

**MINUTES OF THE BOARD OF DIRECTORS' MEETING
HAWAII KAI MARINA
COMMUNITY ASSOCIATION**

DATE: Tuesday, April 8, 2008
PLACE: Hawaii Kai Marina Office
Hawaii Kai Shopping Center
TIME: 7:00 P.M.

ESTABLISHMENT OF A QUORUM

A quorum was established.

PRESENT: President Steve Carr - District #7;
Vice President – Len Scaduto - District #6 (arrived @ 7:10 p.m.);
Treasurer Robert Clark – District #2;
Robert Silverstein – Member-at-Large;
Brian McKee – District #3;
Marian Grey – District #4;
Robert Paine - District #5;
Carl Johnsen – District #9;
Richard Cheski – District #10;
Leolani Kini – District #11;
Mark Collins – District #12.

EXCUSED: Secretary Jane Brown – District #1;
Craig Waltz – Member-at-Large;
Jackie Miller – Member-at-Large;
Scott Hayashi - District #8.

BY INVITATION: Beverly Liddle, Marina Manager;
Howard Nikaido, Property Manager, Hawaiian Properties, Ltd.;
Lori Jessee, Recording Secretary, Hawaiian Properties, Ltd.

GUESTS: None.

CALL TO ORDER

President Carr called the regular meeting to order at 7:00 P.M.

OWNERS IN ATTENDANCE

Gayle Carr	Jim Grey	Bob Raben	Mark Collins
Brian McKee	Steven Newell	Bruce Chapman	Dick Elwell

President Carr presented long-time Board member Dick Elwell with a Plaque of Appreciation and a lei in honor of his past service to the Board of Directors.

OWNER'S FORUM

Steven Newell mentioned that income collected from membership was 30% more than operating expenses and therefore asked if there was a projected capital expenditure expense list. President Carr stated monies collected by the Association was recently used to purchase a new marina patrol boat and will be used for the following projects: Dredging the marina, purchase engine for marina boat and any improvements to the Yacht Club Site.

EXECUTIVE SESSION

President Carr called the meeting into Executive Session at 7:05 p.m. to discuss legal matters relating to the appointment of vacant Director positions for District #3 and District #12. President Carr brought the meeting out of Executive Session at 7:10 p.m.

The Board unanimously appointed Brian McKee and Mark Collins to fill the vacant positions for District #3 and District #12, respectively.

PRESIDENT'S REPORT

President Carr requested that the Board, effective May 1, 2008 require any new floatation dock systems to use commercial grade floatation tubs only instead of barrels, due to maintenance and aesthetic issues. Existing docks will be monitored by the marina office. Hearing no objections, the **motion carried unanimously**.

President Carr discussed a resolution to allow Marina Manager Liddle to execute encroachment agreements on behalf of the Hawaii Kai Marina Community Association, per Section 4 of the By-laws. A motion was made by Director Paine, second by Treasurer Clark to approve the resolution allowing Marina Manager Liddle to execute future encroachment agreements. Directors Silverstein and Cheski abstained from the vote. **Motion carried.**

President Carr discussed the seriousness of maintaining Board confidentiality in regards to legal opinions either discussed at Board meetings or through e-mail. President Carr and Committee Chair should be consulted before correspondence is sent on behalf of the Board. The Board has a fiduciary duty to itself and its members.

President Carr discussed Section 6 of the By-laws which permits the suspension of marina use rights against delinquent owners. The Marina office will coordinate the issuance of Marina stickers by flagging delinquent owners based on information from the managing agent.

APPROVAL OF MINUTES

The Minutes of the February 12, 2008 Regular Board Meeting previously mailed to the Board for review and was presented for approval.

MOTION: A motion was made by Director Paine, seconded by Treasurer Clark to approve the Regular Board Meeting Minutes of February 12, 2008, as presented. Hearing no objections, the **motion carried unanimously**.

The Minutes of the Annual Meeting of March 11, 2008 was previously mailed to the Board for review and was presented for approval.

MOTION: A motion was made by Director Paine, seconded by Treasurer Clark to approve the Annual Meeting Minutes of March 11, 2008, as presented. Hearing no objections, the **motion carried unanimously.**

The Minutes of the Organizational Meeting of March 11, 2008 was previously mailed to the Board for review and was presented for approval.

MOTION: A motion was made by Director Paine, seconded by Treasurer Clark to approve the Organizational Meeting Minutes of March 11, 2008, as presented. Hearing no objections, the **motion carried unanimously.**

TREASURER'S REPORT

The Financial Statements for February 2008 and March 2008 were previously provided to the Board for review and was adopted for filing, subject to year-end audit.

Treasurer Clark reported that there are about 100 delinquent owners. All owners should be aware that they face a late fee assessment penalty of \$300.00 if they are still delinquent on June 1, 2008. Managing agent will mail reminder letters to delinquent owners regarding the impending late fee charge and if dues are not paid, the Board will forward the account over for legal action.

Treasurer Clark reported that expiring CD's will be reinvested with additional CD's purchased for three to six month terms from the cash management reserve accounts. Also, CD's will be purchased for three months periods to reduce the cash balance in the operating cash account.

ASSOCIATION MANAGER'S REPORT

Howard Nikaido introduced himself as the replacement Property Manager during the absence of Donald Garwood.

MANAGER'S REPORT

Marina Manager Liddle's report for March 2008 was distributed previously to the Board and it is on file at both the Managing Agent's office and the Marina Office.

COMMITTEE REPORTS

1. **COMMERCIAL OPERATIONS/MARINA USAGE COMMITTEE** – No report by Chair Silverstein.
2. **COMMUNICATIONS & PUBLIC RELATIONS COMMITTEE** – No report by Chair Clark.
3. **DREDGING COMMITTEE** – Chair Clark reported that he spoke with a mainland company, Northwest Maritime, to dredge the marina at a cost of approximately \$25 per yard versus \$100 per yard from Hawaii contractors. Additionally, there is an anticipated increase in the permit application from \$82,000 to \$113,000. A permit application budget has been requested from Northwest Maritime. Also, the DLNR gave tentative approval to deposit the dredged marina to the Ewa side/beach at the marina entrance.

4. **LANDSCAPE/DEVELOPMENT COMMITTEE** – Chair Carr reported that two damaged sprinklers at the Hancock landing were repaired or replaced.
5. **MARINA PROPERTY MANAGEMENT** – On the Yacht Club Site, Chair Johnsen discussed the possible need for a declaratory judgement on usage as outside owners will be allowed membership. Also, Director Grey expressed concern as to the requirement of obtaining Kamehameha School Bishop Estate “KSBE” approval on the use of their adjoining property as well as the requirement from the Yacht Club site for a long-term lease involving both KSBE and HMKCA properties.

President Carr discussed DR Horton’s drainage pipe project and their proposed solution to the broken drainage pipe in the marina.

6. **MARINA WATER CHEMISTRY COMMITTEE** – No report. Chair Brown not in attendance.
7. **WEB-SITE/TECHNOLOGY COMMITTEE** – No report. Chair Brown not in attendance.

UNFINISHED BUSINESS

1. None.

NEW BUSINESS

1. **ANNUAL MARINA TOUR** – The Board will meet on May 13, 2008 at 4:30 p.m. for the annual marina tour with an abbreviated Board meeting and dinner at Kona Brewing Company to follow.
2. **COMMITTEE RE-ALIGNMENTS** – President Carr will discuss committee re-alignments at the next meeting.
3. **NEW DIRECTOR INTRODUCTIONS** – Newly appointed Board members Brian McKee of District #3 and Mark Collins of District #12 gave a brief synopsis of their background to the members. Director McKee is with the Board of Water Supply and Director Collins has a mechanical engineering background and would like to offer his time researching a marina fueling dock.

DATE, TIME and PLACE of NEXT MEETING

The next Regular Board of Director’s meeting will follow the Marina tour which begins at 4:30 p.m. All members of the Board and management are invited to attend. Approximate time of the abbreviated Board meeting is 6:30 p.m. at the Marina Conference Room.

ADJOURNMENT

There being no other business to discuss, President Carr motioned to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:20 p.m.

Jane Brown - Secretary

Presented By:

A handwritten signature in black ink, appearing to read 'Lori Jessee', with a long, sweeping flourish extending to the right.

Lori Jessee, Recording Secretary
Hawaiian Properties, Ltd.