

MINUTES of the 2017 KUAU BAYVIEW ANNUAL MEMBERSHIP MEETING
November 16, 2017

5 DIRECTORS PRESENT: Luba Reeves (President), Shems Heartwell (VP), Tom Atkins (Treasurer),
George-ann Kealoha (Sec), Chris Fortescue (Director)

13 LOT OWNERS PRESENT: 1,7,18,19,21,37,55,57,62,64,65,80,92

17 TOTAL IN ATTENDANCE: 17 people including Michelle Almeida from the Wailuku Post Office

INTRODUCTIONS

President Luba Reeves introduced the Directors and welcomed new owner Nicholas Spurgeon of 33 N Laelua Pl (Lot 37). Nicholas is a lifeguard and Food & Beverage Manager with the Pacific Whale Foundation cruises.

DETERMINATION OF QUORUM & CALL TO ORDER

For a quorum we need a minimum of 50% or 46 voting owners represented in person or by proxy. Usually we need 47 but this year one delinquent owner has lost voting rights leaving 46. The quorum requirement has been met with 63 of the 91 Lots (69%) represented, 13 in person and 50 by proxy. 57 of the 60 proxies received (95%) were submitted online. Proxies are negated for owners who attend the meeting.

President Reeves called the 21st Annual Membership Meeting of Kuau Bayview HOA to order on Thursday, November 16th, 2017 at 6:30 pm at the Paia Community Center, 252 Hana Hwy in Paia. Unlike at Board meetings, at Annual Meetings members are allowed to make motions and vote along with the Board members. The meeting was audio recorded and we experimented by having the President read all the committee reports to see if it would save time. [it was determined that the variety of voices and faces is necessary to hold the attention of the audience, so we won't be doing that again]

PROOF OF NOTICE OF MEETING

Secretary George-ann Kealoha confirmed that notice of this Annual Meeting was sent to all owners of record on Oct 25, 2017 with accompanying proxy. A paper notice was mailed to the three snail mail owners on Oct 26, 2017. A copy of this notice is appended below.

APPROVAL OF MINUTES OF 2016 ANNUAL MEETING

MOTION: To approve the minutes of the Annual Meeting dated Nov 17, 2016, as circulated. Seconded and carried unanimously (Tom Atkins / Michael Baskin).

PRESIDENT'S REPORT is appended below.

FINANCIAL REPORT for 2017

Cash assets of the HOA currently total \$85,279. There were no unusual expenses this year so we are able to reduce the fees for 2018. All owners are paid in full except one delinquent owner.

DESIGN COMMITTEE REPORT

The purpose of the Design Committee is to maintain high architectural standards in Kuau Bayview in order to preserve property values and encourage pride of ownership. Approvals included a fence, new siding, new roof shingles, new solar panels, and new paint. Mahalo to all owners who are investing in their properties.

GRIEVANCE COMMITTEE REPORT

- Complaints included a temporary fence, bee-keeping, roosters, unleashed dogs, and flooding. Unfortunately, two owners filed complaints with the County against their neighbors instead of working things out amicably as we would have preferred.
- The ongoing problem with too many cars parking on the street is getting worse. It is against the CC&Rs to park on the street. The offenders seem to be mostly renters. Landlords must inform their tenants that they must park in the garage or the driveway if possible please.
- Owners have been observed throwing dog poop bags over the southeast park fence into the upper retention basin. You know who you are. Quite a disgusting mess has accumulated there. Please use the trash bins in the park instead.
- Some of the street trees need trimming. The County has changed their policy and now allow the "abutting property owner" with permission from the Director of Parks and Recreation to conduct needed pruning and spraying of street trees.

RETENTION BASIN REPORT

Tom Atkins & Dave Ingram (Lot 27) are making great progress clearing the basin slopes of haole koa and other invasive plants. The basin is quite beautiful when cared for. In an attempt to delay a future costly expense, Tom engineered a revetment at the base of the north side of the access road into the Retention Basin using cut haole koa trunks and large rocks donated by Laurent Guillemin (Lot 48). This will help mitigate the undercutting of the slope caused by water rushing out of the adjacent culvert. Eventually we will have to hire someone to bring in truckloads of rocks to prevent the access road from falling down the hill. Many mahalos for the huge improvements.

LANDSCAPE REPORT

The front entrance is ever-evolving as various overgrowth is cut way back & new plants are introduced. The Winter Starburst is a beautiful addition to the front entrance gardens and the Lae St hillside.

SECURITY REPORT There have been 5 thefts in the past year, 2 from cars, and 3 from the same front lanai. A homeless man was living in Makana Park for a while in October but he seems to be gone now.

ELECTION OF DIRECTORS

As there were two candidates for two Director positions, the election was by acclamation. We welcome Tom Atkins & George-ann Kealoha to two more years on the Board.

MOTION: To ratify the minutes of the Board Actions by Unanimous Consent dated July 27, 2017. Seconded and carried unanimously. ()

MAHALOS: Owners expressed their appreciation once again to Flatbread in Paia for their donation of five delicious pizzas for our meeting. We are very grateful for their generosity. Thank you cards were given to the hardworking volunteers: Tom Atkins, Darlene Brothers, & Dave Ingram.

NEW BUSINESS

Thanks to a quiet year with no legal drama, Annual Dues will decrease from \$175 to **\$130** for the Green List and from \$236 to **\$176** for snail mailers.

- 1) **MOTION:** To ratify the proposed budget for 2018 which is available on the website 24/7 for owners' perusal (). All in favor.
- 2) **MOTION:** To ratify the actions & decisions of the Board of Directors since the last Annual Meeting as listed in the July 2017 Action Minutes (). All in favor.

OWNERS' FORUM

ADJOURNMENT: The meeting was adjourned by unanimous consent at ____ pm ().

PRESIDENT'S REPORT 2017

Sincerely,
Luba Reeves
President
Kuau Bayview at Paia HOA

**2017 KUAU BAYVIEW ANNUAL MEMBERSHIP MEETING
MINUTES OF BOARD OF DIRECTORS ORGANIZATIONAL MEETING
Nov 16, 2017**

DIRECTORS PRESENT: Luba Reeves, Shems Heartwell, Tom Atkins, George-ann Kealoha, Chris Fortescue,

The purpose of the Kuau Bayview at Paia Homeowners' Association domestic non-profit corporation is to provide for the management, maintenance, landscaping, protection, preservation, aesthetic and architectural control and development of the subdivision.

The Board of Directors met during the 2017 Annual Meeting at 7:11 pm and organized as follows:

President: Luba Reeves
Vice President: Shems Heartwell
Treasurer: Tom Atkins
Secretary: Chris Fortescue
Director: George-ann Kealoha

HOA Manager Darlene Brothers will be added as a signer on the bank account. The DCCA Annual Corporate filing in April 2018 will reflect these changes to the Board.

MOTION: To adjourn the meeting at 7:12 pm. Seconded and carried unanimously. (Reeves/Atkins)

In the capacity stated above and on behalf of the named entity, I certify that the statements and representations made herein as indicated above are true and correct.



Chris Fortescue
Secretary
Kuau Bayview at Paia HOA

Notice of 2017 Annual Meeting Kuau Bayview at Paia Homeowners' Association

In accordance with Article III, Section 3(c) of the Association Bylaws, NOTICE IS HEREBY GIVEN that the 2017 Annual Meeting of the Ku'au Bayview at Paia Homeowners' Association will be held **Thursday, November 16, 2017 at 6:30 pm** in the smaller Conference Room of the **Paia Community Center** located at 252 Hana Highway in Paia, Maui, Hawaii. **Registration & pupus will begin at 6:00 pm.**

The purpose of this meeting is as follows:

1. To receive the annual reports of Officers, Directors, and Committees of the Association;
2. To elect 2 Directors to fill the term expirations of Treasurer Tom Atkins (Lot 55) & Secretary George-ann Kealoha (Lot 64). Both incumbents are running for re-election. If there are other nominations received by Nov 9th, they will be added to the ballot.
3. To transact other such business as may properly come before the meeting or any adjournment thereof.

In order to conduct the business of the Association, there must be a quorum. Owners representing more than fifty percent (50%) of the total authorized votes (92) must be present either in person or by proxy. In other words, at least 47 Lots must be represented. PLEASE SUBMIT YOUR PROXY EVEN IF YOU PLAN TO ATTEND to ensure the meeting can take place. If you attend, your proxy will be negated. We are once again offering **on-line proxy submission** to make the process less time consuming for all.

If you would like to run for the Board, please submit a nomination form. If you are interested in serving on the Design Committee or the Grievance Committee, please contact the Board prior to the meeting, or at the meeting. Light refreshments will be provided by the Association.

There will be a short organizational meeting of the Board of Directors immediately following the meeting for the purpose of electing officers for the coming year.

Dated: Oct 15, 2017
By call of: George-ann Kealoha, Secretary

Agenda for Nov 16, 2017 Annual Homeowners' Meeting

1. Introductions of Directors & New Owners
2. Determination of Quorum & Call to Order
3. Proof of Notice of Meeting
4. Approval of Minutes of 2016 Annual Meeting
5. President's Annual Overview
6. Financial Report
7. Design Committee Report
8. Grievance Committee Report
9. Landscape & Retention Basin Report
10. Security Network/Crime Report
11. Election of 2 Directors
12. New Business
13. Owners' Forum
14. Announcements
15. Adjournment
16. Organizational Meeting of Board of Directors

The complete 2017 Annual Meeting packet is available on the [Kuau Bayview website](#).