

# MINUTES OF KUAU BAYVIEW BOARD OF DIRECTORS MEETING

## June 13, 2013

**DIRECTORS PRESENT:** Luba Reeves (Pres) via FaceTime, Dan Judson (Treas), Tom Atkins (Sec), Nancy Firestine, George-ann Kealoha (replacing Ann Pitcaithley who moved)

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Fred Reeves operated the digital projector and FaceTime connection to Luba 12 homeowners (Lots 1,7,8,19,21,29,31,41,43,57,60)

### CALL TO ORDER & DETERMINATION OF QUORUM

Treasurer Dan Judson called the meeting to order at 6:43 pm at the Paia Community Center in Paia. With all five Directors present, a quorum was established for the conduct of Association business. Meeting to be recorded.

### BOARD CHANGES

Departing Board members whose terms had expired (Ann Pitcaithley, Marcy Martin, Stan Goosby) were thanked for their outstanding service. George-ann Kealoha was welcomed to the Board, having previously served from 2002 to 2004. Ann, Marcy, & George-ann were presented with beautiful hand-made leis. The terms of Dan, Tom, and George-ann were extended to the Annual Meeting in November.

### APPROVAL OF PAST MINUTES & EMAIL MOTIONS

**MOTION:** To approve the minutes of the [Nov 8, 2012 meeting](#) as submitted. Seconded and carried unanimously. (Judson/Atkins)

**MOTION:** To ratify the series of email votes taken since the Nov 8, 2012 meeting. These are recorded as [Email Vote 2013-05-11](#). Seconded and carried unanimously. (Judson/Kealoha)

### PRESIDENT'S REPORT

President Luba Reeves reported that in one short year the Board has exceeded the goals it had hoped to attain. The rock wall looks as if it has been there forever. The landscaping & retention basin have never looked better. The Association has been run so efficiently that we are able to reduce the fees for 2014 to \$100 - one third of what they were a year ago - and still meet a budget.

### TREASURER'S REPORT

Treasurer Dan Judson reported that the total assets of Kuau Bayview in savings, checking, and petty cash are **\$81,300.00** with \$60,000 in the Reserve Fund and \$21,300 in the Operating Fund. There are 4 owners who are late with their fee payments. Accounts Receivable is about \$1100.

The ability to view the financial state of the Association is available 24/7 to all of our members by going to our website and clicking on Finances, where all of the information pertaining to [Income & Expenses](#) can be seen. An email will be sent out giving links to all of this information, so you can view it on your own screen. Reducing the maintenance fees is something that this Board was committed to doing, and a lot of the goals of this Board have been enabled through the voluntary efforts of Darlene and Tom; I want to give them credit for this. Right now we have a fair amount of cash on hand, and as a non-profit organization, it makes no sense to keep stockpiling more and more cash. Our Accounts Receivable is about \$1100, which is down from over \$10,000 when we took over from Valley Isle Management a year ago. I want to give credit to Darlene for going through lot by lot and making a compilation statement from the very outset when you first became an owner of your lot. This has involved an incredible amount of work, and by going through like this, we have discovered many errors in billing going back years. We have had to adjust the balances on many owners' accounts. For the sake of fairness, it is

really important that this work was done, and I want to congratulate Darlene for doing that work. Let's give her a hand...

In 2003, we were spending \$526 per month on bookkeeping. Right now, ten years later, we are going to spend less than half that. Our legal costs have dropped, our insurance costs are about the same, and now thanks to volunteerism, we don't have much landscaping expense. The Retention Basin expenses have also been reduced as a result of Tom's research proving that the percolation function of the basin is better preserved by discontinuing the mowing actions that were funded in the past, and so we are saving \$1800 per year there.

Overall we are running a tight ship. I personally monitor the financial state by routinely going online to the Bank of Hawaii accounts and observing, for lack of a better term, the lack of disbursements from our operating fund. We are really not spending much money, and so the Board was able to drop the fees this year from \$300 to \$240, and we would like to drop them even further to **\$100 for 2014**.

In conclusion, I would like to state that, as a non-profit, the Board should be good stewards of your money and not endlessly stock-piling cash with the attitude, "We've got the money, so let's spend it." Rather, we should use our money as a tool, and not lend out our tools inappropriately. We invite all of you to visit our great [website](#) and check things out... there is a whole [financial time-line](#) in there.

### **DESIGN COMMITTEE REPORT**

The Committee members are Luba Reeves, Lynette Shishido, Darlene Brothers, George-ann Kealoha, and Nancy Firestine. In the past few months approvals have been granted for 3 fences (Lots 19, 60, & 92) and one trellis (Lot 50). One renovation project (Lot 62) which was approved over a year ago has recently received permits from the County for adding a second story to a Pikake model.

### **GRIEVANCE COMMITTEE REPORT**

There was one report of a banana tree pushing on a neighbor's fence. A volunteer relocated it and both neighbors were pleased.

### **RETENTION BASIN REPORT** [ [full text of Tom's report](#) ]

Secretary Tom Atkins reported that, after a year of research, he had completed the [Retention Basin Maintenance Plan](#) which will be invaluable as a reference resource for future Boards. He presented a detailed history of the Retention Basin and described the plan he had devised for its care going forward, accompanied by [a slide show of digital photos](#). He has also catalogued the various plants, weeds, & trees of Kuau Bayview. This useful resource is available on the [Plants page](#) of the website.

### **LANDSCAPE COMMITTEE REPORT** [ [full text of Tom's report](#) ]

A [slideshow](#) illustrated how volunteer Darlene Brothers has transformed the front entrance landscaping using rocks generously donated by HC&S and plants donated by owners. Total expenditure about \$60 for soil & Vinca. Volunteer Tom Atkins has mapped, repaired, and rerouted the HOA irrigation system thereby eliminating the longstanding problem of leaks & diversion. Tom has also created a [Landscape Projects Manual](#) with maps and schematics for future reference. All of this was a huge amount of (unpaid) work resulting in huge savings to the Association. Mahalo plenty to our volunteers, Tom & Darlene!

### **OLD BUSINESS**

- 1 The A&B attorney, Charles Loomis, has still not produced the completed paperwork pertaining to the grant for Easement 19 promised last January. Reminders will be sent until this issue is resolved.
- 2 **MOTION:** To approve the [2013 Budget](#). Seconded & carried unanimously. (Judson/Firestine)

## **NEW BUSINESS**

- 1 MOTION:** To set the date for the **2013 Annual Meeting** for a Thursday in November to bring the terms of the Directors more in line with the fiscal year, and to provide more time to complete the record cleanup and audit. Seconded & carried unanimously. (Judson/Atkins)
- 2 MOTION:** To reinstate **late fees at \$15** per month. Seconded & carried unanimously. (Judson/Firestine)
- 3 MOTION:** To pay \$2500 per year to Board Assistant, D Brothers, for Bookkeeping/Administrative services. Seconded & carried unanimously. (Judson/Atkins)
- 4 MOTION:** To thank HC&S for their donation of the landscaping rocks at the front entrance by gifting them an Eddie Flotte print of the [old Paia Sugar Mill](#) for the HC&S office on Baldwin Avenue. Seconded & carried unanimously. (Judson/Firestine)
- 5 Fence Heights:** On March 19, 2012 Maui County adopted new Building Codes. Owners were asked their opinions about the fence height limit changing from 6' to 7'. The general consensus seemed to be that the intent of [DCCR 10\(b\)\(xxii\)](#) was to comply with County Code; therefore, the Design Committee will consider the maximum height for all parts of a fence (including posts, caps, ornamentation) to be **7 feet**. Factors such as location (front or back yard), visibility from the street, & neighbors would all be taken into account.
- 6 Delinquencies:** Owners were asked their opinions about how best to collect dues from the few owners who refuse to pay their maintenance fees. Options are lawyers, Small Claims court, liens on property. Discussion revealed no easy solution. *\*[ As we could not find a lawyer who would work on contingency, it was later concluded that Small Claims Court was the best solution. Then we found [ADAC](#). ]*

## **OWNERS FORUM**

- Tom Jenkins (Lot 43) objected to an attachment to the Nov 8th Minutes, and also to references on the website to his lot in relation to the HOA irrigation system. *\*[ The website references were later removed as were all attachments to the Nov Minutes. ]* Tom stated that he had abandoned his plan to erect a vinyl fence on top of the new rock wall along Lae St.

**ADJOURNMENT** Motion to adjourn the meeting at 8:32 pm. Seconded and carried unanimously. (Kealoha/Atkins)

**NEXT BOARD MEETING** The next meeting will be the Annual Meeting on November 21, 2013.

*\* Text in italics adds relevant information acquired subsequent to the meeting.*

Minutes prepared by:  
/s/ D Brothers  
D Brothers, Admin Assistant

Approved by:  
/s/ Luba Reeves  
Luba Reeves, President

Date: July 8, 2013