

Kalapana Seaview Estates Community Association
12-7017 Kalihikai #4537,
Pahoa, HI 96778-7842

Board of Directors Meeting
Monday, June 12th, 2023, at 4pm

Draft MINUTES

1. Welcome and Call to Order: Robert called the meeting to order at 4:08pm. Board members in attendance were Kevin Sulgit, Robert Stearns, Laurie Laughlin, Adam Sativas, Gary Polinsky (via phone) and Uschi (Ursula) Snover. Also in attendance: Sheryle (Sativa) Sultan, Aaron McWilliams, John DuBois and Scott Stone.

2. Additions & Corrections to the Agenda: Uschi added "vacant" board position for 8. New Business C. Accepted through consensus as changed.

3. Announcements: Robert took the broken printer to a repair person and was told it was not repairable. Robert paid \$40 for the consultation and would like to get reimbursed but does not have an invoice. Uschi said to write an invoice and have 2 Board members sign off on it.

Robert talked about the Articles of Incorporation state that "no part of the corporation income or profit shall be distributed to its members, directors or officers" and how that is interpreted in the State regulations 414D-19 regarding payments. Robert explained that in his understanding of the regulations the word "distribute" and "compensate/contract" are very different from each other and that paying a member for contracted work is not in violation. Sativa asked if perhaps we should amend the articles of incorporation to protect the association. The Board voted unanimously to continue to be able to contract members.

4. Minutes of AGM meeting: Read by Adam.
Sativa pointed out two minor corrections: 122 votes in favor of no non-members on the Board and 5 votes (not people) against.
All accepted the minutes as amended.

5. Minutes May Meeting: Read by Adam
Uschi suggested putting in "None" under Old Business
All accepted the minutes as amended.

6. Treasurer's Report: Treasurer Laurie Laughlin read the Treasurer's reports which will be posted on the KSECA website. Our total assets in the bank as of May 31st, 2023 is: \$123,144.74

Robert informed the Board that the Capital One account which was in Patti's name has been closed and that the total balance has been deposited into the Bank of Hawaii account. We now have only one bank account. Adam motioned to accept the report as stated. Uschi seconded. All voted in favor.

Uschi brought up the broken water pump in the bathroom and that she had found a pump for \$58.08 on Ebay to replace the pump. Robert motioned to accept that cost. Laurie seconded. All voted in favor with Uschi abstaining.

7. Board Reports:

a. Requests for Proposals: Robert gave a quick overview of the bids we have received and stated that he thinks that the bids should be discussed and decided during an executive session due to the complexity and length of that discussion. Uschi motioned to have that executive session. Robert seconded. All voted in favor.

Member Scott Stone presented his park maintenance proposals.

Board member Laurie Laughlin had to leave the meeting at 5:22pm.

b. Taxes and Audits: Kevin said that he has been asking other subdivisions who they use as an Auditor and that everyone uses one company out of Honolulu and that he has their name and phone number and will forward that to the Board.

c. Dues in arrears/declaratory judgment: Uschi said that there are some members who believe that dues are not mandatory and that our lawyer from back then said we could seek a declaratory judgment from a judge to declare that the dues are in fact mandatory. Kevin said that Leilani was sued by a group of owners and that the case is sealed so we cannot learn what that judgment was. Sativa stated that since the dues were raised in an Executive Session and that we should go back to \$50 a year for this year and put it up for a vote at the AGM instead. Uschi said the reason was for the safety of the Board due to previously made threats when the dues were raised. Kevin said that at this time the dues in arrears have gone way down, but he expects that number to go up again. Robert said that we should write a kind letter reminding members in arrears what the dues are used for.

d. Bylaw Review Committee: John DuBois stated that a preliminary meeting was held. The committee would like a list of Bylaw topics to be addressed and plans on meeting twice a month and having a list of proposed changes by December or January.

e. Front Park:

- Security Patrol: Tabled
- New Park Signs: Robert said the first step to managing the Front Park is having adequate signage. Kevin said Hilo Signs?? did our last signs and hopefully they still have that file. Adam made a motion to have 10 new aluminum signs produced by Hilo Signs, Uschi seconded, all voted in favor.
- Seaview Entrance Signs: Sativa suggested we should not replace the sign to save money and be more discrete. Uschi suggested a simpler, aluminum sign. Gary and John said the sign should state "No Trespassing". Robert asked if maybe we could find someone artistic in Seaview to design a new sign. The issue was tabled for further thought and discussion.

f. Pavilion Park:

- Cesspool Inquiry/EPA update: Robert attempted to go to the County Office to have some questions answered, but it was closed. He will have a report by the next meeting. Gary asked about composting toilets. Kevin said he did some research and said that in Hawaii composting toilets must be used by 5 people or less. Sativa withdrew her proposal for a composting toilet.
- Maintenance Swings/Playground/Ohia Posts: Kevin stated that there was a plan to treat our playground equipment for rust and it should be a job for our new handyman. Gary said we should replace the Ohia posts with regular lumber. Robert said we should ask members if they want to donate Ohia posts and labor to replace the posts.

7. Old business: None.

8. New Business

- a. Update Board Rules: Robert asked all Board members to read and think about the current "Board Rules" document.
- b. Kehena Meeting Request: Board discussed the proposed Kehena access improvement meeting and decided our space was not adequate for the meeting. All voted in favor to not have the meeting at the Pavilion park. Robert said he would email the decision to the interested party.

- Sativa asked if we should replace our grass with perennial centipede grass to not have to mow it anymore. Robert said that she should return with a full proposal and the Board would be happy to discuss it.

9. Adjournment/Recess: Adam motioned to adjourn the meeting, Kevin seconded. All voted in favor and the meeting was recessed at 6:30pm.

The next Board meeting will be on July 10th, 2023 at 4pm.

Minutes submitted by Adam Sativas