

KEALAKEKUA BAY ESTATES BOARD OF DIRECTORS MEETING

MINUTES

WEDNESDAY 7 JULY 2010

Officers and Board Members in attendance:

Dick Kuehner, President
Rick Down, Board Member
Debbie Newbery, Treasurer
Bill Cliff, Board Member
Terry Dunlap, Board Member
Jac Fogelstrom, Secretary

Meeting called to order at 7:10 pm

The Meeting opened with a discussion of the current Officer positions. All BOD members were just elected at the June 26, 2010 Home Owners Annual Meeting. Bill Cliff quoted the K-Bay Bylaws, Article III, Section 3.01, "officers normal term is (1) year".

MOTION:

Bill Cliff made a motion, it was seconded by Terry Dunlap, stating:

"Delay election of officers until the BOD's next meeting"

The Motion was passed.

The next BOD Meeting will be held on August, 4, 2010 at 7:00 pm at the Kuehner residence.

During the interim BOD members are encouraged to consider if they want to remain as an Officer, in the same capacity, or a different capacity, and for non-officers, if they wish be hold an officer position.

The details of the next BOD Meeting will be posted on the K-Bay Website and forwarded to Gabriella Cooper for her to "blast" via email to property owners.

The Meeting began after the election of new officers discussion was concluded and no officers were voted on at this meeting.

Minutes from the previous meeting were accepted and will be posted to K-Bay Estate website.

Three Motions were made at this Meeting:

1. Motion by Bill, seconded by Terry and carried unanimously.

" The BOD authorizes its President, in collaboration with the Estates Attorney to negotiate a settlement with the Owner of Lot 7 on the monies he owed the Estates. The range for negotiations will be 60 to 75% of the monies owing."

2. Motion by Debbie, seconded by Terry and carried unanimously.

“ The BOD should follow the CC&R's in regard to Lot 15 and the nonpayment of dues. Dick will contact the Estates Attorney to send a demand letter.”

3. Motion by Debbie, seconded by Rick and carried unanimously.

“ A follow-up letter to all property owners adjoining the Estates flood channel will be sent reminding those owners effected that the common's area trail ownership has reverted to them and that all property adjoining the channel needs to be maintained. Overhanging vegetation trimmed back and all trees close enough to the channel that their roots may undermine and damage the channel walls and floor must be removed”

Rick is responsible for preparing and sending out the letters.

Dick passed out the evening's agenda.

Agenda Items were follow

Item 1. “Approve minutes from property owners meeting.”

Action taken. Minutes of the April 18, 2010 BOD Meeting were accepted.

Item 2. “Triantos said that a lien was applied to unnamed lot owner 30 days after he sent the demand letter. So the question remains how we want to collect what is owed or some other amount? Do we want to stay with the total bill plus interest in which case we might be collecting it 20 years from now when he might sell? Or do we want to negotiate or go to small claims court for a potentially quicker recovery. The \$300 bill would grow to about \$31,000 in 20 years.”

Action taken. See Motion 1.

Item 3. “Last week, Jac asked Triantos to initiate a demand letter and possible lien on unnamed lot owner.”

Action taken. Triantos is currently preparing the necessary documents.

Item 4. “ What should we do about unnamed lot owner? -Have Triantos send a demand letter and then file a lien? We could go to small claims court to recover the past dues. A winning verdict could attach a local bank account of unnamed lot owner if he has one.

Action taken. See Motion 2.

Item 5. “Are satisfied with the new driveway at unnamed lot owner? Or are there remaining issues. Should we send a thank you/confirmation letter to unnamed lot owner?”

Action taken. BOD members will inspect the driveway and will discuss at the next BOD meeting. Tabled until the next meeting.

Item 6. “ Should we keep a permanent list of actions to comply with CC&R's for easier reference? Should we send a confirmation letter of actions and compliances to affected owners?”

Action taken. The BOD will consolidate current records of such a nature with the Secretary for permanent safe keeping. Item tabled until the next meeting.

Item 7. "Should we have Triantos file a "Notice of Pendency of Action" on unnamed lot owner non complying gate? Do we have an application (letter) for a permit from the Estates to build the gate?"

Action taken. Bill will search the Planning files for documentation on this Item. Item tabled until the next meeting.

Item 8. "Mays' volunteered to do lot cleanup on any lot as needed by the BOD."

Action taken. The BOD will thank the Mays for volunteering. The BOD will not use the Mays for lot cleanup but will put out to the Property Owners that such a service is available.

Item 9. "May has asked if the street light on his street could be turned off."

Action taken. Terry will experiment with the street light in front of his house and try to diminish the direct light coming out from the top. BOD members will be invited to see the results.

Item 10. "What structure is unnamed lot owner building in his back yard?"

Action taken. Rick will visit the lot on July 8. He will explain that building within the setback requires approval by the Planning Committee and he should submit plans.

Item 11. "What is our next step in trimming overhanging vegetation along the flood channel? Should the Association subsidized this first time effort? Timing "

Action taken. No subsidizing by the Association will be authorized by the BOD. See Motion 3.

Item 12. "What actions should we take to gain more meaningful compliance with CC&R section 3.02 "Maintenance of Lot"? This comes into play on issues like unnamed lot owner grass at the mailboxes (Which came up at the owners meeting) as well as tall grass and shrubs on unoccupied lots. Should we have a contest to award a "most improved" attractiveness to front yards over the next year or annually? This might be useful when lots start selling again."

Action taken. Tabled

Item 13. "Other from the floor."

Action taken. Sarah Fogelstrom volunteered to repainted the entry gates if the BOD buys the paint.

The meeting was adjourned at 9:30 pm.