

Kalapana Seaview Estates Community Association
RR2 Box 4537, Pahoia, HI 96778
April 26, 2015 AGM

Annual General Meeting DRAFT Minutes

1. Call to Order- Randall Shipp, Acting President

After more than one hour and a half of sign in, the meeting was called to order at 1:35 PM by the Acting President, Randall Shipp.

As there is currently no scribe, John DuBois made a motion to have Kelly Finn take notes for the meeting. Seconded by _____. Motion carries. One abstention by Kelly Finn.

John DuBois made a motion to have Melissa Dixon facilitate the meeting. Seconded by Jenna Way. Motion carries unanimously.

A. Announcements

John DuBois announced the availability of refreshments in the cooler and coffee; and that pizza for lunch will be delivered at 2:30 PM. He thanked the folks who helped with today's sign in process.

Three individuals requested to make announcements and briefly speak on Neighborhood Watch, permaculture and SPACE.

Steve Knight, Neighborhood Watch (NW). Steve said any group of individuals can form to make a NW to deter crime and help out neighbors. The newly formed NW in Seaview is about Neighbors Helping Neighbors. It is not about street patrol, armed volunteers, spying or mandatory participation. Its functions are to identify who is likely to need help in an emergency, and who to contact in case of suspicions of a crime. He said they are putting up a website (SeaviewNeighborhoodWatch.org), that the domain is registered and it will be up and running soon. They have a survey form that was made available to folks at the meeting which will also be posted on their website. They have divided KSE into 4 quadrants and each has a NW block captain who you can go to for questions, concerns and crime reports. This can precede a call to the Police Dept. except in an emergency.

Wade Bauer, Permaculture Garden. Wade spoke about a proposal to create a permaculture garden and food forest in the upper parks of KSE. He would work on it 2 times a week and welcome anyone in the community to help. He said it would allow folks to get plant starts, learn how to grow food, and beautify the parks, and that neighbors privacy would be enhanced with plantings. There would be a volunteer coordinator. Wade has 10 years experience and is currently doing a garden at UH Hilo.

Tristan Graham, SPACE. Tristan provided us with an update on what is going on and

being planned at SPACE. SPACE is owned by Hiccup Circus and there is also the 10-acre Belly Acres. Tristan is the new Director of the Hiccup Circus. They no longer have intentions to do loud music/night time shows but are looking to do after-school programs for kids and then they will tour the island doing performances around the island. If anyone is interested in what's happening or wants to do some teaching, Tristan encourages them to come and see him. He also said they have a certified kitchen up and operating.

B. Additions/Corrections to Agenda

Eric Marantz wants to add Fire Ants to the agenda under New Business. Randall Shipp, Acting President, announced his goal is to take care of the parks and make them look better.

2. Minutes

Kelly Finn read the 2014 AGM minutes. Discussion ensued and it was decided to fix up the typos and add page numbers.

Motion by Mark Hinshaw to accept the minutes as corrected. Seconded by Daniel L. Unanimous passed with one abstention by Scott Stone.

3. Treasurers Report

Kevin Sulgit read the report. Uschi Snover asked about our total legal expenses. Patti L. explained that we had had to fund a client escrow account to cover the possible "garnishment" and that these funds were later returned to us. Total money given to our lawyer to date is a \$15,000 retainer.

We also added mailboxes at a cost of \$15,500 which is from a floating account whereby members add to the account when they pay a mailbox deposit. James Kelly asked who owns the mailboxes and Kevin answered that 7 years ago the USPO stopped buying the boxes.

Hazen K. made a motion to accept the Treasurer's report, as read. Seconded by Mark Hinshaw. Motion passed with one nay vote.

Daniel L. made a motion to move up the Demo Garden agenda item to just before Old Business. Seconded by Scott Stone. Discussion occurred as to why we should be moving a new business item up on the agenda. Motion failed with 45 nays and 35 ayes and 7 abstentions: Mannix Miller, Jack Renauer, Stefan Hewitt, Kelly Finn, Rose Geranium, James Kelly and Monica _____.

Kelly Finn made a motion to establish an election committee for counting the votes. Seconded by John Dubois. Motion passed. Three members volunteered to be on the committee: Kevin Sulgit, Jenna Way, and Auntie Willie.

Randall Shipp made a motion to break to eat pizza. Seconded by Auntie Willie. Motion failed with 42 nays, 20 ayes. Folks wanted to complete the voting before eating.

4. Voting

Nominations from the floor for 2-year Board positions:

Hazen Komraus (as was in the newsletter).

Daniel nominated Aaron who declined.

Hazen nominated Scott who declined.

Athena nominated Geranium who declined.

Jenna nominated Kelly Finn who accepted. Seconded by John Dubois.

John Dubois nominated Vicky Chisholm who accepted. Seconded by Kelly Finn.

Mark Hinshaw made a motion to close nominations. Seconded by Auntie Willie.

John Dubois made a friendly amendment to accept the 3 seats by acclamation, which was accepted. Motion passed, unanimous vote.

Nominations from the floor for 1-year Board positions:

John Dubois nominated Athena Peanut who accepted. Seconded by Uschi Snover.

As there did not appear to be anyone else willing to serve, Daniel L. made a motion to close nominations. Seconded by Kelly Finn. Motion passed; unanimous vote.

John Dubois made a motion that new Board members take their seats and old Board members retire theirs. Seconded by Daniel L. Motion passed with 96 ayes, 17 nays and one abstention, Kelly Finn.

5. Lunch Break

The break for pizza was called.

L.J. from Kalani Honua announced that Kalani is starting a food buyer's club and a natural foods store at Hale Aloha. David _____ is the main person in charge. They have raised \$23,000 but need \$65,000 to get it up and running. They are planning to do a pre-membership sign up (\$45/year). They also have a membership scholarship program for those who cannot afford the annual fee plus a pay-it-forward program. David has a comment box in Hale Aloha if you have suggestions. They are also adding a water fill-up station. They will be open 7AM-9PM daily. They are looking at a van ride system for those who cannot get there on their own. They will emphasize locally-produced items. They will be hiring 20 full-time workers. You may comment in the comment box or at themarket@kalani.com

6. Lawsuits Update

Kevin Sulgit reported on the 3 lawsuits against KSECA brought by Pat Rocco. The 1st suit where Rocco sued for indemnification went to court many times and KSECA won in January; Rocco filed an appeal in February.

The 2nd suit was filed against Kevin Sulgit and KSECA. We have motioned to have the case dismissed with our attorney's fees. Motions are due on May 18th; trial starts July 6th. The 3rd suit was filed at District Court filed by Rocco against KSECA and naming several individuals claiming that "riotous behavior" at the Dec. 9, 2012, Board meeting caused his heart attack and stroke. We have subpoenaed his medical records yet he has not complied.

Kevin stated that if KSECA ever went into receivership (if we did not have a functioning Board) that Rocco would likely receive money (from KSECA). We need to get court certified as a 421(J) entity which will make it whereby if KSECA is sued they must first go through mediation. Rocco refused mediation already with the 3 suits.

7. Election Results

New Board Members Elected:

Hazen Komraus
Vicky Chisholm
Athena Peanut

8. New Business

Daniel L. made a motion to approve Wade Bauer's permaculture project for a maximum of \$12,000. Seconded by Daniel Sloan.

Mark Hinshaw asked Wade what the proposed salaries were: \$3250 Wade's 1-year salary (\$25/hr) and \$844 for a volunteer coordinator's salary. Mark H. expressed concern that this garden idea was tried about 7 years ago (here in Seaview) and failed (at a cost of \$5000). David Snover told us that the lawn maintenance company who does the front park would leave the palm fronds and coconuts to be used as mulch. Hazen K. asked about where irrigation water would come from and was told it would come by gravity feed from our pavilion catchment tank. Discussion continued on the pros and cons of the proposal.

Daniel L. made a motion to amend his motion to accept bids for a permaculture demo garden with bids due by the June Board meeting for a maximum of \$12,000.

Proxies were distributed to new Board directors and the vote was called.

Results were: 73 ayes; 38 nays; 7 abstentions. Motion passed.

Hazen K. made a motion to form a committee to put together a RFP for the permaculture demo garden. Seconded by John Dubois. Vote: 66 ayes; 0 nays, 2 abstentions Jack Hash and James Kelly. Motion passed.

9. Old Business

A. Parks and Concerns

Fire Ants – To be addressed at the next Board meeting

B. Mailboxes

Mark Hinshaw made a motion that the Board is not to close anyone's mailbox for non-payment of dues. Seconded by Danel L. Vote was unanimous with one abstention by Kelly Finn. Motion passed.

C. Palm trees in the Front Park

David Snover made a point about the liability of the palm trees and the danger of coconuts and palm fronds falling.

David S. made a motion to put out a RFP for regular removal of palm fronds and coconuts from trees in the front park by a qualified bonded & insured company. Seconded by _____. Vote was unanimous. Motion passed.

11. Adjournment

Motion to adjourn made at 5:17 PM. Unanimous; motion passed.