

# Kalapana Seaview Estates Community Association

R.R. 2, Box 4537 Pahoia, HI 96778

KSECA Board of Directors Meeting

Tuesday, March 8, 2016

Final minutes

1. Call to Order – Jean Howell called the meeting to order at 4:16 p.m. March 8, 2016
2. Attendance – Board Members - Jean Howell, Kelly Finn, Tyler Sprague, Daniel Levy.

Members Present - Hazen Komraus, John Dubois, Tim Prindable, Scott Stone, David Hoffeld, Patti Lightcap contracted treasurer, Sheryl Lynn (Sativa) Sultan, R.J., Christina Hazzard

The Board requested that John Dubois return the 2 board owned recorders, which he did. One is broken and the other's memory was full.

**Motion:** by Kelly, 2<sup>nd</sup> by Daniel Levy to affirm Hazen Komraus as a member in good standing based on the notarized letter of authorization written by the land owner which was presented to the Clerk and by reading the bylaws.

John Dubois questioned Hazen's legitimacy as a member in good standing with voting rights and his ability to serve on the board. The conflict in interpretation of KSECA bylaws and Hawaii Revised Statutes 421J needs to be clarified. It was suggested the board ask Steve Strauss, attorney, for clarification. John also requested that the bylaws committee be reconvened to develop consistency among the standing bylaws.

Daniel Levy verbally stated his resignation as a way to protest the disruption of the board meeting.

The meeting was suspended from 4:40 until 4:50 when Daniel returned to the table

**Motion:** by Kelly Finn, 2<sup>nd</sup> by Hazen to nominate Kathy Archer to the BOD

Unanimously approved

B. Additions/Corrections to Agenda - none

C. Announcements - none

3. Treasurer's Report – Patti Lightcap, Contracted Treasurer read the report

	Bank of HI	ING Savings	Total checks	Total Deposits
Feb.	\$26,162.79	\$47,896.58	\$2,683.17	\$13,495.00

4. Minutes February BOD Meeting

Hazen asked that Tyler read the minutes for the February Board Meeting

John Dubois called a point of order and contended that Hazen resigned rather than step aside to facilitate the meeting and that the minutes were inaccurate. S.L. Sultan wants an attorney review to determine Hazen's eligibility to serve on the board. Kelly stated that the language needs to be clear. J. Dubois has a personal recording of the meeting and will provide the recording to Patti Lightcap so that the minutes accurately reflect the language.

**Motion** by Kelly, 2<sup>nd</sup> by Hazen to table approving the February minutes pending a review of the recorded meeting.  
Unanimously approved

5. Clerk's Report – Kelly Finn, Clerk  
No news to report

6. Resident Concerns

S.L. Sultan stated that work she completed in August 2015 has not yet been paid. There was a discrepancy between what was agreed to between S.L. Sultan and Hazen and board policy. She had been credited for 1 year's dues and wanted dues from the previous year credited as well.

Motion: Jean, 2<sup>nd</sup> by Tyler to credit an additional \$100 toward dues to settle the issue.

Board agrees to follow work party policy henceforth.

S.L. Sultan also brought up a liability concern about the sinkhole on the front lawn. Civil Defense has examined the hole.

**Motion** by Kelly, 2<sup>nd</sup> by Hazen to contract with Adrian to break up and fill in the hole under the \$500 emergency limit. David Hoffeld will fill in the hole after it has been broken and re-compacted

Motion passed unanimously

7. Committee Reports

- A. Permaculture Garden

Scott Stone reported that he has begun work on phase 1 of the proposal and there is confusion re RFP and what needs to be presented to the AGM. Hazen suggested that Scott present several proposals at the AGM including phases of planting, wall or berm to prevent vehicles from entering the upper park at night. AGM approval is required to enclose the upper pavilion park.

The Board will put out RFP to explore ways to prevent cars from entering the upper pavilion park prior to AGM so that a vote on proposals can take place.

Kelly suggested that Scott submit a brief article to the newsletter so that membership has prior knowledge. Scott will send a brief article to Daniel tonight.

- B. Parks

Park signs have been shipped

**Motion** by Kelly 2<sup>nd</sup> by Hazen to reimburse Hazen \$229.11 Motion passed - Unanimous

- C. Neighborhood Watch/Food Bank

Future CERT classes will be held in Kea'au Oct. 8, 15, 22, & 29, 2016.

Albizia treatment on State Land will take place April 9<sup>th</sup> with volunteers gathering at 9:00 a.m. at the pavilion.

- D. Mailbox Center Membership Committee – nothing to report

8. Old Business

- A. AGM

Daniel will continue the newsletter process. Hazen will do the final edit.

- B. Newsletter

**Motion** by Kelly, 2<sup>nd</sup> by Jean to pay newsletter expenses including printing, envelopes and postage. Motion passed – Unanimous

C. Lawsuits

Kelly continues to be a part of the Rocco lawsuit that resulted from the 12-9-12 board meeting. Hazen suggested that the board countersue to recoup legal expenses.

D. 2014 Audit

Kelly has concerns regarding the mailbox accounting which was not included in the 2014 audit and will not sign off on the audit until the issues have been resolved. Hazen will set up a phone conference to be attended by Hazen, Kelly, Patti and Carbonara, CPA. Carbonara & Associates is the CPA firm conducting the audit.

E. RFP's

KFA contracted to treat the lawn and pavilion parks. Tyler reported that the 1<sup>st</sup> of 3 treatments has been made.

9. New Business

A. Contracts

Contracts, by board rules should be reviewed in January, board action has been inconsistent with the rule. **Motion** by Kelly, 2<sup>nd</sup> by Hazen That the Board look at contracts when the new board comes on rather than in January. Motion passed Unanimously.

J. Dubois and S.L. Sultan contended that labor contracts between the board and community members are illegal.

**Motion** by Kelly, 2<sup>nd</sup> by Hazen Change board rule 4B 01-2009 – 2015 which reads Review of labor contracts annually in January (05/2012) to Review of labor contracts annually following the AGM. Motion passed unanimously

10. Announcement of Date of Next BOD Meeting

The next BOD meeting will be April 5, 2016 @ 4:00 p.m. at the upper park pavilion

11. Adjournment

Daniel Levy tendered his resignation in writing.

Tyler Sprague tendered his resignation in writing because he is leaving Hawaii.

The meeting adjourned @ 6:08 p.m.

Howell

