

Kalapana Seaview Estates Community Association  
R.R. 2, Box 4537, Pahoia, HI 96778

**KSECA Board of Directors Meeting**  
**Tuesday, Jan 5, 2016, 5:00 P.M. at the Pavilion**

FINAL MINUTES

**1. Call to Order:** 4:37PM by Hazen Komraus, President.

**Board of Directors Present:** Hazen Komraus, Daniel Levy, Tyler Sprague, Kelly Finn.

**Members Present:** Patti Lightcap, John DuBois, Jean Howell, Sharna Eberlein, Missy Tissot, Rose Jeranium.

**Motion:** by Daniel, 2<sup>nd</sup> by Kelly to nominate Jean Howell to the Board of Directors.

**Vote:** Unanimous - Motion Carries

**A. Additions/Corrections to Agenda:** Move 6D to top of agenda.

**B. Announcements:** Daniel Levy will be out of the country in March and April. He will be able to continue to do the web updates and posting.

**2. Treasurer's Report:**

As of December 31, 2015

Bank of Hawaii checking balance	\$24,202.04
ING Savings balance	<u>\$47,896.58</u>
Total Balance of	<u>\$72,098.62</u>

Checks spent for December total \$3720.73. Deposits made in December total \$2933.00.  
See attached for details.

**3. November Minutes:** November minutes were read and corrected [at the end of the agenda].

**Motion:** by Daniel, 2<sup>nd</sup> by Kelly to approve November minutes and Exec. Session minutes as corrected.

**Vote:** Unanimous - Motion Carries

**4. Clerk's Report** - Kelly Finn, Clerk

A. Website - Daniel Levy had no news to report.

B. Mailboxes - Kelly Finn reported that there are around five empty boxes and that most of the 48 letters sent out requesting name and address information from unknown boxholders have not responded, however, about six have provided their street address and one handed in their keys.

**5. Resident Concerns-** None reported.

**6. Committee Reports**

**A. Permaculture Garden-** Daniel Levy made a motion to extend the RFP by one month; seconded by Hazen. Unanimous; motion passed.

**B. Parks** – We discussed the many jobs that need to be done and the occasional lack of availability of our usual maintenance guys so we decided to post a notice looking

for available back-up maintenance people. We will talk to Dave about fixing the second bathroom and putting up a chain to try and keep cars out of the pavilion park.

**C. Neighborhood Watch/Food Bank-** No report.

**D. Mailbox Center Membership:** Sharna & Missy presented an article from the mailbox committee for the annual newsletter. Proposal will be presented to the Board in a timely matter for the Board to make a motion to have the Committee's motion in the 2016 newsletter.

## 7. Old Business

**A. Lawsuits** –Kelly Finn reported that on Dec. 28, 2015, our lawyer, Peter Steinberg appeared before Judge Freitas in the 12 cases Pat Rocco filed against KSECA members. The Judge took up each case one at a time, and after Mr. Rocco's testimony, he ruled on the Motions to Dismiss that were filed. The Judge ruled in favor of the Motions, based upon the Statute of Limitations and the absence of specific allegations of injury and all of the dismissals were without prejudice.

Before the hearing on the Motions, Mr. Steinberg appeared (specially) for the return date of the lawsuits that Mr. Rocco filed on November 27, 2015. Before Christmas, he was told by the Court clerk that Judge Freitas had dismissed all of these suits because they were duplicates of what was filed earlier, but it turned out that there was one case which wasn't dismissed, because Judge Freitas didn't realize that it was duplicative. This was the lawsuit that Mr. Rocco filed against Kelly Finn. However, there was no proof of service on file, so Judge Freitas set a further return date for February 22, 2016 at 8:30 a.m. Upon review, the reason Judge Freitas didn't notice the duplication is because the first case was dismissed without prejudice back in September, so it wasn't an open case, however, Steinberg will file the same Motion to Dismiss as he did in the other cases.

Kelly made a motion to pay our lawyer, Peter Steinberg, monies owed for his services in the Rocco lawsuits, in the amount of \$967.50. Seconded by Daniel. Unanimous; motion passed.

**B. 2014 Audit:** Tabled, Patti left.

**C. Community Albizia Control:** No report

**D. RFPs**

1. Fire Ant (use of non-organic pesticide): Tyler will contact KFA about treating the pavilion and front parks.

**E. Letters to Members in Arrears:** These letters have so far resulted in \$6,240 in dues owed being remitted to KSECA. Hazen will contact Vicky K. to ask if Gary had any letters not yet completed.

## 8. New Business

**A. AGM:** Daniel will write a motion for the AGM to change the bylaw restricting tree removal from our parks.

**B. Newsletter:** Articles must be submitted to Daniel before Feb 9<sup>th</sup>. Daniel is writing an article about NextDoor, the website and being able to pay dues on-line.

**9. Announcement of Date of Next BOD Meeting:** Tuesday, February 9, 2016; 4PM.  
The 2<sup>nd</sup> Tuesday instead of the first to accommodate Board members scheduling conflicts.

**10. Adjournment:** Kelly made a motion to adjourn, seconded by Daniel, at 6:26PM.  
Unanimous; motion passed.

Minutes submitted by Kelly Finn