

## ***Kealakekua Bay Estates Owners' Association***

Board of Directors Meeting  
4-Nov-2006

### Meeting Minutes

Meeting called to order at 10:08 AM by President Dick Kuehner. Board members in attendance: Vice President Bill Cliff, Treasurer Ken Kjer, Member Rick Down. Steve Judd (Lot 5) is also in attendance.

### **Business of the Board**

1. Discussion of minutes from Annual Meeting; the current published version are still in "draft" form. Since these are the Annual Meeting minutes the board determined they needed to be approved by the assembled owners at the 2007 Annual meeting.
2. Motion by Rick Down to appoint Steve Judd to the Board as Secretary to replace Dan Engle, who resigned. Motion seconded by Bill Cliff. Vote called by President Kuehner, motion carried with all in favor.
3. Bill Cliff will provide a copy of Dan Engle's resignation e-mail to be filed by board.
4. Dan Engle will stay on as the chair of the "Streetlight Committee".
5. Discussion of Update Reports per Agenda:
  - a. Perimeter fence and bougainvillea maintenance: The earthquake caused some further damage to the fence pylons and rails. Dick has been repositioning some of the fallen rails, propping up others, and replace some with 2x6's painted to match. Rick Down and Steve Judd offered to help with this as needed.
  - b. The gardener is still working on replacing the dead and damaged bougainvilleas and some of the new plants are getting established. This needs to be monitored on an ongoing basis.
  - c. Ken Kjer raised the issue of weeding the landscape beds by the front gate, Dick will inquire about this.
  - d. Landscape maintenance often falls behind during the high coffee picking season, since the current service is otherwise reliable the board is willing to live with this.
  - e. The bougainvillea at the corner of Napoopoo and Middle Ke'ei need to be pruned back further to improve visibility.
  - f. Perimeter watering: Dick, Rick and Bill have been operating the perimeter valves manually and the system seems to be pretty stable now but needs to be watched. Some of the perimeter water is coming from Lot 55's connection, the board must figure out how to split our usage from the homeowner's usage since the house is now occupied. One possibility is to add a meter for our usage downstream of our connection. The perimeter irrigation lines all need backflow preventers, Rick Down will investigate this.
  - g. Front Gate: one of the controller boards has been removed for service, new parts are expected in a couple of weeks. This is supposed to fix the reliability issues.
  - h. Street Lights: PA Harris Electric has been notified about the damaged light on the gate post and will be in to fix it. Several other lights are

slow to turn off, and another next to Lot 40 needs service. PA Harris should be dealing with these, also.

- i. Construction Issues: we need to verify the setbacks for the home under construction on Lot 54. Bill will contact the contractor to get a measurement from the structure.
- j. Lot 16 wants to build walls and do some terracing in advance of starting construction. The owner has been asked for details on the grading plans. If any cuts or fills are in excess of 36" we will need a complete set of formal grading plans.
- k. Coqui Frogs: Lot 28 reports hearing coquis in Mark Vanderplass' property but attempts to enter and capture the frog were halted by the owner's dogs. Dick will contact Mark about the coquis.
- l. Budget and Accounting: we have 24,555.50 in our account as of November 4 with no accounts in arrears.
- m. Web site: the web site is running and up-to-date. The webmaster will look into getting some usage statistics.
- n. CCR Compliance – landscaping. President Kuehner presented a draft of a letter to be sent to homeowners whose lots don't meet minimum standards for a "good, clean, and attractive condition" per Section 3.02 of the CCRs. An extensive discussion of the issue followed:
  - i. This is clearly highly subjective, and the referenced section is very general.
  - ii. The board can enforce the CCRs but defining an standard for "good, clean, and attractive condition" is difficult, so enforcing any standard for landscaping is challenging.
  - iii. There is a risk of becoming involved in lawsuit, which could be costly and counter-productive.
  - iv. Motion by Bill Cliff, seconded by Rick Down, to authorize the president to send letters inquiring about the status of landscaping on lots where the house is completed and occupied but no landscaping has been completed, the content of the letter to be that presented in the draft minus language suggesting legal action as a possible punitive measure.
  - v. Vote called, In favor: Dick Kuehner, Bill Cliff, Steve Judd, Rick Down; opposed: Ken Kjer.
- o. CCR Compliance – driveways. The CCRs require a paved driveway from the street to the edge of the setback. The design requirements call for asphalt, concrete, crushed stone driveways with other materials approved by the design committee on a case-by-case basis. Design Committee chair Bill Cliff suggests the board contact homeowners with unpaved driveways and inquire about their driveway plans. Dick will provide a list of the lots in question to Bill; Bill will compose a draft letter to be reviewed by the board.
- p. Construction Completion: there are no current issues with incomplete construction. The CCRs call for inspection of completed construction by the Design Committee, but in general homeowners have not been notifying the Design Committee when construction is completed. Ken Kjer suggested the board contact owners of recently completed homes to discuss completion and inspection.
- q. Neighborhood Watch: there has been a recent increase in crime and suspicious activity in the area. Gabriella Cooper has been sending out Neighborhood watch updates and the webmaster has been posting these on the subdivision web site.

- r. Trespassing: recently paragliders have been landing in the subdivision or mauka of the subdivision and cutting across lots to get to their "landing zone". Anyone encountering one of these folks should ask them politely to stay on the roads.
- s. Roads and Traffic: discussions with the county revealed that Aka Ala street and the connecting mauka streets were never accepted by the county, so its unlikely that these will be opened to through traffic.
- t. Coquis: with coquis known to be in the area the issue of possible coqui spraying was raised, specifically who could do it if the need arises. Dick will ask the gardeners if this is something they can do.
- u. "Nancy" the sheep is still living in the drainage culvert and appears to have no inclination to leave.
- v. One of the lots near the top of the drainage culvert is dumping yard waste into the culvert; this has to stop as this channel is part of the flood control system.

Meeting adjourned at 10:47A

Minutes submitted by Steve Judd, Secretary.