

# Leilani Community Association



13-3441 Moku Street, Pahoa, HI 96778

808-965-9555

<https://LeilaniEstates.org>

062022

## Board Meeting Minutes

April 22, 2023

- 1) 1:30 PM – Meeting begins.
- 2) Roll call / Determination of Quorum by Secretary Janet Morrow
  - a) Three Board Members present, board quorum reached.
    - i) Alan Morrow - present
    - ii) Janet Morrow - present
    - iii) Rod Kindal - present
    - iv) Steve Vizena not present
  - b) Membership attendance, 203 members / proxies required for quorum.
    - i) Member present at meeting and proxies total 251.
    - ii) Member quorum reached.
- 3) Jim Penney Statement of meeting being for the members' business.
- 4) Member Motions

- a) Motion made by Jim Penney to follow Hawaii County's recommended progressive steps of facilitation / mediation / arbitration by adding a clause to either CC&R's or bylaws to ensure that debilitating lawsuits can never again be brought by members, visitors, guests or vendors against either the Association or Board of Directors.
  - i) Binding arbitration to follow if facilitation and/or mediation efforts fail to resolve dispute.
  - ii) 2<sup>nd</sup> by Bob Carrere
  - iii) Discussion – is it cheaper to do arbitration? Answer: Yes
  - iv) Vote by show of hands for the motion to pass
    - (1) Most hands raised
    - (2) Motion passes
      - (a) Pending legal approval
- b) Motion made by Jim Penney to modify the CC&R's to reflect the board's decision, as evidenced by the Leilani Community website, Feb. 2007, that Article 5 (Height of house) will not be enforced unless the proposed structure would block another lot's ocean view.
  - i) Discussion on if that board did this correctly.
  - ii) 2<sup>nd</sup> by Bob Carrere and Mark Hauanio
  - iii) Vote by show of hands for motion to pass.
    - (1) Most hands raised
    - (2) Motion passes
      - (a) Pending legal approval

## 5) Other Items

- a) Discussion of loose dogs, CC&R violations etc., Why is the board not doing anything about it?
  - i) Answer. We are doing all we can do. We are only able to do so much legally.

- b) Maryanne Ferrell asked to be paid back for money spent out of her own pocket from her time on the board that she had been denied. Board will check with attorney if members can vote on this.

Meeting adjourned.

Janet M. Morrow – Secretary