

Kalapana Seaview Estates Community Association  
RR 2 Box 4537 Pahoa, HI 96778

**April 9, 2014 BOD Meeting Minutes**

**1. Call to order:** 3:49pm by President Kevin Sugit; Seaview Park Pavilion

**Board Members Present:** Kevin Sugit, Kelly Finn, Camilla Du Lac, James McRae, River Rogers

**Members present:** John DuBois, Gary Hoffeld, Sheri Smith

**A. Announcements:** None

**B. Amendments to agenda:** Resident concerns regarding our parks, moved to top of agenda.

**C. Presidents report on lawsuit status:** Kevin Sulgit Lawsuit Update

Pat Rocco amended his civil suit (against Kevin Sulgit) from small claims to district court.

Rocco's complaint includes allegations regarding the 2013 AGM. April 14, 2014 is the status conference on the civil suit. Our AGM minutes from 2014 will be the evidence needed to dispute the claims made in the suit. This personal lawsuit allows KSECA to ask to reclaim attorney's fees along with damages. Kevin refused to use a jury instead choosing a judge; this will reduce the cost no matter what the final outcome. Rocco's attorney for the KSECA suit declined to serve as Rocco's attorney for Kevin Sulgit suit.

May 5, 2014 is the date for the pre-trial conference for the KSECA lawsuit. The lawyers will establish witness lists, how much time they will spend in discovery, and timeline. BOD members need not attend. Attorney's fees can be reclaimed in this suit if we prevail, but nothing more because of non-profit status.

**2. Treasurer's report: Patti Lightcap; Treasurer**

**A.** Not delivered at meeting but via email (Treasurer absent) For March 2014.

**B.** Bank of Hawaii checking account balance =\$13,968.33.

ING Savings account balance= \$47,704.38. Total assets: \$61,673.11

**3. Minutes: River Rogers, Scribe**

**A.** Read then corrected and amended minutes for January 2014 and February 2014.

Motion to accept January minutes as corrected and amended made by James McRae, 2<sup>nd</sup>. Kelly Finn.

Vote: Unanimous

Motion to accept February minutes as corrected with amendment made via email of the Treasurer's report for February 2014 made by Kelly Finn, 2<sup>nd</sup>. James McRae. Vote: Unanimous

**4. Clerk's report: Kelly Finn, Clerk**

**Mailboxes:** No changes or updated information.

**Newsletter:** Greg Ward made the corrections and amendments as discussed in the BOD newsletter finalization meeting. Newsletter was published, printed, folded and joined to the annual billing statement by BOD members who then stuffed the envelopes for mailing to members. This task was done within 10 days of our set deadline.

**5. Committee reports:**

**Parks:** The pavilion storage room was opened, vandals paint removed then spilled/thrown around the pavilion leaving a huge mess. David has been working steadily with a power washer to remove the evidence. David requested that the BOD establish clear protocol for residents to implement which can deter this type of behavior. James suggested that we form a Neighborhood Watch which will include a HPD liaison officer. Further discussion and decisions were tabled until either an executive session or the new BOD takes up the issues. Preferring executive session in order to maintain confidentiality of our plans prior to implementing seemed best.

**Bylaws:** The committee assured that the bylaws were printed in the newsletter with all of the changes noted. The new bylaws as revised will be on our website for viewing by members. Copies of both the proposed “clean” bylaws and the process bylaws should be available in hard copy at the AGM. River Rogers accepted the donation of a ream of copy paper from Greg Ward in order to be able to produce the copies for the meeting.

## **6. Old Business:**

**A.** None brought forward.

## **7. New Business:**

**A. Annual General Membership Meeting agenda:** Reviewed the agenda which was printed in the newsletter then made adjustments and amendments. Each BOD member needs to be present to work the check-in/ registration tables at the AGM. Greg Ward and John DuBois proposed a method for managing the voting on issues at the AGM; number of votes will be written on the armbands which each MGS must wear in order to vote. Only those who have an armband will be permitted to vote so that our current bylaws will be adhered to “one lot one vote” and members who leave the meeting give up their vote. Electing new BOD will be done by paper ballot.

There will be 3 tables. Lists of necessary tools, supplies and equipment discussed. Work session for BOD to practice the voting system will be on Saturday April 19, 2014 at 10am at the pavilion.

Discussion on which BOD members will return to the board for 2014-15 was discussed. Kevin stated that he would like to see the Treasurer and Clerk to return; he will return. As we move toward the AGM we may need to change the “normal” process of replacing 4 directors. If the current candidates are voted in for two years, the MGS’s nominate two more candidates, then we will still need another director who will serve only one year. This one year director must sign a waiver of our bylaws in order to hold the seat for only one year. Discussion revolved around who will be returning to the board.

**B.** River Rogers, James McRae and Camilla DuLac stated that as of the annual general membership meeting, each has chosen independently to step down from the KSECA board.

**8. Next meeting set for: May 13, 2014 at 3pm**

**9. Adjournment: 6:08pm**