

Kalapana Seaview Estates Community Association
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BOARD MEETING MINUTES
September 14, 2011

1. OPENING CIRCLE - President Richard Valdez opens the meeting at 6:00 P.M. at the park pavillion Kalapana Seaview Estates, Pahoa, Hawaii. Present were board members Treasurer Mark Wyatt, Clerk Mark Hinshaw, Scribe Linda Willaby, Director at Large Frank Musacchio. Also present were community members Ray & Cynthia Dallou, Athena Peanut, Jacklyn Symonds, Sasha & Jerry O'Malley, R.J Hampton, Sativa Sultan, Helen, Christina, Camilla, and others.

2. MINUTES – August 10, 2011 minutes were read by board members. Mark Hinshaw moves that we accept the minutes. Linda Willaby seconds. Motion passes by unanimous vote.

3. TREASURER'S REPORT-Mark Wyatt gives the report. Total checks written were \$ 3,452.02. Total equity is \$46,972.76 plus \$10,400 in mailbox deposits. See attached balance sheet and check detail. Mark Hinshaw moves that we accept the report. Frank Mussachio seconds the motion. Motion passes unanimously.

4. PAVILION REPORT-Mark Wyatt gives the pavilion report. The rock wall was built and new volleyball lines were purchased. Mark states that we need a new ladder. We also need a new toilet. Frank Mussachio will research a toilet without a ball and the cost of the toilet. It had been voted on last year to purchase a new toilet.

5. POSTAL CENTER REPORT-Athena Peanut will send a corrected letter to the postmaster seeking a reimbursement of \$12,800 for the eight flats of postal mailboxes that were purchased.

6. OLD BUSINESS

A. Emergency Evacuation Route from Seaview up to the Kama'ili Road-Cynthia Dallou gave a presentation on the Emergency Evacuation Route. She explained that the original concept had transitioned from a paved road to a gravel road. This was due to community concern that a paved road could eventually lead to a public street. The gravel road would have one function only, to be used only in time of a hazardous emergency situation requiring coastal evacuation. Cynthia has also suggested to the Hui 'O Puna Makai group that a permanent road from the coast to the highway be considered that does not transect any neighborhoods and travels over state land. *Discussion at board meeting was as follows:*

The plan was originally presented at a June meeting as a gated paved road to allow emergency vehicles. People voiced wishes that there not be a road that could possibly be driven through Seaview. Cynthia redid her proposal as a gravel paved road so that no emergency vehicles could drive through and it would just be for evacuation. Feedback received showed concern re traffic on Mapuana. She also talked to people who want a "real road", not necessarily through Seaview ,down to this area to use for transportation and to be open all the time. Sativa asks where would this road be? Cynthia mentions that Richard Koob has been wanting to figure out some roads here. Cynthia acknowledges that community members DO NOT want a road through Seaview interconnecting to other neighborhoods by a road or any road in back of the neighborhoods. If a permanent paved road outside of Seaview was built in the future, the gravel Emergency Evacuation route could be shut down. Christina mentions that we do have the Opiikau /Kamaili road which was just recently paved. Sativa questions how much closer can we get a whole new road. The majority of Seaview residents would have to be in agreement for this project to get approval. Owners of land in Opihikau would have to agree for a road to go through their land. She will continue her research and discussions with Quince Mento, Administrator for County Civil Defense and with the Public Works agency, regarding a gated gravel emergency evacuation route. Richard Valdez points out that the decision of an emergency evacuation route and a road are issues that are far beyond just Seaview. Frank questions who would keep the key in order to open the road in an emergency and would it be opened unnecessarily?

B. Law Firm bids-It had been decided at the August 10 board meeting to solicit bids from law firms knowledgeable in Association law to answer the many community member questions regarding the Board's power and responsibilities. Mark Hinshaw researched this and found a law firm, Ekimoto & Morris who do not

require a retainer and have reasonable rates of \$160-\$225 and have several flat rates on certain issues. Mark Hinshaw moves that we accept that bid. Linda Willaby seconds. Motion passes unanimously.

C. Bids to survey the park boundary. The necessity to define the park boundaries was discussed at the August 10 meeting. Mark Hinshaw volunteered to solicit bids. He received two bids-\$1125 and \$937.50. Linda Willaby moves to survey the park and accept the bid by DLB and Associates at \$937.50. Frank Mussachio seconds. Motion passes unanimously.

D HELCO -Athena was to follow up on cheaper electric rates, however, Christina presented findings. Athena verified that we do not own the electric poles. HELCO owns the poles. We will not pursue this path as it would be too complicated, time consuming and ultimately pointless.

E. Freebox renovation and trashbin. The Sunday workday on September 18, 2011 will address this by taking measurements. Bids will then be solicited.

F. Red road Plan Update-Mark Hinshaw reported 3 topics discussed at the last monthly meeting. The committee voted to continue exploring the Red Road Trail, the cell phone tower, and the Kehena Beach project. Jenna Way called for a straw vote to determine support for Richard Koob's plan. The only person who supported the plan was Richard Koob, himself. Linda Willaby will not be able to attend further meetings of the Red Road Plan and Athena Peanut has volunteered to take her place as a Seaview representative.

7. NEW BUSINESS

A. Kalapana Seaview Sign at front of park-Pat Rocco donated a new sign to replace the one that was defaced. Sativa mentions that we should not be using the name Kalapana because that is not the real name. (*Note- the original name is "KEEKEE-KEHENA".) We are considering painting over "Kalapana" on the signs at the front park. To be discussed at next meeting

B. It was reported that the lawn maintenance crew was seen spraying herbicide in the pavilion park. The toxic effects were discussed and Jackie Symonds stated the RoundUp label clearly warns that their product is not to be used anywhere near childrens' space. Athena stated the longstanding policy of the Board has always been "NO POISON in Seaview Parks." Richard will follow up with the lawn crew.

C. Bulldozing at pavilion park-Sativa brings up "*a whole concept in farming about IMOs*" (Indigenous Microorganisms) and is against bulldozing at the pavilion to clear the lot as this will destroy the IMOs which she says are "*an amazing thing in farming right now*". Mark Wyatt asks for her suggestion on alternatives on how we should remove the cane grass and junk trees if we don't bulldoze or use pesticides.

D. Mark Hinshaw moves that in all monthly Board meetings and annual meetings no *New Business* items on the agenda may be decided at that initial meeting, with the exception of emergency repairs under \$500. All votes, with the exception of Emergency Repairs, must be voted on under *Old Business*, giving members the time to discuss before any vote can be taken. Linda Willaby seconds. Motion passes unanimously.

E. Athena's list of community concerns-courtesy, earlier work parties, timely audits, budget presentations, applicability of relevant laws, Hawaii banks only for community funds,bylaws amendments concerning voting requirements and board member eligibility, voting and nominating procedures, term limitations, annual dues and late fees,Re: AGM Meetings: Use of bulk proxies in elections, rules regarding guest speakers and commercial vendors, board appointed Sgt.-at-arms to be present at every AGM. (Richard points out liability issues and cost of anybody acting as police.) All checks to be signed by two board members (Board discussion: bank does not recognize a second signature, the cost of a management company to manage check writing would be prohibitive, the treasurer only writes about 10 checks per month.)

F. Athena's list of question to ask lawyer regarding Board duties, authority, and responsibilities. The board has found an attorney to answer legal questions which seem to mainly stem from the increase in association dues. Athena will present a list of questions for the attorney.

8. ADJOURNMENT -Linda Willaby moves that we adjourn. Mark Wyatt seconds. Unanimous acceptance. Meeting adjourned at 7: 28 p.m.

The next board meeting will be at the park pavilion.