

**1. CALL TO ORDER - Amendments to Agenda - Announcements:** The meeting was called to order by President Kevin Sulgit, at 4:14 P.M. on July 9<sup>th</sup>, 2013.

Board members present were: Kevin Sulgit, President; David Snover, Vice President; Patty Lightcap, Treasurer; Kelly Finn, Clerk; Jim McRae, Scribe; Camilla Du Lac, Director-at-Large, and Pat Rocco, Director-at-Large.

Members present were: Michael Flynn, John Du Bois, Jim Gordon, Jacklyn Symonds, Greg Ward, David Hoffeld, John Williams, Constance Young, Tony Simon, David Ghee, Helen Noble, and Athena Peanut. The meeting was recorded.

**Announcements:** Kevin Sulgit reported that the KSECA was just served with a lawsuit by Pat Rocco. and asked if there were any amendments to the Agenda. With reference to the lengthy July Agenda, the Board decided that only the June minutes would be read during this meeting and the other past minutes would be read at a later date.

There will be Emergency Response Meetings at Keaau Community Center on July 13<sup>th</sup> and August 3<sup>rd</sup> from 10:00 a.m. to 12:00 p.m. and members from all communities were requested to attend one of the meetings.

Mr. Rocco called for a point of order stating the meeting was not being properly run. He wanted to add an agenda item that the board declined to add to the agenda. The item was tabled.

**2. TREASURER'S REPORT:** Patti Lightcap, Treasurer, submitted check detail and Balance Sheet (see attachments). KSECA has **\$23,942.55** in the Bank of Hawaii checking account; in the savings account we have **\$63,823.10**, for a total of **\$87,765.65**. Total expenditures for the month were \$950. No questions for ex-treasurer Mark Wyatt regarding the 2012 Financial Statement were received. Patti Lightcap recommended Carbonara and Associates, in Volcano, to do an internal control audit of our finances. A two-year audit is the standard which they and others have recommended (2011-2012), and will cost about \$5,000. The audit results will be published on our website.

**MOTION** by Patti Lightcap, To approve Carbonara and Associates as our CPA audit choice, seconded by James McRae and passed unanimously.

MOTION by Kelly Finn, 2<sup>nd</sup> by David Snover: “ To reimburse Pat Rocco \$44.80 for AGM copies/expenses for which he submitted receipts.” AYES, five (5), ABSTENTIONS two (2), Pat and Camilla.

**3. Minutes:** Jim McRae and Camilla Du Lac read the minutes of the June 11<sup>th</sup>, 2013 board meeting. Corrections follow; **Clerk’s Report**, item **B**, change postal box fee of \$50.00 to \$100.00; **Committee Reports**, item **C. Work Party Scheduling Report**, change, from, “one week after”, to, “the following Sunday“. Delete **E**. “board appointed Athena as Chair, etc.”

Delete item **B** under Clerk’s Report, Mailboxes; the Postal woman was not at the meeting. Delete under announcements that Richard Koob offered to have a water facet installed, he was not at the meeting.

Pat Rocco stated that he would like the word in the minutes in reference to him changed from threatened to stated. It was agreed to change it to stated.

Kevin Sulgit called for a motion to approve the minutes as corrected. The board tabled this motion until the next meeting, after the corrections have been made.

**Read and accept April 28<sup>th</sup>, 2013 AGM Minutes:** A motion was made that the June minutes be read for approval and that April, December, and January minutes be read at another meeting at another time due to the lateness of the day. Passed unanimously.

A suggestion was made that when the board looks at the proposed bylaw changes that the old bylaws and the proposed changes be side by side, for comparison.

A motion was made to recess this meeting and finish it at a future date. Meeting minutes, items B through F under new business and David’s bylaw amendment were tabled for the future meeting. The date of the meeting will be posted. The motion was seconded and passed unanimously.

**4. CLERK’S REPORTS:** Kelly Finn -**A. Special Use Permit** - no action.

**B. Mailboxes** - Kelly and Kevin - Kelly stated they are going to order two mailbox clusters (32 boxes).

Kevin contacted the county, and found out that the cost of applying for a variance so the mailboxes can stay where they currently are is \$250.00. There will be additional costs for administrative fees, copies, and other things to go through the process.

Kelly made a motion that funds be allocated to order two mailbox clusters for up to \$2805.00. and that we get working on the variance and start thinking about, or even

put up a proposal for the work to be done, seconded by Pat Rocco. After discussion that followed the motion was amended to allocate \$4,000.00 for the two mailbox clusters and the labor and other materials needed to install the mailboxes. The motion was seconded by Jim and passed unanimously.

C. Website: As Kelly has been unsuccessful in making contact with the web designer this item has been tabled.

## **5. COMMITTEE REPORTS:**

A. Park Report: Camilla Du Lac.

1) Volleyball Net: Camilla stated that Kevin would be handling it now. She asked Kevin about them and he replied that they are not here yet, he is ready to order them.

2) Park Signs: Camilla stated that the signs in the Park are fine. She spoke with our insurance agent and he said that we did not need all this stuff on the signs, if people are going to sue, they are going to sue and signs won't stop them.

3) Sunday work party will be at 8:00 A.M. Sunday morning. Kevin is presiding. Everyone should meet at the mailboxes at 8:00 a.m.

4) Camilla stated that people would like to have benches down front and she is requesting input as to what kind. Kevin stated the past board approved the location of new benches. Originally 2 locations were discussed and approved. Since then, one bench has been destroyed and needs to be replaced. The matter has been left up to Kevin. He will be meeting with work party on Sunday for further discussion on the benches.

5) Coconut Trees and Coconuts: Camilla contacted someone who is licensed and insured and does not use spikes. He has a video on u tube the board can watch and she suggested he meet with the board for five or ten minutes.

B. Ballot Voting: River Rogers. Tabled.

C. Bylaw Review Committee: Athena Peanut. Tabled.

## **6. OLD BUSINESS:**

Alignment of Exhibit A: Uschi - no action

Volunteer Fire Department Report: Mannix Miller - no action

## 7. NEW BUSINESS

A. Recording Secretary to take Minutes.

Connie Young had volunteered to help out and take notes at this meeting and was taking minutes. Connie was asked how much she was asking for doing the minutes, and she stated she was doing it for nothing, as a favor to Jim, because she had the time and wanted to help him out. The board thanked her and decided to wait until next meeting for discussion. At this time there is no motioning for funds for this position, it is on a volunteer basis.

B. Legal Advisor. Kevin stated he will contact the insurance company very soon in order to file an answer to the current lawsuit by Pat Rocco. Discussion followed.

C. Oath of Office. Jim McRae stated no action. Pat Rocco suggested we check with other associations as to how they do that, and we could use it as a guideline. Jack Hash reminded us that a contract is stronger than an oath of office.

D. Removal of a Board Director, Pat Rocco. A conflict of interest was noted that he was on the board, suing the board, and voting, while on the agenda to be removed. It was suggested, that if the board accepted the minutes of the January 13<sup>th</sup> meeting, the board would have an executive session on record that Pat Rocco was removed by the process stipulated in the bylaws and the State law. Then the board can ask Pat Rocco to step down. He has been removed, he just has not been asked to step down.

Discussion followed. The minutes of the January 14<sup>th</sup>, 2013 meeting were read. Kevin asked for a vote to accept the January minutes as corrected, including the Executive Session. The motion was seconded by Jim McRae and passed unanimously with one abstention by Pat Rocco.

Kevin made it official, stating that now that the minutes of the January meeting have been accepted, Pat Rocco, you are no longer on the board.

E) Mailbox Fees to Deposits: Kelly made a motion that all mailbox payments are deposits, retroactively. When you leave the box, you give us the keys back, you get your money back. Motion was seconded by Jim McRae and passed with one abstention by David Snover.

F: Maintenance Fees, Late Fees, Transfer Fees: Jim McRae made a motion to reduce the late fees to 10%. seconded by David and passed 5 ayes and 1 nay.

Transfer fees need research and may be one area where legal advice is needed. Kevin's research showed that transfer fees were only done by condominium associations that have common grounds, which is only our parks. More research needs to be done. Also as a non-profit, fees cannot be charged. This will be taken up at another meeting.

Maintenance fees were discussed and it was decided to leave them where they are at this time. Kevin suggested to have this on the agenda for the next AGM.

Designated Staggered Terms of Office - Tabled  
Debit Card for Petty Cash Expenditures - Tabled  
Kalani Water Line - Tabled  
Expenditures for April AGM - Tabled  
Community Park Concerns - Tabled

Motion made to recess this meeting due of lack of light, it is getting too dark, fast. The meeting will reconvene on Wednesday, July 24<sup>th</sup> at 4:00 p.m. Motion seconded by everyone and passed unanimously.