

**Kalapana Seaview Estates Community Association**  
**RR 2 Box 4537, Pahoa, Hawaii 96778 (808) 965-2607**

**BOARD MEETING MINUTES**  
**May 14, 2012**

1. **CALL TO ORDER** - President Richard Valdez opens the meeting at 4:00 P.M. at 12-7040 Kaiwa Street Kalapana Seaview Estates, Pahoa, Hawaii. Present were board members Treasurer Mark Wyatt, Director at Large Cynthia Dallou, Vice President Kyou Gruber, Mike Richardson and Uschi Snover. Meeting is being recorded.
2. **MINUTES** – March 13, 2012 minutes were read over by board members. Cynthia Dallou moved that we accept the minutes as corrected. Uschi Snover seconded. Passed unanimously.
3. **TREASURER'S REPORT**-Mark Wyatt gave the report. Income to date is \$24,325.36. Total checks written were \$1390.15. Total equity is \$60,799.99 plus \$10,200 in mailbox deposits. See attached balance sheet and check detail. The treasurer's report was accepted.
4. **PAVILION REPORT**-Mark Wyatt gave the pavilion report. There will be a work day Sunday May 20 at 10:00. Kevin Horton will be in charge. Dirt will be hauled in. The land will be leveled off and filled in with dirt. Kevin and Kyou will paint signs announcing the work day. Money had already been allotted for this project at a previous board meeting. A child's bench was stolen from the pavilion park. The pavilion report was accepted.
5. **SELECTION OF OFFICERS**- Richard Valdez moved that Mike Richardson be appointed President. Uschi Snover seconded. Vote was unanimous in favor. Mark Wyatt moved that Richard Valdez be appointed Vice President as he knows the President's job and would be able to fill in for the President if necessary. All in favor with Richard Valdez abstaining. Richard Valdez moved that Linda Willaby remain as Scribe. Mark Wyatt seconded. All in favor. Mark Wyatt moved that Uschi Snover fill the Clerk's position. Kyou seconded. All in favor. Uschi Snover moved that Mark Wyatt continue being Treasurer. Cynthia Dallou seconded. All in favor. Kyou will be a Director at Large and Cynthia Dallou will continue to be a Director at Large. Outgoing President Richard Valdez then turned the meeting over to incoming President Mike Richardson.
6. **OLD BUSINESS**-
  - A. Quorum under both laws, 414D and 421J, follow the same quorum rules. We did not have legal quorum to vote on anything that was not on the agenda at the AGM. Do we need to remove the items that were voted on that were not on the agenda? The bathroom cleaning should not have been voted on. In the future with ballot voting, quorum will not be an issue.
  - B. Cynthia Dallou presented the final draft of the bylaw changes for ballot voting for issues. (all references to ballot voting for directors was removed)

**Bylaw Changes-Ballot Voting for Issues**

**ARTICLE 2**

SECTION 2: Voting Rights (Current Bylaws)

- A. Each Member shall be entitled to one vote in person or by proxy for each parcel owned provided that the membership dues are currently paid on each parcel so designated before the start of the meeting in question.

CHANGE TO

- A. Each Member shall be entitled to one vote in person or by proxy for Board of Directors, and one Ballot for Issue Voting, for each parcel owned provided that the membership dues are currently paid on each parcel so designated before the start of the meeting in question.

## ARTICLE 5

ADD: SECTION 5: Voting for Issues- Voting for Issues shall be by Ballot, with no further Voting for Issues in person or by proxy.

ADD: SECTION 6: Vote Counting for Ballots- An Envelope and Ballot for Issue Voting will be provided with the Annual Newsletter Mailout to return Ballots and Dues. The Board of Directors will receive the Envelope which will remain sealed and routed to a Reputable Third Party as determined by the Board of Directors, for counting, and in coordination with the Treasurer, for validation of Members in Good Standing. (Proxy forms for Board of Director Voting will be removed by the Treasurer at this time.) All Ballot Vote results for Issues will be reported at the AGM.

## AMENDMENTS

### A. (Current Bylaws)

These Bylaws may be amended or new bylaws adopted, by an affirmative vote of the majority of the eligible members voting on the issue at any general membership or special meeting called for that purpose, except where these Bylaws specifically require a greater majority.

## CHANGE TO

A. These Bylaws may be amended, or new Bylaws adopted by Ballot Vote. The proposed changes would be detailed in the Annual Newsletter and would be included on the Ballot provided with the Annual Newsletter. These voted changes would be effective after being reviewed by an Attorney, selected by the Board of Directors, for legality.

B. (DELETE due to no longer applicable) (as reads in current Bylaws) The change must be read at one meeting and voted on at the next, be it a regular or special meeting, unless it is proposed in advance and notice given to all members at least 30 days in advance of the membership meeting.

C. Bathroom Cleaning-We received 2 bids. Rose Geranium bid \$260 for 3 hours per week cleaning at \$15 per hour and 1 hour at \$20 for hauling trash. There was another bid for \$240 per month. Kyou will follow up with interviews. Mark Wyatt brought up the fact that the vote at the AGM to increase the bathroom cleaning services could add about \$6000 to our annual operating budget. Mike Richardson wanted to add to the minutes that the word "budget" could be misleading.\* **there is no legal requirement in 421J, 414D or our bylaws that a budget must be prepared.**

Uschi Snover moved that the labor contract gets an annual review in January. Richard Valdez seconded. Motion passed unanimously.

D. OFFICE: Pat Rocco retracted his offer of office space. It was discussed not to have the office space at someone's home. Richard Valdez said we need to get some bids. Design decisions need to be addressed before we solicit bids. It was discussed to have a 16' x 16' building and Kevin Horton will put together a plan.

E. Park Reclamation-We have had the lots surveyed and all property corners have been marked. The Sunday workday will work on the upper park.

F. CERT -Have to agree to join the core CERT team and then you can be taught first aid and AED. Mike Richardson will follow up.

H. Placement of Landscape barriers-Office location will determine the placement of any barriers. Trash receptacle needs to be moved to back of bathroom/ storage shed building. Will be done at Sunday workday.

I. Parliamentarian-No numbers have been provided. Discussion is postponed.

J. ING, our bank is insured by the US federal government. The account currently earns \$279 in interest

per year which is the best rate of interest that we can get and it makes no sense to move our account.  
**K.** Hui O Puna Makai-That group has been renamed. Meetings are open to all area residents. It is a community directed organization.

*\*note: see the Puna Community Development Plan*

*\*note: Hui O Puna Makai has changed its name to KAPONO -Kalapana-Pohiki-Neighborhood-Organization*

There was further discussion of 421J and whether it applies to KSECA. Richard Valdez pointed out that we are still governed by 414D and perhaps 421J if it applies to us. The attorney has said that 421J does not apply to KSECA. This needs to be resolved.

Moving Mailboxes-Mark Wyatt has spoken to various people at the county. Still no decision from the county that we need to move the mailboxes.

## **7. NEW BUSINESS:**

**A. Pahoa Regional Town Center Plan -No discussion**

**8. ADJOURNMENT**-Richard Valdez moved to adjourn the meeting. Mark Wyatt seconded. Vote: unanimous YES. Meeting adjourned at 5:45 p.m.

**Minutes, Attorney's answers, Bylaws, Newsletter, and calendar are also on our Website at [Kalapanaseaviewhawaii.org](http://Kalapanaseaviewhawaii.org)**