

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

Board of Directors Meeting
Monday, April 10, 2023, at 4pm

Final Minutes

1. Welcome and Call to Order

Robert opened the meeting at 4:10 pm. Present were Board Members Robert Stearns, Ursula (Uschi) Snover, Diana Angell and Kevin Sulgit. Absent were Jhayne Wessel and Skyler Kodani. Also present were Dana Butler (scribe) and residents John DuBois, Gary Polinsky, Tim Sullivan and Jack D. Hash.

2. Additions and Corrections to the Agenda

Added were Bylaw Corrections, to 7. Old Business and KSECA phone as 6d. to Board reports.

3. Announcements

Robert announced that resident John had pointed out that the dates were incorrect on the Term Waiver forms the Board signed previously. Board members re-signed the updated forms.

Robert announced that our new bookkeeper is Sandra Blackburn and being trained by Patti.

Robert announced he's been in touch with Orind (tree trimmer) and told him that after the AGM the Board will post new requests for proposal.

Robert announced that resident Kevin Kushel is holding a meeting at the Pavillion Park Wed (4/12) from 4-5pm for a Red Road Neighborhood Watch group. Robert passed the agenda around and encouraged people to attend.

4. Minutes March BoD meeting

Diana Angell read the minutes.

Resident Jack didn't want to use the word democratic. Minutes are edited to replace democratic with "fair."

Resident Gary didn't say to cut the bottoms off the ohia posts and replace with cement; he said to replace the ohia posts one by one with hollow tile columns, minutes are edited accordingly.

Uschi motioned to accept the minutes as corrected. Diana seconded. The vote was unanimous by the Board members present. Motion carried.

5. Treasurer's Report

Robert gave the Treasurer's report.

Cash in bank (checking) was \$11,649.83 and Capital One savings was \$15,338.30, with a total of \$26,988.13 as of March 31.

As of 4/10, the balance was \$32,725.68 in checking and \$15,342.08 in savings. Total: 48,067.76.

KSECA has brought in \$22,000 in dues since the beginning of the year, and \$19,000 of that since mid-March.

Accounts receivable: 91 days or more, \$83,475.44 (dues in arrears dating back to 2005).

Resident Gary asked if there were a lot of people who paid their dues prior to being notified the dues being raised. Robert responded that almost all the dues that have come in since the invoices and newsletter went out have paid \$100.

The financial statements will be posted on our website along with the minutes.

Kevin stated that the budget for next year will easily be \$50,000 with audits, the new bookkeeper and an increase in contract costs.

Skyler joined the meeting via phone at 4:50 pm.

Resident John asked what the total in arrears is? Robert said it is probably close to \$100,000 included dues in arrears up to and over 90 days.

Kevin suggested that KSECA form a committee at the AGM to deal with dues in arrears.

Robert said that when properties are sold, KSECA collects the dues in arrears through escrow.

6. Board Reports

a. Taxes and Audit

Robert spoke with Ron Dolan & Associates. They do not do audit and have no recommendation. They can do our taxes, but we already have somebody in mind to do the tax returns.

Copies of the 2017 and 2018 tax returns were found. Robert said the outstanding tax returns will be addressed by the new Board after the AGM.

b. Front Park

Robert reached out to Ben, who knew he had been missing on picking up the palm fronds and monthly invoicing despite prior conversations. Ben followed up by sending January through April invoices.

The last time Robert wrote Ben a check was in Nov. for Sept. but that check was never given to Ben. There is no record of Ben being paid for the last 6 months.

Kevin said he asked Ben for his mailing address but never received it. Tracking him down to give him a check in person is not feasible.

Uschi stated that for audit and bookkeeping purposes, the invoice needs to say the date the service was provided. And Robert said that when the new contracts are signed, they should require proper invoicing.

- Camping at the front park:

Illegal camping in the front park has been documented and seems to be on a decline. Camp fires continue to be noticed.

Robert suggested that after the AGM, the Board seriously look at security to help with the park and consider hiring off-duty or retired police officers. The Board will also need to address fire ant treatment, tree trimming etc.

Resident Jack suggested that somebody contact the County to see if they would put Porta Potties across the street from the lawn, or on State land across from Puna Palisades and put in a parking lot.

The land across the park is State land. Robert agreed that the area needs more parks and suggested that Jack put together a proposal for the County.

Resident Tim said a 2-acre spot has been cleared at the end of the road in Kaimu and the folks at Uncle's are getting assistance from the County to put in bathrooms etc.. Robert said the County might be willing to work with Seaview once the Board shows them they are serious about security.

Resident Tim brought up that the legislature is dealing with 80,000 cesspools. He speculated that there will be funds from the Feds. Before KSECA addresses their own cesspool, he suggested to see if we can get matching funding.

Kevin stated that the County has a plan and a timeline for that, and from 2030 on, septs will be mandatory, and that the County is trying to put together a plan for that by 2025. For now, anyone who wants to get a building permit for additions will have to do septic conversion as part of the process.

Kevin brought up that on Sunday in the park, there were over a dozen unleashed dogs, pooping everywhere. He said the dogs, the lack of consideration, the trespassing presents a huge liability to KSECA. People are there until well after 10 pm.

c. Pavillion Park

- Maintenance Swings/Playground, Ohia posts, Power Wash

Kevin is organizing with Coco Dave to organize the power washing of the pavilion and bathrooms and they have all the equipment. They will get it done before the AGM. He asked what chemicals to use? Chlorine for sanitation?

Resident John asked: who is paying for the chemicals? Kevin said if we use bleach, we have that on hand. Robert suggested we consider Jomax for mold. Resident Gary suggested that MMS is good for mold.

The Playground issue was not addressed.

d. KSECA phone

Uschi announced that the iphone from AT&T is set up. The new number is on the website and posted on the bulletin board. The monthly bill will be \$125 including surcharges and monthly payment for the phone. Resident Gary questioned why we went with AT&T? Robert responded that AT&T has the best service in Seaview.

Uschi motioned to rescind the February motion for \$100 a month for monthly service. Robert seconded. The vote was unanimous with Board members present. Motion passed.

Uschi made a motion to allow for \$125 per month for phone service. Robert moved to amend the motion to \$130. Uschi accepted. Kevin seconded. The vote was unanimous with Board members present. Motion passed.

Diana noted that in February, the Board voted to allocate \$300 for a phone and asked if the Board had to rescind the allocation since the cost of the phone is covered by the monthly bill?

Uschi moved to rescind the March motion for \$300 allocation because the monthly payments now include the cost of the phone. Robert seconded. The vote was unanimous with Board members present. Motion passed.

7. Old Business

a. AGM

- Lunch, Beverages

Diana asked if there was a budget. No budget was set yet.

Diana tried to talk to DJ's pizza but they were not responsive. Her son works for Pizza Hut and can get an employee discount. 50 pizzas (large, one topping) each serves 4. Total would be a little over \$500, including delivery by her son. The price per pizza is 10.99.

Robert made a motion for \$600 for pizza and water. Kevin seconded. The vote was unanimous with Board members present. Motion passed.

- Volunteers sign-in table

8 members volunteered to sign people in. Resident Jack said he can help as well.

Wristbands have been bought and ballots are printed, John oversees the AGM process.

Resident John clarified that we will be giving a ticket per member for pizza and water.

Sign-in table volunteers are asked to arrive at 9:30am on the day of the AGM. The set up of tables and chairs will start at 8:45am.

- Bylaw Corrections

Robert had hoped that Jhayne would be at the meeting to help explain the legal aspects. Robert gave a short synopsis of the challenges. The Board must follow the Bylaws which should be in accord with 421-J.

Robert noted that there are discussions about notarizing proxies. The Board determined that the only way to make sure all proxies are legal is for them to be notarized.

The Board is going to put out a statement on the proxy issue in the next week. According to the Bylaws there are only 2 ways to vote, in person or via an authorized agent with a notarized document.

Robert said that the bylaws can only be changed by the rules stated in the Bylaws. There is supposed to be a Bylaw Review Committee to address any changes and corrections but there hasn't been one active.

Resident John said that there can be a bylaw committee as needed, it doesn't have to be a standing committee.

Uschi said to her understanding the Bylaw changes require approval from the Bylaw committee.

Resident John said there were Bylaws changes in 2018.

Resident Tim said there were no changes in 2018 and that the AGM in 2018 was a mess.

Resident John said they were changed in 2018, and that it became illegal in 2018 for anyone on the Board to have a proxy.

Robert stated that the Board will be presenting their position on the proposed Bylaw changes.

Resident Jack: As far as the notarized proxy issue, how are you going to verify from people in another country or not? Jack thinks a signature on the proxy should be sufficient.

Resident Jack stated he plans to make 2 proposals at the AGM. 1 proxy per person. The other proposal is voluntary dues.

Resident John said more than one Bylaw change was voted on at the 2018 AGM.

8. New Business

- a. Update Board Rules was not addressed.

9. Adjourn/Recess

Robert moved to adjourn the meeting at 6:24 pm. Uschi seconded. All voted in favor.

The next meeting will be the AGM on April 30, 2023, at 1 pm and the next BoD meeting will be on May 8 at 4pm.

Minutes submitted by Dana Butler