

NANAWALE COMMUNITY ASSOCIATION, INC.
BOARD OF DIRECTORS MEETING
MAY 11, 2011
Minutes

CALL TO ORDER: 6:30 pm

BOARD OF DIRECTORS: *Madie Greene, Al Kualii, Andrew Dauz, Francis Malani, Paul Martinez, Glen Bousquet, Mark Workman, Gwen Kupahu, Minerva Chenoweth.*

EXECUTIVE COMMITTEE RESPONSE TO BEVERLEY GODFREY'S TESTIMONY ON 04/13/2011: *Francis Malani; Francis Malani read the following letter in response to Ms. Godfrey's testimony requesting Madie Greene to step down from her current position as President on the Executive Board. Ms. Godfrey was not in attendance; however, a hard copy will be mailed to her. The following letter was read to all members present:*

May 6, 2011

It is the responsibility and obligation of the Corporation to address all issues and concerns brought forth by members of the Association. At this time the Executive Committee would like to respond to the testimony/letter given by member Beverley Godfrey at the Board of Directors meeting held on April 13, 2011 for the removal of Madeline Greene as Board President.

In Beverley Godfrey's testimony, she states in **FACT I** that Madeline Greene is serving her third (3rd) one year consecutive term, which is inaccurate. Madeline Greene was elected to the Board on November 12, 2008 to fill a vacancy. That term expired on October 2, 2010. On that day of the Annual Membership Meeting, Madeline Greene was elected to the Board for a term of three (3) years. One term consists of three (3) years; **BYLAWS, ARTICLE V. DIRECTORS, SECTION 3. ELECTION AND TERM OF OFFICE.** Madeline Greene's current and second (2nd) term will expire on October 5, 2013. Beverley Godfrey also cites from RONR pg. 567, L-14. What she fails to mention is that it is text from a model of a sample bylaw; pg. 548, **XVIII BYLAWS**, pg. 561, L-32 **Sample Bylaws**. Furthermore, RONR pg. 551, L-10-14 states; Such a model can only illustrate how a typical document of this kind is put together, however; and the provisions must be varied, additional ones inserted, or inapplicable ones omitted, as appropriate to the individual organization.

In **FACT 2**, Beverley Godfrey testifies that a President is authorized to serve no more than two (2) consecutive terms; Bylaws Art. IV, Sec. 6, last sentence. This Article and Section of the Bylaws pertain to **Meeting of Members/Quorum** and has no relevance to the position of President of the Board. Beverley Godfrey also states that Madeline Greene as President is

serving her third (3rd) one year consecutive term and is therefore disqualified to serve as President for the remainder of her third term (2011). In response, all Directors are elected to a **term** which consists of three (3) years; BYLAWS **ARTICLE V. SECTION 3.** Madeline Greene is in her second term, which expires on October 5, 2013. **ARTICLE VI. OFFICERS, SECTION 6. PRESIDENT** states in the last sentence of the paragraph; The President shall serve no more than two (2) consecutive terms. Madeline Greene is serving her second (2nd) term, each term consisting of three (3) years.

In conclusion, the Executive Committee has found no grounds for removal based on what Beverley Godfrey has testified. Therefore, Madeline Greene may continue to serve as President until her term expires on October 5, 2013.

Nanawale Community Association, Inc.
Executive Committee

Vice President-Francis Malani
Secretary-AI Kualii
Treasurer-Andrew Dauz

COMMUNITY REPORT: *Officer Daniel Rances and Officer William Brown were unable to attend; therefore, there was no criminal activity report delivered for the month of April, 2011 at this time. As a reminder, HPD continues to express the importance of the community taking an active role on calling the non-emergency line at 935-3311 if they should have information on criminal activity or know of any suspicious activities going on.*

PRESIDENT'S MESSAGE: *Madie Greene; Madie Greene welcomed everyone and expressed how proud she is to serve as President of Nanawale's Board of Directors. She also expressed how thankful she is to serve along with the current Board Members and recognized the hard work and great job that they are all doing. Madie announced that Puna resident, Louie Perry will be participating in the upcoming Special Olympics which will be held in Greece; therefore, requesting a donation be made to assist Mr. Perry with his travels and arrangements. Francis Malani motioned to approve a donation be made to help assist Mr. Perry with his travels and arrangements; however, further discussion will be needed for donation amount, Paul Martinez 2nd the motion, all in favor, motion passed to assist Mr. Perry with a donation with further discussion on the amount of donation.*

GUEST SPEAKER: *Michael Kaleikini and Ron Quesada from Puna Geothermal Venture were able to attend the meeting with an update of future projects and plans. Mr. Kaleikini shared that Puna Geothermal Venture generates about 20% of the electrical energy and energy diversification under a Power Purchase Agreement with HELCO. He also noted that the state is mandating that 40% of electricity generated by public utilities come from renewable sources by the year 2030. He announced that there is a new contract with the Public Utility Commission to have their new equipment up and running. There are also plans for another drilling to last approximately three (3) months. The date to start the new drilling has not yet been scheduled. Mr. Kaleikini also added that the new contract with Helco is being reviewed and the new equipment will result in a savings of a small percentage of each customer's electric bill.*

REPORTS TO BE ACCEPTED INTO RECORD:

°April, 2011 Minutes;

Andrew Dauz motioned to accept the April, 2011 minutes into record, Gwen Kupahu 2nd the motion, all in favor, motion passed to accept April, 2011 minutes into record.

°Treasurer's Report;

Andrew Dauz; Andrew Dauz presented the April, 2011 Treasurer's Report and announced that the office has been doing a great job with the collection of payments and are on track towards reaching the budgeted goal. Paul Martinez motioned to accept the April, 2011 Treasurer's report into record, Gwen Kupahu 2nd the motion, all in favor, motion passed to accept April, 2011 Treasurer's Report into record.

°Staff Report;

Robert Berry; A monthly staff report was given to Madie Greene which included the staff duties and projects throughout April, 2011 from administration, recreation, and maintenance departments.

PROGRAM DIRECTOR REPORT:

°Architectural Director-*Andrew Dauz; Andrew Dauz reported that one (1) new illegal structure has come up within the month and will be addressed immediately. At this time, there have been three (3) responses to recent letters that have been sent out. Those that have responded have a timeline to get rid of any structures on their property that is not permitted otherwise they will be fined. From a total of thirty-six (36) illegal structure issues, only six (6) have not yet responded.*

° **Environmental Director**-Glen Bousquet; Glen Bousquet reported that members have been responding and addressing letters sent to them informing them of potential hazardous albizia trees on their property. Glen also expressed his relief with the City & County coming in to remove the large trees located along county roads and endangering electrical lines.

° **Maintenance Director**-Paul Martinez; Paul Martinez announced that the new awaiting tractor is still currently in California. He reported that the maintenance crew had been busy with placing a new roof on the maintenance shop due to leaks. Paul added that the location of the new tractor is still in California. Robert Berry added that the maintenance crew have begun grading the roads and have an on-going schedule throughout the year to work on the grading of the roads every Monday. The maintenance crew will be concentrating on mowing and maintaining of the parks every Wednesday through Friday.

° **Neighborhood Patrol Director**-Al Kualii; Al Kualii reported that he had spoken with Dorothy Baxter of "Young Life" regarding the kids that have been loitering outside. He also mentioned that he had noticed a white satellite dish outside of a home located on the easement of Nanawale Blvd. Robert Berry added that he would be able to contact the County to notify them as Nanawale Blvd is a County roadway.

° **Policy Director Nominee**- Minerva Chenoweth; Andrew Dauz motioned to nominate Minerva Chenoweth to serve as Nanawale's Policy Director on the Board, Gwen Kupahu 2nd the motion, all in favor, motion passed for Minerva Chenoweth to fill the position on the Board as Nanawale's Policy Director.

° **Recreational Director**-Andrew Dauz; Andrew reported on the Easter Egg Hunt held on Friday, April 22, 2011. The event was a great success with over 150 children in attendance. There were six (6) winners total of different age groups that won a prize of a gift-filled Easter Basket. Fun was had by all as there were craft tables for the children to create their own Easter Bags and Bunny Ears. Andrew reminded everyone of the upcoming Yard Sale which will be held on May 21, 2011 between 8:00am and 3:00pm. Anyone interested is welcomed to sign up to reserve a table or space for a donation of \$5.00 which will go towards the Youth Fund.

° **Team Action Nanawale Director**-Francis Malani; Francis Malani reported that he is still following upon the Miconia issues. Francis and his team are still trying to locate all the locations where the Miconias are spreading.

° Council Update-Gwen Kupahu; Gwen shared some projects that are in the planning for the Nanawale Community. Projects include five (5) street lights to be installed along Nanawale Blvd. The park located on Kehau Street will have an additional 2 lights installed by the County of Hawaii. Also being added to the Nanawale subdivision will be one (1) “Smart Sign” to help deter speeding cars down the boulevard. The water spigot area outside of the Nanawale Estates will have four (4) regular water spigots and one (1) spigot for the handicapped to use. The completion of the water spigot project is estimated at 2 to 3 months with weather permitting. In addition, the estimated completion date for the Pahoia Transfer Station is June 15, 2011. Also shared was of Bill # 311 which has passed. Out of the \$56 million dollar bond, \$5.5 million dollars will go towards Puna Parks. HazMat should be completed from the old fire station by June of 2011. Contractors and Volunteers will start the renovation. Lastly, the County Dept. is continuing to follow up on holding video conferences at the Pahoia Community Center.

UNFINISHED BUSINESS:

- 1. **Lighting for Longhouse/Parking Lot:** Robert Berry; Robert reported that there are no updates at this time; however, he is still following up on receiving bids from licensed electricians.*
- 2. **Illegal Structure on Seaview:** Andrew Dauz; Andrew reported that the the illegal structure located on Seaview will be addressed next week as the paper work for the attorney still needs to be completed.*
- 3. **Security Cameras at Longhouse:** Robert Berry; Robert reported that the security cameras for the maintenance area will be installed and in place by the maintenance crew by next week Wednesday.*

NEW BUSINESS:

- 1. **Annual Membership Meeting:** Andrew Dauz; Andrew announced that the Annual Membership Meeting will be held on Saturday, October 1, 2011 at 1:00pm. He reminded everyone that members must be notified in writing 30 days prior to the scheduled meeting. Andrew has produced the following schedule and deadlines:
June 20th: Post “Notice of Intent” to interested nominees for the three (3) open Board of Directors positions each with a three (3) year term to expire October, 2014. Flyers will be posted by the mailbox, in the office, and on the Marquee.
July 29th: Deadline for list of nominees. Annual meeting notification and proxy form must be completed and ready to print.*

August 15th: Annual meeting notification and proxy needs to be mailed out.

August 19th: Mailing list needs to be printed for binder for the Nominating Committee.

September 14th: Annual meeting agenda packets need to be completed for Board review and approval. Example: Treasurer's Report, Staff Report, and Committee Reports.

September 27th: Deadline for accepting proxies and nominations at the close of business at 4:30pm.

MEMBER TESTIMONY:

- 1. **Sandra Hubbard:** Sandra expressed her concerns with traveling down Flower Road. She shared that it gets very muddy at times after heavy rains and questions the dangers of the albizia trees on that road. She described the trees as very big and looks like it could come down at any time. Glen Bousquet assured Sandra that he will follow up with the property owners down Flower Road and will take pictures of the properties posing to be a potential hazard. He will send the pictures to the office to have letters sent out to the property owners.*

- 2. **David Karl:** David inquired about his waterline. He stated that the pipe joints are coming apart and he is unable to find his leak. He is concerned about the waterline placed many years ago was not done to standard code. David was informed that should a Nanawale property owner choose to have a waterline, the following must be followed:*
 - a.) Dept of Water Supply is supposed to obtain prior authorization from Nanawale Association. **(They have not been obtaining prior authorization)*
 - b.) Work needs to be completed by a Licensed Contractor.*
 - c.) Work needs to be approved by The Architectural Committee.*
 - d.) The Association needs to know the timeline of the project.*
 - e.) Meter needs to be no more than 50ft from the house.*

MEETING ADJOURNED: *Gwen Kupahu motioned for the meeting to be adjourned, Glen Bousquet 2nd the motion, all in favor, meeting adjourned at 7:30pm.*