



The Riverview Community Newsletter

A publication for and by the Riverview Community*. February, 2023

An informed community is an enriched community

Community Matters



A Valentine's day Riverview Coffee and Conversation: Tuesday, February 14, 2023, at 8:30 a.m, in the lobby. Bring your favorite cup and we'll fill it up!



Hosted by John and Louise Swink



RSVP if you will be the volunteer to bring tasty pastries or donuts for March or future months.

Please send email to RiverviewCommunityNews@gmail.com



Coffee and tasty pastries were ready and waiting for all to enjoy at 8:30 am on January 4th, thanks to Geri Kenyon and. DA Begley.

* This Newsletter is published by a volunteer committee of Riverview residents and owners, it is *not* a publication of the Riverview Board of Directors.

Board and Association Matters

- *Annual Meeting Postponed till 1 April, 2023!*
- *Next Board Meeting is Scheduled on Saturday, 11 February, time and agenda will be announced soon.*

Many residents are concerned about the way the Board has been addressing the water intrusion in the building. It is important for all owners to attend the meeting on 11 February.

The earlier Annual Meeting was scheduled on 28 Jan, 2023. However, the three versions of the ballots that were mailed and the validity of the final ballot were questioned by concerned owners. Some owners had not received their ballots. In response, our attorney was consulted and owners received email from our manager, Ms. Margaret Kennedy, with the following explanation: (Please see the attached complete email for more details)

- At the time of the “annual meeting of 2022 there were 4 directors’ positions open and only three people put intents to be on the board, Susan McSweeney, Griff Griffiths, Michael Palladino, which means they were automatically on the board for a 2-year term.”
- One Director resigned and April, 2022 and “according to the by-laws his term expires at the 2023 annual meeting.”
- “The Attorney has stated that there are 5 positions open for elections, 3 seats will be elected for a 2-year term and 2 seats will be for a 1-year term. This is determined by the 3 with the highest number of votes, would have the 2-year term and the other 2 would be elected for a 1-year term. This would allow for 4 positions for next year (2024) which would then get everything back in accordance with the by-laws of the association.” *

The by-laws of relevance to the email are (from the Blue Book, By-Laws section):

- (Section III, 2 (b)) "*Vacancies on the Board of Directors may be filled until the date of the next annual meeting by a favorable vote of the majority of the remaining Directors*".

Comment: No exceptions are noted. This by-law also applies to a Director who has resigned but has later returned to the Board; that Director’s term ends at the next Annual Meeting.

- (Section III, 3) "*The term of the Director shall be two (2) years. Three (3) Directors shall be elected in each odd-numbered year. Four (4) Directors shall be elected in each even- numbered year. Each Director shall hold office until the Annual Meeting of Members, when his term expires, and until his successor is elected and qualified or until he is removed in the manner elsewhere provided.*"

* Comment: At the Annual Meeting of 2022, three Directors were elected for a two-year term. Records show that one Director had resigned. There has been no official record of a resignation of any other Director. Hence, the two remaining Directors are presumed to be board members until the annual meeting in 2024. Hence there are five (5) positions open for election at the next Annual Meeting on 1 April, 2003. Should any other Director resign, that vacancy will be filled according to the By-law quoted above.

- *Meeting with the engineer who investigated the water intrusion during hurricane Ian*

On 24 January, Mr. Ali Mustafa, from General Engineering Solutions, summarized his conclusions of his investigation of the sources of water intrusion and answered questions. Board members, Ken Altergott, Jone Flanders (via zoom) and Griff Griffiths attended the meeting. While answering residents' questions, Mr. Mustafa noted the following:

- It is not uncommon to investigate only a part of a building and make an assessment that there is a systemic problem with the entire building that needs to be addressed. Hence, he did not visit all the apartments that had water intrusion.
- While improper window seals were a major source, other sources of water intrusion, which include cracks and other openings in the outer walls, were also evident.
- Over at least 10 years ago, the building was painted with an elastomeric paint, that is impermeable to water. While this paint prevents water from wetting the walls, it also keeps the cinderblocks walls from drying if there is water intrusion. Prolonged dampness can cause major damage to the building. *For this reason, he strongly recommended sealing all the windows from the outside and repainting the building as soon as possible.*

After Hurricane Ian, in some apartments, water intrusion has occurred even due to an ordinary thunderstorm. Residents are concerned that if the Board does not act quickly and follow the engineer's recommendations and start the work to waterproof the building, the building may incur more damage that will be expensive to remedy later.

Neighborhood and General Interest

City Council's Plan to Sell the City Hall to developers for the construction of high-rise condominium building.



At this time, three developers have submitted bids. The City Council has released the shown artist's rendering of how the downtown will be transformed with the construction of such towers. Many citizens of Bradenton are concerned such large towering buildings stifle our downtown and bring more traffic congestion; they are suggesting alternative plans. If built, these buildings will drastically change the character of downtown Bradenton and

eliminate an important public space.

It is important for the City Council to hear citizens views on such major changes. Public meetings are being held. Click the link for schedule and please attend these meetings.

: <https://cityofbradenton.com/index.asp?SEC=C2D8AF0F-DC72-4F55-BA9D-88EBF98E4136&DE=BA39B26E-C868-4C92-8BEA-1275A6748619>.

Riverview Association Annual Members Meeting

1 message

Margaret Kennedy <allflservices@yahoo.com>

Tue, Jan 24, 2023 at 8:39 PM

To: "allflservices@yahoo.com" <allflservices@yahoo.com>

Good evening

There have been a lot of questions regarding the annual members meeting and possible election of directors.

After going through much documentation, it appears that the annual meeting of 2022 there were 4 directors' positions open and only three people put intents to be on the board, Susan McSweeney, Griff Griffiths, Michael Palladino, which means they were automatically on the board for a 2-year term. All the members were in good standing and had their intents to be on the board submitted before the December 20, 2021, deadline. Their term on the board of directors ends at the annual meeting of 2024. Unfortunately, the annual meeting minutes from 2022 do not reflect all the above, which they should have. However, since Mike Palladino did resign in April and then came back to the board a few months later, according to the by-laws his term expires at the 2023 annual meeting.

With all of this information, I was authorized to send this to the Association Attorney, whose advice is to cancel the Annual Meeting scheduled for Saturday, January 28th, 2023 and start the process over, with a new 60-day notice, etc. This way there is clarification of how many board positions are open.

The Attorney has stated that there are 5 positions open for elections, 3 seats will be elected for a 2-year term and 2 seats will be for a 1-year term. This is determined by the 3 with the highest number of votes, would have the 2-year term and the other 2 would be elected for a 1-year term. This would allow for 4 positions for next year (2024) which would then get everything back in accordance with the by-laws of the association.

The Attorney will draft the notices of the meeting, the ballot, etc....

The board will schedule a meeting to vote to have electronic voting which will be monitored by the law office, for those who cannot do electronic voting, ballots will be submitted to the attorney's office.

The date will be announced by Friday once we know when the attorney can have everything ready to be sent out.

If you have any questions, please contact our office.