

Board of Trustees Talking Points SUMMARY for BOT Meeting November 23rd, 2024

GM: General Manager
S: Office Staff
TH: Town Hall

DNR: Department of Natural Resources
ERC: Employee Retention Credit
AICAB: Anderson Island Community Activities Board

OLD BUSINESS

1. Compliance Initiative – Propane/Vehicle Notices to go out 11-25-24

Section 7.11: *No fuel tank shall be located above ground on any Lot, except in accordance with Pierce County Regulations, unless screened from view. Friendly letters to go out to all membership with propane tanks that are not in compliance. The BOT has chosen abandoned vehicles and propane tank compliance issues. Violations for the propane tanks are not being screened from being visible to the street.*

2. NEW BUSINESS:

a. Motion 2024-11-01: Approve previous meeting minutes for 10/26/2024

Sonja moved, Jerry seconded, passes unanimously

b. Motion 2024-11-02: Approve Video Camera System Policy

Sonja moved, Deb seconded, passes unanimously

**State Rules are being followed; video and audio monitoring signs posted in all public areas with cameras. the policy will be posted on website. We installed three new cameras: three in the front office. One covers the ramp as you walk up to the doorway, the second covers the front office, and the third covers the hallway behind the front desk. These cameras will fall under the same policy as the Pro Shop. We can record audio and video -nothing is stored locally on anybody's personal devices, and it will be stored on the cloud with full access granted to management only. Cameras are very visible. A map of cameras is requested and taken under advisement.*

***So, these last few weeks, Andy has not only got all the cameras installed very nicely - no wires showing, he also installed all of the computers that we upgraded in the office. He also got all of them switched over and uploaded and everything within a couple weeks - so thank you Andy, for putting all that extra work in on the weekends to get that up and done for everybody.*

Jerry Bergman (02/004): Good morning and thanks for having people use the microphone when they talk from the audience. At a recent board meeting, the board was very specific to a question that I asked about the cameras that they didn't record audio and from the paperwork that was put out for this meeting along with the agenda, the talking points in there that there has been no audio and I just wonder how long that's been going on? I mean you guys specifically said that we weren't being recorded only video.

Chris: The board's awareness for the whole time up until we had that one video that came in with the golf issue last month, we were informed and no one knew that audio had been being recorded -even the staff didn't know until we requested the document -the video itself when the server provided us that video, that's when we discovered that audio is being recorded. And that's part of the software system that they have, there's nothing from the system, nothing in the books anything like that, that says it's being audio recorded -that's on the back end and so we discovered that.

Jerry B: I'll give you a specific example; can the golf manager or any manager that has access, record people when they're not at the location and can they listen to audio when they're not at the location?

Chris: No, the only way the audio comes in is if we download the video and view it separately. Molly has done the additional investigation.

Jerry B: Okay, I can tell you a specific example of it, if Molly's gonna speak, I'll speak about an incident I had with her this year. I came in and talked with a person that was working at the golf shop and had a conversation with them. A few days later I played in a golf tournament, and I came into pay and Molly specifically wanted to address all the concerns, she said that she was in the backroom, and I know she wasn't - I watched her walk down to the main office. I just kind of would like to specifics of since you guys are ready to vote on this and you know since I may have missed something. Maybe we should have some not only the cameras, but you should have some signage put up about it. Thank you.

Chris: Signs are up. Again, it's not illegal to record audio, we just weren't aware that audio was being recorded.

Jerry B: Is it okay for an employee of the Riviera to monitor recording when they're not at the location -when they're not working?

Chris: No, because you're trying to ask the question, I think what you're specifically asking is 'can somebody eavesdrop on a conversation or watch them remotely' the staff including Phil, will watch and check our locations remotely because of

security concerns or an alarm gets tripped, something like that, they can log in and check to see what's going on -that's why we have a cloud service.

Jerry B: I understand the general manager, that's his job and maybe the board, maybe it's their job but is it the job of other employees that are in charge of the golf shop or work in the golf shop or work in the restaurant or the manager of the restaurant?

Chris: Yeah, anybody with a manager title will have the ability to watch cameras -it's almost logical that they're watching what's going on.

Jerry B: So, they don't need to be at the location? They can monitor from wherever they want, if they're on duty or not then they can go back in?

Chris: That's what a cloud service is for - new technologies allow you to access it remotely.

Jerry B: You can go back and monitor each, you don't have to just do it in real time, you can pick and choose?

Jerry Hines: It's all recorded and available for 30 days and we've talked about extending that because we've had to use that occasionally for evidence. We have a few people who are currently 86'd from the restaurant and the video and audio recordings are part of the documentation that is filed when that happens. As well as statements from all the employees that were affected. So, it's just a part of the big picture.

Jerry B: Can I just ask one last question. I know I'm over my limit. Can I have access to all that stuff can any member have access to with the same thing so we can monitor and eavesdrop or not go back and see what was said?

Chris: No, so you can request anything you want from the office but you can't access the security footage. The Board has no access to this either.

Jerry B: I guess I'm not really clear on who has access.

Chris: Anyone with a Manager's title.

Molly: Pro Shop employees during the day -during their shift but not remotely. And I don't do that very often. As an example, Jerry, the other day I had a notification at 10:15pm that there was a person standing in front of the Pro Shop -and Phil almost got a phone call, but that person walked away but it was a person that was standing in front of the pro shop with a hoodie on and a backpack and for security reason, I just watched for a second when the notification hit my phone. When the camera records something - like when something like a cat or a deer or any movement, it sends it to the server in California is it will send a notification to who is logged on. It's just a security measure, in this case it was me and Phil, because we have access to the fee. So, I thought "well, that's sketchy but the person did leave within about 20 seconds was walking down the ramp, I think was throwing something in the garbage can after they got done.

But as far as the situation before between you and I -that was actually back in way back in July, and actually an employee came up to me and referred to some of the questions that you would have so it had nothing to do with the camera feed, whatsoever. But no, I don't sit on the camera -I don't think Phil sits on the camera, we might from time to time see something that looks unusual like at 7:30 on the golf course, maybe they haven't paid or something like that. And we can check that but that has been kind of eliminated with the cameras themselves. So, that's how the cameras work - it's a feed, you know nothing is stored on my personal phone at all. I literally just have an app on my phone and that app goes to a website, that website bounces off the data that's stored at the camera facility, like just like your ring doorbells or just like your other type of security systems. Or another type of security system is a feed; it has nothing to do with my phone whatsoever except for the app that's on my phone to be able to access real quickly and no you guys aren't that that exciting to watch.

Jerry B: I'm glad that that you could I know the truth about what took place then because that's not what you told me.

Chris: Remember when the fire dept got robbed? They were not getting notifications. All of our systems are linked to something so some manager is going to get a notification, so we can proactively raise your alarms do you have a lot of equipment here. The fire dept didn't have the linked notification system, which is what happened.

Peter Anderle 14/148: The video recording and whatnot- I know what the restaurant is an open public place and there's no reasonable expectation of privacy but up on the deck of the golf course, there's been a reasonable expectation of privacy for as long as it's been open. And now, just keep in mind that Washington state is two party consent state, if we don't have two party consent you can't do that, however, I'll leave that to the lawyers. But, in response, I do like the video the video camera's notifications being sent -keeping our community safe, but is there a log, an incident response saying who responded to it and what happened? That's a question for Phil.

Phil: I don't know I'll have to get back to you.

Peter: If there's a notification goes out if you're looking at security and I think Andy used to do all the responses to security incidents but not, however, if anybody else is responding to an incident, there should be a log in and a recording of those incidents so you can manage them better - to tune them down to tune them up as needed, but there should be some kind of policy about if you respond to something, it needs to be logged.

Chris: Incidents response, yes, we still have that in place, we just haven't used it.

Peter: You get the report once a month if there's any incident responses - OK and these notifications that go out for the video notifications, are those included in that incident response and if not they should be, if there's an investigation if somebody has to act on something -thank you for listening to me.

Chris: *The snack shop up there is actually a public place and the signage is changing to reflect the monitoring system.*

c. Motion 2024-11-03: Approve Member Discount at Lakeshore; beginning December 1st, 2024.

Sonja moved, Jerry seconded, passes unanimously

Discount doesn't cover events or alcohol. The discount applies to food only.

Jan Bolton: *Please explain to me how members will be identified. Are you going to ask for membership cards? And when do guests get the discount?*

Chris: *Membership cards will be required, and the discount only applies to the immediate family.*

Jan B: *And can your point-of-sale system now handle this? Does this apply to golf shop?*

Chris: *Yes, point of sale system can now handle this. No discount at the golf shop currently.*

Jerry Hines: *Quick comment on the restaurant thing, to put it in context a little bit we commend Phil tremendously on being able to make that happen. It took three or four months of discussion going back and forth to put this in effect, largely because there was concern from Phil and Angel in the rest of this, we have a number of factors involved #1)the paperwork and #2) the fact that they'll, of course, lose tip money if we drop the price. That's gonna be 10% out of their tips, so keep that in mind when you're tipping people and we have addressed some of that with the staff- they are getting a small raise, above minimum wage to cope with that. The big question is that Phil had been aiming for zero budget and been doing really well, coming close to that, but our feeling is that's never happened. Historically what the deficit has been, it's been at least \$75,000 and nine times been \$100 to \$200,000, I believe is that correct?*

Bill Quinn: *The restaurant is never made a profit and it's been as high as last year; I believe it was \$200,000. This year the report that I just got figured out was \$53,000, we had budgeted a \$15,000 loss, so we were not on budget. If I have a comment to make it all -we've always assumed in the budget that it would not make money and it was not anticipated it would make money for a number of reasons but our efforts have tried to make the restaurant as efficient as possible so that leads to the extent we can pay for the food and the labor and that the community would be willing to absorb the operating cost lights the heat the sewage to the cost to just keep the doors open, if you will and that typically runs \$100,000 a year. But we have made improvements over the last year, like I said we went from 200,000 to 53,000 loss, so there's been major improvements in the last year we're budgeted I believe \$40,000 loss this year. The point is that the restaurant the way it is just because of the island situation itself, with the lack of population and to draw on, unless we started charging twice as much money for food, we're getting you're never gonna make a profit. I guess we just all have to realize that as we do our budget every year, you're accepting the fact that you're gonna pay for a certain amount of the loss or the excess expenses to support the convenience of having this available to you and that's just built into the process.*

Jerry: *The point is that every amenity has a cost- the marina does, and we get very little return on that with on a lot of expense. The golf course does of course, and the restaurant always has and is expected to because it's an amenity that we contribute to. So, I think Phil's number on this is, that it's likely to cost us 40 or \$50,000 a year offered a 10% discount but they were aiming for a net or \$25,000 type loss and we think that a \$75,000 loss is perfectly acceptable for that amenity because it's historically quite low in the past and that's a lot less than it would be.*

Bill: *Since you asked for a comment, I'm a part of the budget committee and what we did last year I don't remember the 10% discount that we're providing. I don't remember that being factored into the budget. So, this kind of came out of the blue as far as I'm concerned. But you've already passed it but it just seems to me if I'm somebody who's paying for a vacant lot that never comes down here, asking to subsidize the people that do live here because essentially that's what you're doing, that's really not fair to me. But once again I did it just eventually boils down to as a member who resides on the island that could go to the restaurant and use it whenever he wants to, how much do I want to pay? And if you're talking about even a \$30,000 loss to 3000 members and it's worth \$10 to me after the support that restaurant yes. \$60,000 loss twice the amount. So yeah \$20 that's fine, but it's something that you just need again to make sure that the membership understands what it is that they're paying for. And I think the board and management, it is their responsibility to make sure it's just running not at a profit, that its run as efficiently as it possible. So, the amount that we have to support - as a member -it's as low as it could be,*

Jerry: *Don't let it sound like I'm picking on golf but in essence even at 75K it's probably half what the golf amenity costs for the average member and the same story if they're not here to play golf, etc....*

Bill: *Well to put that in perspective, the golf course loses over \$100,000 every year.*

Chris: *Campground and Marina- they're losing too. These are amenities and we contribute to amenities and it's correct we agreed to overall and we're gonna be honest parks make nothing but yeah, we spend a lot of money every year on the park.*

Bill: *Right, well but again when you bought into this place, you realize there was a cost to the owner to support the amenities and it wasn't like anybody hit the golf course from you. The restaurant, parks, you also understood when you bought in you became an owner in real estate.*

3. **Schedule of Board Meetings and Town Halls:**

1. November 23rd at 10:00am (moved) – Town Hall (Open Talk, Election Paperwork)
2. December 28th No Meeting, Merry Christmas
3. January 25th at 10:00am – Town Hall (no topic yet, Open Talk)
4. February 22nd at 10:00am
5. March 29th at 10:00am – Town Hall (no topic yet, Open Talk)
6. April 26th at 10:00
7. May 31st at 10:00 – Town Hall (Six Month Budget Review)
8. June 28th at 10:00
9. July 26th at 10:00 – Special Membership Meeting Vote on Governing Documents
10. August 30th at 10:00
11. September 27th at 10:00 (Annual Member Meeting)

4. **Report on Committees and Amenities: Dan Morgan, Molly Miller**

ACC, Forestry, Compliance & Lakes reports by Community Development Manager, Dan Morgan

ACC: *Eight new permits issued, four of them Site Development. 41 Site Development total. Four permits closed, one for Site Development. A reminder of members with active projects that have gone past the expiration date and maybe you forgot that you had a permit, please request a final inspection and we can get that closed and possibly refund. If you have not finished your project, in some cases, we have some site developments that are taking longer than they should. Please keep working to finish and contact us as soon as you are ready for final approval and we can close those permits.*

Forestry: Two emergency permits, ½ dozen cases members are connecting to address concerns. The permitting process is very easy for emergency tree removal.

Lakes: *Quiet time for the lakes, water clarity and condition, levels are excellent, normal levels for this time of year. There has been a Rigerio muck system in Pine Lake for about a month, looking forward to seeing some results there.*

Compliance: *Steady month so far. Just over a dozen minor issues resolved. Finishing projects and project cleanup is priority. Again, road safety: this is that time of year where visibility is difficult, roads may be slick so remember road safety as we have a lot of people walking: Once again and I'm going to keep saying this every meeting, please remember that members are responsible for their guests. Please help guests understand where they are and that we have rules and that we are preserving an amazing community.*

Sonja: *With the recent windstorm, I've noticed there's a lot of areas that have debris on the road and there are areas where people are seasonal -there's a whole lot of things going on with their property. How do we handle that?*

Dan: *We don't necessarily like to give that answer but it is up to the county. And let's say that as formal as their processes for reporting are, we can try I can try for people within our community. And we can try to possibly move ourselves up on the schedule for the cleanup and things like that but in terms of like major you know major trees in the road the fire department may be able to help. It's not necessarily that we can do something about it but don't be afraid to call and let us know we might be able to pass the information on to the right people so we're not necessarily be the ones out there clearing it in the end but we might be able to help. I speak regularly with the county but the thing is going into six months or a year, they have a schedule so they're essentially booked and we can get in their ears, and we can try to get moved up on that schedule, but it's not as simple as getting them to respond to us. They have more of a routine schedule.*

Chris: *I've had the same conversation about the parking lot at the ferry -grass/weeds/bushes get cut 3x a year, before it was just cut once a year. We're working on them with the dispatch and how they cut it.*

Dan: *I can tell you if we don't see them before February we are on the schedule for February. And then one last thing about the video camera system policy. I invite people to actually read the policy because it will lay out the purpose, scope and then the access and the usage of all that. We have set parameters for ourselves here to follow and I invite anyone to come down and discuss it more because this is supposed to be an aid for safety and for improvement, it's not supposed to be anything nefarious.*

Jan B: *And, I have actually two questions the first one is that we saw you at the last meeting in October and we told you that we were finished with our project and we expected to get a notification from you saying that you had actually finalized our permit process and that it had been inspected. We had we saw Don in the street, who was a member of the ACC and he says 'oh I'm sure I'll get that notification to go look at your property' but so far we have not gotten anything from you to say that yes, our project was actually finalized and it's been over a month since we told you it was done, so when could we expect that?*

Dan: *That was finished Nov 20th, and I suspect perhaps, I emailed the letter to the wrong e-mail but that's something I'll clear up with you right after this meeting. You did go in front of the AC on the 20th, and you were given final approval so the permit is closed, and I will follow up.*

Jan B: *OK, that's great because it's nice to make sure that we are indeed finished and compliant.*

The other one was that I continue to see a for-sale signs on lots all over Riviera. That is against our covenant. There is not to be a for-sale sign or any other nonpolitical sign, work sign or anything else on lots so, for example there's one on like Joe that I'm sure you drive by whenever you're there it's 106 and or the other side. I want to know that the board is actively helping people to be aware that they can't put a for-sale sign on a lot.

Chris: I'm sure you've heard it said, several times, that anything that's in the easement we can no longer address.

Jan: They are not in the easement; they're on the lot -that's what I'm telling you.

Chris: Thank you, Janice, we will look into it.

Jerry H: It's a difficult problem because our island realtors are not happy about that because they are disadvantaged but we can't take them down.

Chris: We've sent notices to a couple of offenders. When we take them down, it is considered theft.

Jan B: I will just say this, in today's world most people understand that most everything is online. So, I could see that maybe, Jerry, back in the day that might have been the case that you could put a for-sale sign on the lot. But today most people know what's going on.

Our covenants say that temporary signs, for the purpose of the sale of a home or a garage sale less than 4 square feet is permitted for the length of the sale. Where Jan does have a point is that they are not permitted on undeveloped lots. So, yes, we are on that and we do care about this. I do contact those Realtors and urge them to remove those signs and what we do because you're right, that so much is online but when you're looking and you do get to the actual street, you may need to find an undeveloped lot in a run of undeveloped lots. We ask the realtor to do what we all do, go through the fire department, and get the blue address post and identify your lot that way.

Jan: OK, great yeah, that's a good idea, Dan.

Golf & Grounds report by Pro Shop Manager, Molly Miller

New hours M-W 10am to 3pm (since changed to 2pm) Th-S 9am to 4pm. We might close occasionally if it's super windy super stormy – so you might want to call first but will always be open until 3 for sure. Revenue is down a little bit this month but we're still on track to do better than last year at this time for the first two months. Candy's crew is out tirelessly blowing greens with all this wind. Those guys are like perma- backpacks with blowers. So, if you're out on the golf course make sure you give him a big thank you. Again, a reminder to use the online booking system as much as you can or call for tee-times. Also make sure that you check in because we do track each round. That way at the end of the month we know how many played.

Gift cards are now available for the goffer in your life. So, you can come in and get gift cards instead of the paper gift certificates that we used to have. And they are rechargeable. M

Make sure you get your membership card to get that member price. The last thing is Stella Rosa is still on sale at \$10a case. I sold 22 cases yesterday. Anyway, the good thing is, the good thing is that I did reach out to Stella Rosa winery down in LA, and I talked to the manager - just to make sure I wasn't selling poisoned Stella Rosa. Because that was a little bit concerned; I've been here a year and they've been there a year. They are good for five more years -checked all of the lot numbers and they verified to me yesterday that everything was good to go. Happy Thanksgiving from the Pro Shop!

Jan B: Molly, thanks for talking about the golf shop. It's always nice to hear what's going on with the golf shop. The one thing that I'm concerned about is that we were told last fall, I think it was the August meeting or the December meeting, that was that money was tight in the Riviera and that we were struggling to make ends meet. And that's one of the reasons why we didn't end up having a picnic. The reason that I'm mentioning that is that now we've expanded the hours, and we've never had the golf shop open all winter long during the week. So, I'm asking for the specifics. It would be really nice to have real statistics on who's actually golfing. We still do not know how many people have annual passes that golf every day, how many people have snowbirds golfing in the snowbird time. How many members -adult members or how many adult nonmembers, and then how many kids? Because I'd really like to be able to understand; is it just the people that have annual passes that golf in the wintertime? And in the summer, how much? What's our return on our investment in having full-time employee basically down at the golf shop? If there's something that I'm not aware of that I'm missing, I just know that when we go up there to golf most of the time it's the same people, we see all the time during those hours. So, I think from a budget point of view, if money is really truly that tight and that that whatever what is the purpose of the golf shop being open -how much revenue are we generating; not just how many golfers are going through? Because many of them are already annual passes but I think it's important and I guess my point to the board would be that any discussion on the golf shop and it's actual rate of return would be to identify those specifics about annual and snowbird rounds of golf versus adult member and adult nonmember because I'd sure like to know that we have 10 non-Riviera members golfing a week or do we have 500. I mean that makes a difference to how we approach the golf shop and because we're all interested, we'd like to know.

Chris: Thank you Janice - the rule about this, to clarify your questions, because you had multiple questions and thoughts in that region, write that question down or all your questions and submit them to the office or the board.

Jan B: I have already written them down and I will forward them.

5. GM REPORT:

Restaurant report by General Manager, Phil Ronning

Happy Thanksgiving and sad Thanksgiving, we've had a couple of dear members pass away this week, and I think a moment of silence and reflection about what's really important is appropriate. Thank you. The restaurant is (as we have discussed) an amenity and we provide this amenity through our assessments for the restaurant to keep it open even when volume and visits are down. During the summer we count on an active busy restaurant and that indeed was the case in July and August. If we look at those months, we revenues exceeded expenses by more than \$14,500. So, things have really turned around at the restaurant but the nature of that business is such that last month we lost \$12,000. And that is keeping within historical averages. So, we anticipate losing money during fall and winter and spring, but our intent is to keep those losses at a minimum. Taking 10% of the member food sales going away is going to provide an additional challenge for the restaurant, to minimize losses but Angel is doing a bang-up job as well as the rest of the staff there. Keeping the restaurant open will be revisited from time to time but the current thinking is that instead of closing on Monday and Tuesday, we ask we'll keep the place open to serve our members and if you have any thoughts on that, please let me know.

Chris: We've talked about this being acceptable loss. We came up this also couple years ago, we said there's an acceptable loss by keeping the restaurant open for those two days but one of the things we want to highlight is that the restaurant management and other people have attributed events on those days, like Monday Trivia Night, so that it was like \$480 loss every day they were open, that helped cover that cost and I believe Tuesday's Kitt Bender. So, Tuesday nights were the weakest but they end up adding activity and it has helped offset that loss.

Phil: Minimize the loss and we have thoughts for additional activities in the future. One of our members suggested that we have a Tupperware night from time to time. That was their idea and I don't think that it would be weekly but it's an idea for events in the restaurant. We also installed blinds. I don't know if you've noticed them, they will help with acoustics and help when it's very warm to keep the temperature down and when it's very cold to keep the temperature up.

And if you look at benches scattered throughout the property, the buildings crew has set out to replace all of the wood on the benches and they are very attractive. There's one on the way down to the restaurant where you can see what improvement with the fresh new wood.

The time of year causes problems with trees falling. We don't take trees down that are on the road, that's the county and the fire department's responsibility. We do have trees coming down regularly in places like the campground and that's an expense that we have included in the budget but there are years when that amount could be very significant like last year you may remember that we had a tree that was threatening power lines at the marina. This was going to be a \$20,000 cost that fortunately in discussions with General Electric, they agreed that it was their problem not ours, so they took this tree down and saved us \$20,000. It's been mentioned by Molly that the grounds crew is all over the pine needles and the falling debris across the golf course but if you look at our parking lots and our drives, they're also constantly blowing. Leaves are a major problem for the grounds department. I think we're almost through that season though are we not most leaves are down by now and each year we have rented a sweeper to sweep drives, etc. We decided that that was costing us significant rental costs every year, so we have purchased a sweeper to go on the front of the bobcat, which will help with the number of activities including the removal of leaves or pine needles and so on. But we're also going to address the gully in the middle of Interlachen Park on the lakeside. We can use this to clean that out and make it so more water passes through Lake Florence & Josephine. We're also in discussions with the County to take that out completely and install the pipe so that water will flow and that ditch will no longer be a hazard for folks using Interlachen Park.

Last week we completed our annual insurance renewal process. We found all of our insurance policies and we were anticipating as much as a 20% increase in insurance premiums. You may recognize the fact that the insurance industry is under serious threat from natural disasters. A couple of years ago it was the condominium that fell in Florida that collapsed in Florida, wildfires in California, etc. So, we feel fortunate that our insurance premiums went up only 8% this year and now we're fully covered.

Every year at the Marina we take the floats off the Marina and stack them up in the Marina parking lot, which is a considerable effort for the for everybody in the grounds and buildings departments and it's a huge day long process, and then it's reversed in March when they put the floats back up. It was discovered this year that many of the floats need some serious repair. We're probably five years out from having to replace them completely. We've leased the space for the Marina from the Department of Natural Resources and they've been asked to approve the repair. Remember we used to talk about the replacement of the launch ramp at the Marina - I challenged that and said 'why are we replacing' it. We learned that nobody told us to replace the ramp - it was a decision made by the previous management. When I talked to DNR they said no repair might be an option, so we will be repairing the launch ramp rather than replacing it. It is still going to be a very expensive proposition and we're awaiting final approval from the DNR for our plan to repair the launch rather than replace it. But this is an amazingly complex process that speaks to of the complexity of regulations because number of agencies are involved in granting approval to

replace or repair that launch ramp, including the Army core of Engineers and others both state and federal agencies. We're not waiting for DNR to approve our final plan, the DNR has also approved our preliminary request to expand the Marina. We want to expand the Marina but we've had conversations with the Fire Department and the County regarding the need for the Sheriff's Department and the Fire Department to station permanent watercraft at our Marina, which they're not able to do presently because of the wave action in the winter. The wave action in the winter is such that you really can't leave a boat on moored at the Marina. We can't leave our floats out there because of the wave action, and our floats are wooden. That's why they've been in constant repair and soon replacement. Preliminary discussions with the county and the Fire Department have suggested that the Department of Homeland Security may have funds available to help install a breakwater and expand the Marina. The breakwater would ease the strain on floats. We're considering pursuing that and if that comes to fruition this is going to be a long-term process because again, there are many agencies that would be involved in this. I don't know what the likelihood is that we would be able to secure the funding for that to occur, but it would certainly help us as HOA to sustain and improve the Marina in the future.

Have any of you heard of the employee retention credit program sponsored by the federal government following COVID? Well, it's a program that the IRS will reward employers that stayed open and kept employees employed during COVID. I applied for the Employee Retention Credit (ERC) in August of 2021, so it's been two years a year ago. The IRS suspended activity on the ERC program, and they stopped processing claims that were submitted prior to September 15th of two years ago. We submitted it in July of that year, so our claim was still being processed. We have not heard and there's no way to check on the status of our refund request, but I see no reason that this refund request won't be approved. If it is, we will receive from the IRS an amount upwards of \$400,000. I was hoping to be able to tell you we got it. So, I want you to say a little prayer for the IRS that they will process our application, and well it's no longer in a timely fashion, but that would be a huge benefit to us. I'll keep you posted on that as we learn more.

Darrel Beck 08/046: This \$400,000 if it comes where is it going to go?

Phil: The BOT would have to consider that but I wouldn't recommend it going to reserves.

Joanne Metler 02/034: I want to say first and foremost, Phil, to all the Riv staff and the board, thank you - thank you - thank you thank you! That's top of the list there. As far as the cameras are concerned, I'm late to the party here because I haven't been keeping up, sorry about - that but I'll just say I'm glad to have them! I mean if people are doing what they're supposed to do which is what they should do, they shouldn't be a problem. That's my two cents. Lastly, one little thing - I think across from Interlachen, there's that parking area adjacent to the restroom, I noticed the blocks and that looks very nice. I suggest we put a sign there so that folks realize that is also a car park for members - just a thought, that's all I have thank you very much.

Jan B 08/087: Phil, you kind of tossed out there about expanding the Marina but no details and I'm not aware. I missed it I'm sorry but what is in your mind or the board's mind or what is that phrase entail? Could you please expand on your expanding Marina -what are you looking to do?

Phil: The Marina during the summer is at maximum capacity. As the Riviera grows, there's likely going to be an increased demand for moorage space at the Marina. We have no way to accommodate additional members in the future but the only way I think that membership would be approved, and expansion is if it was done in conjunction with a grant from someone. In my research into grant money, I've found that it's rare for agencies that have the money to fund Marina grants, will grant it to a private party. They will consider grants to public agents and conversations with the Fire Department, there is some interest as I said, the location at the Marina to house fire watercraft on a permanent or semi-permanent basis, there's also some interest on the part of the Sheriff's Department to house a boat as well, these are not undertakings that we would consider independently or individually. It would only be done in conjunction with the Fire Department, Sheriff's Department, Pierce County and possibly Homeland Defense. We have been told to in the last two weeks that Homeland Defense is constantly looking for places to park and observe in these areas and waterways, Federal waterways, and there may be an interest on the part of Homeland Security participating in creating a facility for them to man - a in crisis - a lookout, if you will. We've had no conversations other than with ourselves and the Fire Department. The first step in that process was to determine whether or not the DNR would consider such, before we invested any staff time in pursuing this. In the last two weeks we've got word from DNR that they would consider expanding footprint - these kind of activities -but we're months away.

Chris: So, one of the things we did we talk about - about a year and a half ago, is that we have to put a break away there and that it would allow us to double the amount of the space we have in the Marina and also make it a full time marina, so we wouldn't have to pull the floats. It would have up to three separate vessels for Homeland Security, Fire Department and for the Police Department on top of that the grant is the only way this works. It would have to cover adjusting the whole Marina, fixing the road -reinforcing the road and it's a whole project but there's only this is the one option to use federal grant money to do this - it's fantastic and going to save us hundreds of thousands of dollars in repairs, anyways, that's worth looking at. So that's what we were talking about, but again, like you said -we have to wait for the State, and this is gonna be probably another year process- at this point rules of the road and grant process.

Jan B: *I think as a member I'm going to say that this is quite big huge undertaking and would require a lot of membership input before you would move forward with any government agency because if you really stop and think about it if you're gonna have boats housed there, they're also going to need places to stay and they are not going to be in the Riviera. It just creates a whole number of huge actual things that membership may not choose to want to get involved in. Because we understand that this kind of and my statement...*

Chris: *No, actually Janice, this isn't the time for statements – it is the time for questions.*

Jan B: *I'm asking a question -my question specifically is so how would, Chris you mentioned that this would take a year and then you would start the grants process, and what I didn't hear so maybe you can maybe you can illuminate me, on what the plan is by the board would be to bring this to membership so membership could have a chance to weigh in before you move forward?*

Chris: *The board doesn't have a plan; this is the GM's job.*

Jan B: *I think if you're gonna commit membership resources, it absolutely is worth membership having input.*

Jerry H: *This has not been budgeted yet for that reason; it's a huge number we're talking about -a half million dollars at least for needed repairs and so forth in the next few years. We haven't put that in because we know we cannot afford it ourselves and if Phil can put together a partnership, it could happen otherwise we could lose Marina at some point -because the long term we're looking at millions.*

Chris: *So, Janice, with membership feedback and we've had a lot of membership feedback, this has been talked about for quite a while now. We've been waiting for this update from the state and so although this comes out with the GM's purview, the board is still watching and until it gets to the point where we can have discussions and get a vote out, we already have it as part of the survey questions. So, until we have more feedback from membership, we're not there yet. We're a way out this could be two years down the road we don't know it's slow when dealing with grants -it's slow-at least two years possibly five and the membership could change between now and then.*

6. BOT REPORT: Talking Points and Trackable Items

- a. On the back of the agenda, you'll see there was one error: there are 18 Associate Members not 17.
- b. Update on the Verizon tower; we should have an update within two weeks.
- c. *One thing I want to stress is the roads. A question came up "what can the RCC do about the roads on AI? This volunteer board is responsible for the HOA. We do try and help the island when it is possible. The Riviera does care about the safety and welfare of the island and of the world but we're not the ones that take care of that. Yes, I worked on it personally and I'm reporting it because it's just easy for me to do. I'm on computers all day long, but AICAB is the organization that members need to start showing up for. Start speaking about your views there when you want something to affect the island, the ferry, whatever because they have a direct connection with the county. We don't. We've formed some relationships with people in the county but as far as getting something done you want roads anything. When we've gone to the last couple of meetings, it's only been the GM and me -that's it no one else is showing up. I ask people to voice your concerns that are affected - we can only do so much.*

AICAB meets every quarter on the second Tuesday of January, April, July, October at 7pm – American Legion Community Center. Visit <https://www.aicab.org> for more info.

7. Members' Comments:

Bill Quinn 08/131: *In response to the question of how long a member has to be behind in his dues before the legal action could take place. That's specified in our Bylaws and without looking at it right now, I'm reading it out what I remember is that you are delinquent after 30 days. At which time, the office will notify you that you're in delinquency. I believe the next cutoff is 90 days at which time if you're still delinquent, 90 days forward and again, our bylaws which everybody gets a copy of, is now subject to having a lien filed on their property that will be sent to them to that effect.*

Chris: *We actually have a discrepancy because by following that, we actually have members that come in regularly at 120 days and pay every quarter on their own and that's where we have another category. We want to get clarification from Christine, like what are we actually doing versus what the bylaws. We haven't had an update from our lawyers. I'll get a report and if you look at the KPI, that's something we highlighted. Don't be startled by the KPI report where you look at it again where we show members over 120 days, right that's down to 27, but you saw the jump of members delinquent at Sept., that's part of the year, we're always high the first couple of months with users or supposed to be added and then it starts going down so. We're still pushing down 120-day category - those are the high-risk members that we're trying to work on. Bill, you're right just trying to get clarification what's written what's actual though, because I'd rather be truthful than what we assume is being done. 120 days because the amount of money that was being spent on going after people after 60 days and 90 days was just costing us more money and when you have members that aren't living here, they're like "oh I just pay it quarterly." People that live within the Riv full-time - they're just paying what they want to pay. As long as they're paid by the end of year, there's nothing we do unless we take it to court. They don't need the membership part and so once they've heard that- we're like OK let's divide this up where we have 120 days let's see who's actually delinquent and then let's make sure that we're not wasting membership money on people that have a payment history of coming in and paying every quarter or whatever it is was. When Christine is back with, we'll have an answer and explanation.*

Jane Evans 07/032: Referencing the Talking Points regarding the ongoing issues with the golf course or perceived issues, I wanted to address an ongoing concern regarding the role of the board and the overstepping of board. Robert's Rules by definition: a board of directors has three basic functions 1) to hire and evaluate the executive officers, 2) establish a policy based governance system that provides direction for the organization as well as legal fiduciary responsibilities, it is not nor ever a part of a board function to insert itself into the daily workings of departments, superseding decisions made by the professional staff hired to run those departments. And that insertion, especially as it in the golf situation, the board allowed fivesomes and it's now addressing the issue of sevensomes and that has resulted in a hostile work environment. We have, since April, been spending board more time yielding time to a very small group of people that don't want to follow rules and norms, and continue to harass, through less than veiled comments about cameras, alleged conversations, work hours, etc. You guys have set a precedent and my question is then, given the set precedent set by now, two compositions of the board, where does it stop? If I get a group of people who want to Ruben made in a specific way or don't like what night karaoke is, can I harangue and harass Angel till I get my way? Or if I don't like what time the maintenance group blows off the golf course, do I harass Candy and talk about her at public meetings? And then keep up a campaign until I get my times changed? I know it sounds silly but the precedents set by this board, putting themselves into the daily workings of some of our departments, has set a precedence that has allowed the harassment to go on. Personnel issues and the private lives of individuals are not nor ever should be part of a public meeting. We've all been witness to it, meeting after meeting including today. I'm sure I'd be speaking for most members and that I don't want my dues to have to pay for attorneys because the board continued to overstep and set a hostile work environment. I would also probably speak for most members who say we are done talking about golf and the golf course and letting the professionals do their jobs in a positive and harassment-free environment. Simply play there or not, that's it. If you don't like it, don't play. Personally, I'd love to hear a report for our group that's doing work around supporting Islanders with medical and mental health services or what the archives is doing or some other positive work that supports our community. I do appreciate the time spent serving on the board and I've been on both local and state boards, and I've been an executive director myself. I would, however, strongly encourage Phil and the board to hire a trainer to work with the board on function, responsibilities, rules of public meetings and how to handle those that have their own personal agenda. The president is setting the precedent, you set by putting yourselves into the specific departments and superseding decisions made by the hired management. It's setting yourself up, so I believe the work of the board can only become stronger with a better sense of duties and tools to serve our community with some specific training. Thank you

Chris: *So, one thing you left out as part of the responsibility of the board is to set the policies in place and amenities. So, the Board is responsible for how companies are using how people use it, which falls into making up the rules for each amenity including the golf course, which is based off feedback from the members. So, when members came back with feedback about how golf could be used, and their amenities were used. It goes back on the board then to decide how those amenities is and reinforce the rules there. So, when you said we don't get involved with that, we do get involved, that's part of our mandate in our current government documents. The second thing we talked about is transparency, and Roberts rules and the transparency all had to go through the class transparency was every piece of information in this that we received, as a board, as public information. One of the problems we faced early on was the secret documents that were going back and forth in the back that membership was never aware of. So, one thing that Robert's rules allow us to do, is to hold membership accountable by making that public when we have actual documented information. When a member submits a question to the board, that board then can make that information public to everybody. We cannot withhold it and, in the past, members did not realize their voice wasn't being heard. One member may have an opinion, and they would say 'I speak for everybody' but once we started making things public, we found out that was just the loudest voice that wasn't the most common voice. That helped us move past some of the issues. Yes, we do talk about golf a lot because there's a lot of passion for golf and a lot of people who contribute to this community are golfers. And because we have these discussions, so because we go back forth with these discussions, we share this information publicly, and we try to leave things out, like this was heresy. With the state laws, which is something that HOA's historically forget, is that employees, members, everybody are still responsible to follow the state laws, which before a couple years ago, no one even mentioned that RCW. I understand what you're saying but unless you can e-mail us a specific situation where you feel the board has overstepped a certain rule, I would have to disagree with your statement.*

Jane: *I appreciate your disagreement. I would say that based on what we have witnessed at board meetings that the board has allowed public bashing of employees and that is never the function of a board meeting. It is simply not; it is setting you guys up for harassment and you have a recorded document. You have professionals in the maintenance department, you have professionals in the restaurant and yes at the golf course that are hired to run those departments. You don't tell Angel how many staff members to have or that five plates must go out at a time -you have a hired professional who has said, here's what here's what the norm, here is what the USDA says. Yep, yet people are allowed to do it because they have had loud complaints and at board meetings, these things they're allowed to do, things that aren't within the rules and norms and*

Chris: *Would be great for you to write these concerns down and subject to the board - use it samples of their concerns.*

Jane: *Okay, the fivesomes and sevensomes are a perfect example, and that was that's been brought up at board meetings so that's public knowledge.*

Chris: *Fivesomes and sevensomes actually fall underneath the board approving it. It was a concern that was brought back from the GM, brought back by membership to the board.*

Jane: *I would beg to differ because it is not. I've been part of golf leagues; golf associations and it is not. That's the manager of the golf course and following USGA and golf nor, I'll be happy to submit.*

Jerry Hines: *I had a question about the perspective here that you're looking at there. In my mind it seems like we've been seen supporting the managers, stepping in where necessary to give them the latitude to do what they need to do. Not trying to steer the ship but trying to protect them from harassment I don't see how we could have caused it.*

Jane: *I appreciate your perspective; I don't see how I appreciate your perspective mine is different because by allowing a very small group of people to basic hijack every board meeting since April. I hear support for the golf staff but the actions have been different, that's what I'm pointing out.*

Andy Knudson 07/150: *The restaurant put on Veteran's Day luncheon for American Legion members, we had 63 people there and the food was outstanding! OK simply outstanding wanted to comment on that.*

Ron Postma 17/172: *The only question I have is, we've moved permanently in August and have been coming to the island for 40 years -when will we get to see the whole board at a board meeting?*

Chris: *We had one member visiting family and another member with a severe injury and she may be out for a couple months; she's on zoom.*

Ron: *Because we've been coming to the meeting since August and it's never been a full board contingent. Any possibility for a full board?*

Chris: *Yeah, we know. Both members are on Zoom.*

Darrell Beck 08/046: *There was supposed to be, from my information, somebody here that was gonna speak as a guest about some things that he thought was wrong. After I found out this I started thinking to myself. After 20 years in the Navy, I think everybody should have a right to speak but not somebody who's not a member of the Riviera. If they're gonna complain about whatever, they can come in if they public hearing, but at our meetings they shouldn't be here. I had a speech already for him when he got done, "I said OK you had to speak now you are trespasser get off my property." I know the board was thinking about doing it and they had good reason to but I just don't think it's right. Thank you.*

Chris: *So, what he's talking about is there is a guest of a member who has been in the Riviera amenities for three years, I think and this guest has brought about a private lawsuit versus a couple people. I haven't gotten mine yet but one of our employees has a private lawsuit that went to the pretrial hearing. This person has he showed up and rented or he bought a camper on the day of the campground got his two weeks from his guest and I can't go too much into but it basically it took us a long time to deal with this and this guest has violated other things too. Now it's been talked about trespassing him anyways, because he's constantly harassing employees and he's very disgruntled. There was also a thought, just let it be as a guest speaker and he could come and speak his mind so everybody could see what we're having to deal with as employees and a board with this litigation. Because you all want you want us to be accountable. We have employees that are doing their job, we're supporting those employees and then the return is that this person files a private lawsuit against them for \$10,000 for damages - emotional damage all these things. There is a 126-page document contesting this versus the 2 pages he had. This thing that's gone through multiple general managers and we have a few people like this that we caught, our employees are constantly facing these things, and this board is putting its foot down and said we're not gonna settle. This is what has happened in the past -people have settled lawsuits. No, this employee is in the right and we're going go to court and take this person on. We'll review it, obviously, as I said -we'll be transparent when it's all done, we'll reveal everything that needs to be revealed according to the law. But there is a question whether we trespass the person from the amenity because he's not a member, and he's not a guest anymore as the lot that he was being a guest of sold -he can't use that anymore and he's just very upsetting I have no problem let it be a guest come and speak because I also don't want to be one of the things he's saying is that we're being abuse of power and overreaching and forcing them out. We're not forcing, we're just expecting him to hold laws. You can't come in here with a camper -and this is something we all talked about last couple years -and just going to stay for the next two years. That's against the rules you know. we can't just snap a finger to get these people out, we actually have to go to the extreme with trespassing now and so we're dealing with it he didn't show up today we were weren't sure how we're going deal with this motion but Darrel's right you know, there's no reason for them to talk - he's not a member and then on the other side if you want to talk to the board and come in and have a meeting with us privately, you can but I also think it's important sometimes that the membership needs to see what we're dealing with. So, you could be like this makes sense because rumors fly and you hear about a lawsuit, you're like how we could get ourselves in a situation like that -This is why. Thank you, Darrell.*

Jan B 08/087: *I do appreciate all the points of view within Riviera. I do think that Jane's comments were appropriate in terms of board overreach and sometimes getting into things that are happening within the Riviera. I wanted to follow up on that and say that seeing Chris Frye in the golf shop, talking and me seeing a board member, I apologize I wasn't supposed to say it that way, seeing a board member in the golf shop talking to the employee and discussing some processes and things, tells me there's probably is some more overreach than maybe is needed and I agree with Jane's comments on that order...paused*

Chris: *I want to give a response, just you know I don't take away your 3-minute time, yes, I was in the golf shop two times.*

Once to get hot dogs the other one to understand the security system that I was asked to investigate. Because, we obviously had an issue and I went up there to say "hey can you explain to me what you're seeing with and the employees are seeing" so I

can get back to the board first-hand to answer what everybody's questions were, because obviously the information out of the security wasn't accurate. So yes, that's why I was up there and looking at the golf shop. We're gonna be responsible for amenities and I do like to go and look at all these amenities. We will be seen walking through all the different amenities like the marina, the campground, the restaurant, talking to staff but we don't give them direction.

Jan cont'd: *That's an interesting statement Chris; I will just leave it at that right now. I think that that's something that you, instead of talking and interrupting, might want to think about maybe taking a step back. I think Jane's comments were very pointed and very correct, the other thing is that I wanted to know specifically, and I it will be in an e-mail to forward -how many member comments did the board get between the last meeting and this meeting? There were only two in there one was an e-mail from a golfer, and one was another person and I'm just wondering how many how many emails does the board get a month and how many do they respond publicly on?*

Chris: *the ones that we got were all there - any questions in regard to the board other than it was published the talking points. 100% of the stuff that gets brought in gets pushed to the membership. That's the rule of the board, so currently from the last meeting to this meeting, no one submitted any questions.*

Jan B: *OK, so for example: in speaking at the end of a meeting when we ask what at the town hall about the budget which is a primary concern of mine, it's about budget driven items. Where are we going today? And what are we going to look like in the future, so that I can anticipate whether I'll be able to afford to live here in five to 10 years. I'd like you to know and I'm asking very specific questions that I asked at the town hall of the budget meeting on August 31st of 2024. Are those questions going to be answered and if so where are they going to be posted anywhere?*

Chris: *Point of order- stopping the time at 2:09: Janice we're actually waiting for the final questions to go through that's already been through before they answer their questions. The August ones are there were several reasons, once the GM and website, like always moving forward, member questions to talk or not being answered anymore because it is hard for us to interpret someone talking for 36 minutes in the middle of the meeting and determine what their actual questions were so that's why we went to a written format because there is this interpretation of people's questions or they would talk for 20 minutes and never actually answer a question or ask a question, so the board with the decision of saying we want clarification and confirmation, so we asked members to write the form out with their name and the properly question so we could be specific on what their needs are to be answered.*

Jan B: *I feel like I'm being scolded here I'm just asking a question. I feel like that was directed at me and you were scolding me so I that's how I feel from your response um I will I have already written out my comments from today I will send them in to you and you will have them so I guess all members need to know if you want your questions answered legitimately you need to send them into the board I was told by a board member that everything that we see needs to be sent in to you so when an employee or a person or a board member or anyone is rude to somebody else or they're doing something that isn't good or you see some trash that needs to be picked up or you see anything we were told anything because we weren't reporting things a lot of people were not reporting things because there's a lot that happens day-to-day in our community. I'm just gonna say all members should send their questions in so they get answered.*

Joanne Mettler: *Just a quick comment -Chris and the rest of the folks -for confidentiality reasons, I might not use a he or she or any of those kinds of things and maybe just insert something like human being. Those of us that have been around, we know people and I just think it'd be better for confidentiality that that's my two cents.*

Chris: *Thank you and waiting for point of order would you certain names when it's hearsay or secondhand and we're also trying to be more the whole point of sharing information isn't about the highlight somebody doing it unless they put a submit official question in there it's about making sure people are aware of the questions being asked because a lot of people say. We'll work better on removing these.*

8. Adjournment: 11:49am

Hot Talking Points

1. **Member Concern:** How long does the member have to be behind on their HOA dues before Riviera takes legal action?
 - a. **Answer:**
2. **Member Question:** Why does the board not do more to address the roads on Anderson Island?
 - a. **Answer:** Two things to note. The board is elected to monitor the General Manager and monitor the health of the Community Club. The board is not responsible for dealing with Island wide issues. Members should be aware of AICAB and its role in being the county council's authorized contact with the county.
 - b. **Note:** Although there are several board members who attend the AICAB meetings, along with the General Manager and Community Manager. There have been no other members who have attended as guests the last several meetings.
 - c. **Note:** The board has used the Peirce County Portal for reporting to report issues within the HOA as we are passionate about our community. However, it should not be expected that a board do this. All members should do their part to help keep our roads safe.

3. **Member Actions:** Men's Club Report of Action

- a. 12:40 Member [REDACTED] went out
- b. 12:50 [REDACTED] checked in for his time at 1:20pm
- c. 1:00 Seven men club members and [REDACTED] came up and wanted to play in a group (of 7!). (Employee) said no, the biggest group we can allow is a 5 some. Approved by the board in April 2024 and (Employee) would appreciate it if you break it apart to a 4 and a 3. Thanks, (employee) have people waiting to tee up behind you.
- d. (Loud responses: [REDACTED] "this is crap nobody is in front of us" and I corrected him that there were people in front and waiting, [REDACTED] said, "You need to change your attitude." [REDACTED] said, "This course is like a 3rd world nation," or something to that affect. [REDACTED] said, "Ya this Bullshit."
- e. (Employee) said thank you for understanding but we need to keep it to max 5, this is for Place of Play and to conform to USGA standards.
- f. 1:10 Two more golfers show up to play, Tanner Electric boys
- g. 1:30 A group of women showed up to play.

Concern: So, by allowing the men's club to just continue to rule the number of people that play, when they play and continue to break the policies of a member owned amenity, we will continue to have these problems, and it already is affecting the other members who play. Some don't even show up or decide not to play because they know it's going to be too slow or must wait to play through, which affects the golfing experience for everyone.

Answer: The board, with the support of members this summer was inclined to allow the Pro Shop Manager to authorize exceptions to the posted rules that are based on the NGA guidelines. It seems, however, that a few members feel they are disrespectful when the Manager makes a decision that takes into account the activity of other members and guests on that day.

Reminder: The board would also like to remind members and guests of RCW 49.95.010 that it covers a hostile work environment in Washington State.

Question: What qualifies as a hostile work environment in Washington state?

When unwelcome comments are made to an employee or unprofessional conduct is based on some form of discrimination it is considered harassment. If such behavior interferes with an employee's work performance or their ability to do their job, then that harassment is considered to have created a hostile work environment.

Note: To date the board has banned several members from amenities for their actions. One member has been banned from even entering the Office Building for creating a Hostile Work Environment. Members may feel like they are being harassed when in fact they are just being held accountable for their actions.

New Talking Points

1. Cindy Hardcastle Email of Questions and Answers

After consultation with the Board and our attorney, the General Manager has been asked to respond to your e-mail. Below are the key points you raised and questions you asked followed by our response.

1. "Two months since the Riviera management informed the golf shop manager it was illegal to record sound without permission" Answer: I am unaware of anyone in management making such a statement. It is not illegal to record sounds in a public setting.
2. Molly Miller stated she did not know how it happened that the recent video she forwarded for review by the Board/management still did contain sound (a criminal offense under Washington law, punishable by jail time). Answer: It is not illegal to record conversations held in public. The deck of the Pro Shop is a public place and there is therefore nothing illegal about recording activities in this location.
3. I used to like hanging out on the deck after a round of golf, but since we have known about the sound recording, I not only do not want to do that, but I also feel invaded and policed by it ever happening in the first place, let alone allowed to continue without a full investigation by management. Answer: I am sorry you feel violated. Do you have the same feelings about the Lakeshore Restaurant where cameras have been in operation for years. We have fully investigated this matter and have found no problems.

4. I respectfully request the Board/management fully research and view the actual app on Ms. Miller's phone. Answer: Molly's app has been approved by the Board and Management.
5. I am fairly certain that the video storage does not exist on Riviera property, but on the privately owned cell phone of Ms. Miller. Answer: Video storage from this app is maintained by the developer of the app and no such storage exists on Molly's phone. The app allows access via computer, tablet, or cell phone. Molly's phone is her property, but Riviera requires her to have a cell phone and compensates her for using the phone for Riviera business.
6. The allowing of the 'police state' on the golf course and the golf shop manager being allowed free reign to insult the comfortable privacy rights of everyone else must desist. Answer: The Golf Course and Pro Shop is not a "police state." The use of video equipment today is commonplace. Molly is not to blame for "insulting the comfortable privacy rights" of anyone. This type of inflammatory rhetoric must stop.
7. I believe it would be more than appropriate for the management/board to report to the Women's and Men's groups at our upcoming meeting with full disclosure as to what software/app has been recording us all and how the data has been stored. Answer: The Board does not "report to" informal groups at their meetings. The video data is stored by the app developer on their system.
8. If in fact I am correct that the sound and video data is stored in a personal fashion by Ms. Miller, then that data should be confiscated or turned over to the Sheriff. It would also explain why she has no ability or desire to comply as the management is not holding her accountable as an employee of the Riviera and a member of this community who has not only been breaking the law for at least 4-5 months. Answer: No laws have been broken (other than members of these clubs violating the Liquor Board's prohibition of independently purchase being consumed on the Course.)
9. But even at the request of the Board, should no longer be employed. If, however, she is still employed, she should verbally apologize at the upcoming meeting with the Clubs. This is insulting. Molly has the full support of the Board and Management as well as a large portion of golfing and non-golfing Membership. Answer: If an apology is in order it should come from the Men's and Women's Club members who are creating a hostile work environment.
10. If you were recorded on the tennis court, hiking trails, beaches on this island without your permission, how would you feel? Answer: Video monitoring is a fact of modern life. We are all constantly being recorded without our permission in many locations outside the Island.
11. Now ask yourself as an employer how you would handle noncompliance by an employee in injuring others without ceasing after the Board - her employer told her to cease. No one has told her to cease. Answer: The Board is not Molly's employer, the Riviera Community Club is and I am her supervisor. Molly has the full support of me and the Board.