessary to separate Riverbea and RCIA so that control of RCIA is in hands of RCIA (residents)
6. Re-vote on 2008-2009 Erosion budget, eliminating \$73,810 toward "emergency" fund...we have true erosion control issues that this money needs to be spent on (Can oppose at May council meeting also)
7. Continue to improve RCIA so that we can maintain hard-earned non-profit status
8. Appeal at the county, any and all, permits that might be applied for on the triangle community property

9. Research any possible grants for betterment of community property

Goal #2: Consider removal of Riverbea as trustee due to unfairness and dictatorship leadership (Failure as trustee)

1. Research where money from sale of community property is being held and how it is being spent
2. Pursue Riverbea to uphold requirements in original deed and Articles of Incorporation
3. Investigate possible criminal activity with attorney
4. Discuss options for proposed new trustee, possibly RCIA
5. Work with lawyer regarding sale of community property being reversed (injunction) and stop future sales
6. Community Yacht Club-Research legal issues and ways to serve entire community (RCIA in control???)

As the trustee of the land, we have the following Questions for Riverbea

1. Letter to residents stated that many realtors were contacted regarding sale of property, please name realtors.
2. Land was said to be sold for appraised value...who was appraiser and what is the date on the appraisal. We request a copy of the appraisal and the settlement sheet from the settlement of OUR community property.
3. We were given paperwork that we originally had 82 acres of land...how much do we own now? What has been sold since 1961 when Riverbea was deeded the land? Did Riviera Bea sell land to Lake Riviera, Inc.?
4. Who is on the current board of Riverbea, titles, how long have they been members, and their addresses?
5. What bank is the money from the sale of community property being held in escrow?
6. Are any board members being paid a salary?
7. How much will you be reimbursing RCIA for money paid on behalf of Riverbea with new funds?
8. Intentions of using the \$145,000.00 funds to serve the residents of the community according to the deed?

For your information: Pertinent information regarding Riverbea

Riverbea owns community property, **in trust**, according to Articles of Incorporation, which state a few important restrictions and duties that we believe are not being fulfilled:

1. "to provide for the use of said areas and the rights connected therewith for the benefit of the property owners and residents of Riviera Beach..."
2. "to make arrangements for the maintenance and use of said areas and facilities for the recreational and education benefit of the property owners and residents ..."
3. "To conduct its activities in such manner that no part of its income or corpus shall be used in any attempt whatsoever to carry on propaganda..."
4. "to employ such person or persons as may be necessary to carry out the purposes of the corporation.."

Riverbea is also obligated under the original deed dated 1961, which also states certain restrictions:

1. "the individual deeds for the lots shown on these respective plats have carried restrictions."
2. "...while at the same time giving to the individual property owners, the right to seek enforcement of various restrictions placed upon the individual lots,..." (We have right to seek enforcement for trustee to follow deed)

Requested information from RCIA Board

1. Solicited bids, Contract with Norris Construction, and recommended contractors for current pond project according to By-Laws (Article IX, Section 1)
2. Copies of receipts for materials used on pond project by Norris Construction (to date)
3. List of proposed new projects by priority, according to By-Laws (Article IX, Section 1)
4. Input received concerning erosion project from residents in June, July and August, according to By-Laws (Article IX, Section 1)
5. List of members on current Erosion Advisory Committee according to By-Laws (Article IX, Section 3)
6. When have open meetings occurred for erosion committee meetings and when are future meetings scheduled as required by By-Laws (Article X, Section 5)
7. Minutes of past Erosion Committee meetings (as it is a standing committee) By-Laws (Article V, Section 3)
8. Receipts from all erosion expenditures above \$500.00 to be given to Finance Committee at general Membership meeting as required by By-Laws (Article VIII, Section 4)
9. Copy of current violation reports on pond project-What is RCIA liability concerning law violations? Will contractor pay all fees associated with violations? Fines should be deducted from invoice #1 for \$66,080.
10. Explain how pond project went from \$200,000 in 2004 to \$385,000 now (Coincidentally, exactly the amount allocated...what about the other projects scheduled under this allocated amount? May need to change scope)

To accomplish these goals we need member participation. YOU need to vote on these important issues to bring this community back to life. Be sure to pay your dues so you can have a say. This is a GREAT community and deserves our efforts to revitalize the beach. So, please, **"HELP SAVE THE BEACH"**!



Years ago this was part of the newsletter given to homeowners to explain benefits of living in the community. Explained that certain areas are community property, but never explained it could be taken away at any time.

AS A RESIDENT OF RIVIERA BEACH

WHAT INTEREST DO YOU HAVE IN YOUR COMMUNITY?

You, as a resident in Riviera Beach, own 82 acres of community property consisting of walkways, bathing beaches, playground, pier and other areas, all of which are shown as the shaded areas on the map.

WHO MAINTAINS THIS PROPERTY FOR YOU?

Your property is maintained by your Improvement Association thru your membership dues.

WHAT PLANS DOES THE IMPROVEMENT ASSOCIATION HAVE FOR THIS COMMUNITY?

Your Improvement Association plans a general betterment as advocated by the membership.

HOW DO I BECOME A MEMBER OF THE IMPROVEMENT ASSOCIATION

You become a member by paying dues (\$5.00 per year for a family), and attending meetings held on the 3rd Tuesday of every month whenever possible.

WHAT ADDITIONAL BENEFITS DO I RECEIVE BY JOINING MY IMPROVEMENT ASSOCIATION?

You are assured of a large, united organization which can be instrumental in obtaining your community needs in Annapolis.

WHAT IS THE RIVERBEA CORPORATION?

The Riverbea Corporation is a perpetual organization, of which you are a part, incorporated to hold title to your community property.

DID YOU KNOW... that more than (400) parcels of property which are included in, and whose owners must contribute to the Erosion Budget, are not eligible for Association membership? As a result, their input to the budget process is severely limited. This has potential legal consequences regarding rights to adequate representation. No effort is underway to address this situation.

DID YOU KNOW.. that conversely, more than (50) parcels of property, whose owners are eligible for Association membership, are absent from and do not contribute to the Erosion Fund? Many of these homes are in critical areas, such as bordering Riviera Pond, where thousands of erosion dollars have been spent. Many of these excluded property owners are past or present community leaders, such as the current Association President and Board members of Riverbea Corporation. These properties have an assessed value of over \$5.3 million. No effort is currently underway to remedy this oversight.

DID YOU KNOW... that, in the absence of any guidelines, management of the Erosion Control budget is handled almost exclusively by the Association President and Treasurer? Participation by other members of the Board has been limited to tacit approval of the actual submittal to the County. Efforts to broaden Board participation in the process of identifying projects and seeking bids have failed.

DID YOU KNOW... that in recent years, (atleast the last three), the same marine contractor has been awarded every project funded under this budget? Documented evidence of any competitive bid or negotiation of any kind with this contractor has not been made available, even after repeated questioning and pressure from the Board.

DID YOU KNOW... that the President is arguably the most influential participant in the award process? By his own public admission, he has had work performed by the same contractor who has been the recipient of every Erosion Budget award. Furthermore, his own property, unfortunately, is excluded from the Erosion Fund. Should this not give rise to questions from the community concerning the absence of any rules, policies, guidelines or procedures for managing this Fund?

In summary, the Shore Erosion Budget, by virtue of sheer size and impact to the community should be priority #1 of this Association. Instead, it is managed by a significant few who prefer not to address these issues. Even worse, it is ignored by the rest of us who, through apathy or oversight, have accepted the status quo. The Erosion Budget process is fraught with serious shortcomings of practical, ethical and potentially legal consequence. This should not be blindly accepted by the residents of Riviera Beach, or by those non-residents who are mandated to contribute.

Erosion plan raises concerns

\$87,000 effort stirs debate over budget

By John A. Morris
Staff writer

An \$87,000 spending plan for the Riviera Beach Erosion Control District has sparked debate in the community over the budgeting process.

The Riviera Community Improvement Association ratified the plan Tuesday to install bulkheads and other erosion controls along Echo Drive, and Arundel and Carroll roads during the fiscal year that begins July 1. The steps leading to the Stoney Creek waterfront from Church Road also will be replaced.

However, several members of the board of directors said this week that the budget process may need to be overhauled to make it more equitable.

They have suggested the president invite more input from residents, require more competitive bids on work contracts, add a small number of exempt houses to the district's tax rolls and formulate rules to avoid any appearance of conflict of interest by association officers.

"The time has come for more participation and more disclosure," said Carl Hackmann, the corresponding secretary. "That erosion budget represents a significant chunk of change."

Nearly 1,400 homeowners in Riviera Beach, Surfside and Rock Creek Estates pay additional property taxes each year to maintain the shoreline between the Fort Smallwood Road bridge and Main Avenue.

The county collects the money, but has little control over how it is budgeted, said Carolyn Kirby, a



Workers wash rocks placed near the Riviera Beach shore to slow erosion. Area homeowners pay extra taxes to maintain the shoreline.

county budget analyst. The associations that govern the districts are not bound by county rules on competitive bidding or conflicts of interest.

County law only requires that residents be notified of the new budget by Dec. 31, that it be approved by the board of directors and be submitted for County Council approval by Jan. 31.

Riviera Beach has no rules of its own governing the erosion district,

either. Mr. Hackmann said. "That's why it's always been done so automatically. I guess," he said.

The call for change has rankled president Gene Hatfield, who drafted this year's erosion budget with the help of the marine contractor who will do the work. Mr. Hatfield said that he has not always met the county's deadlines and that he has hired the same contractor to do work on his personal property.

But Mr. Hatfield dismissed the concerns raised this week as a "personal vendetta" against him.

"You can't always obey the letter of the law," he said of the deadlines.

This year, the budget was delayed while the group waited for estimates to repair the damage caused by northeasterly storms in December, said Dan Piorowski, the association's vice president.

He praised Mr. Hatfield's efforts

in a "thankless job" over the last two years, but said he is among those who would like to see changes.

"I'm not condoning the way everything was done in the past because I think more people should be involved," said treasurer Tom Novak. "But I don't think we have two or three maniacal people saying this is the way things are going to be and ramming it down everyone's throat either."