



Leilani Community Association

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WWW.LEILANIESTATES.ORG

Minutes for the BOD meeting on March 11, 2021 6:30 pm Zoom

Call to Order: Robert Golden, President

Roll Call: Alice Lindahl, Secretary

Present: Robert Golden, president, Alice Lindahl, Secretary, Philip Denney, Director Three members are present. No quorum for this meeting. Thus no motions, no voting will take place

Absent: Andy Andrews, Treasurer, Patti Hatzistavrakis, Vice-President

Approval of the minutes of the February 11, 2021 meeting: Approving the minutes: Andy Andrews, Robert Golden, Patti Hatzistavrakis, Alice Lindahl, not approving the minutes: Philip Denney (declined to suggest edits).

Member comments (c:) and questions (q:) 3 minute limit (r:) responses, where appropriate

c: Regarding last month's motion to create a reserve fund. The timing is bad, with COVID, paying more for dues is a challenge to many.

q: was there a vote for LCA to sell parcels of lava-covered property to the county? r: No that was a mis-statement on the part of the newspaper reporter. The Hilo Tribune Herald has agreed to print a new article with the correct information, along with an apology.

c: member wants a newsletter

Reports - Officers and Committee Chairs

Secretary: Alice Lindahl The main input on admin@leilaniestates.com this month concerned all the car bodies showing up all over on the Leilani Streets, and worry about dangerous trees. None have been removed yet.

Standing Committee: SECR Crime Report: Crime is up in Leilani.

Incident on Maile Street. Resident was robbed after the assailant sprayed pepper spray in his face. The subject was arrested and the trial was yesterday. No information yet regarding outcome. Car hauling: There are now so many car bodies to be disposed of by various chop shops that they are hauling them in the daylight. If you are out walking and see a junker car pulling a car body on a homemade trailer try to get the license plate and/or snap a photo with

your cell phone. This is evidence the police can use.

Break-in on Malama Street West: Person selling home. Thief stole all the light bulbs. The seller suspects that criminals watch the real estate postings and targets homes for sale, knowing they are likely to be empty.

Police Report for February 7 incidents in Leilani in February

Assaults: Maile Street , Kumakahi Street

Thefts: 2 burglaries on Maile Street

1 car theft on Kupono Street

1 robbery on Maile Street

Drug Houses and Chop Shops: more of them are active now. The chop shops are creating the surge in dumped car bodies, the sale of car parts appears to be fueling the drug purchases.

Old Business

Alice Lindahl: LCA Application to the County for grant from the Public Access, Open Space, Natural Resources Preservation Commission.

At the meeting at the mayor's office in January, participants were encouraged to apply for a PONC grant to help Leilani deal with the future of tourism and privacy in Leilani Estates. These grants are managed by the Public Access Open Space and Natural Resources Preservation Commission.

Two members of Leilani Estates followed through with a proposal to build a viewing area away from residential streets, and a trail for tours out of sight from homes. They will wait and see if the county is interested, and report back to the board.

Robert Golden: What to expect at the Members Meeting on March 20, 2021

The By-laws read: "The annual meeting of the members of the corporation shall be on the third Saturday of March of each year. At the annual meeting the President, Treasurer and Standing Committee Chairmen shall make their annual reports to the members, the members shall elect the members of the board of directors, may transact any general business which may be brought before the meeting and may take any corporate action." (Article III, Section 1 of ByLaws)

If 205 members in good standing are either present at the members meeting on March 20th or have given their proxy to one of the members at the meeting, then a members meeting will be constituted as defined by the ByLaws of the Leilani Community Association. At this point, members can make motions and vote on motions. If members leave the meeting, and the group falls below 205 members, then the quorum is lost and motions can no longer be made.

Members get one vote per lot. If a member has 8 properties, that person has 8 votes.

If a member has given a proxy vote to another member, that member will be notified before the meeting that an additional vote will be available for that person to cast.

Actions that cannot be taken at this meeting as prior notification is required:

- a. Removal of a Director (Article IV Section 10)
- b. Amendments of the Bylaws (Article XVI, Section 1)
- c. Changes to Assessments (Article XV, Section 4)

If the 10% quorum requirement is met, members may propose a motion in these three matters, but no vote may take place unless prior notification requirements have been met.

The results of the election for the four director positions will be announced at the conclusion of the meeting, and certified by Ann Kalber, who is in charge of the counting of ballots..

q: A member asks why they cannot vote to get rid of assessments. r: Read article XV, sec 4 of by-laws. There is a special procedure to follow for objecting to the raising of dues.

Ann Kalber: Ballots will be accepted until 1:00 on Saturday, March 20. The persons assisting in the count are Cindy Helton, Pete Wilson and Kaonohi Jeremiah. Also, Ann would like to encourage members to get their mailing addresses if they have moved. A lot of ballots were sent back because of bad addresses.

q: If a person has a lot covered in lava and they do not pay dues, can they still vote? r: yes.

Q: can I get a receipt for paying my bill? r: if you write a check, your cancelled check can be the receipt, or you can ask Kim for a receipt.

Ann Kalber asks: Social Media has put ballots out for downloading. Won't this create problems? r: We wanted to make sure everyone could vote.

Alice Lindahl: Follow up on off road vehicle restriction on Fissue 8 Eruption Area

In February's meeting the board passed a motion to take action regarding the new liability problem and increase in off road vehicles on Luana street after the barricade was removed.

The motion had 5 parts:

1. Erect a gate at the south end of the bulldozed portion of Luana Street. Erect fencing to each side to prohibit driving around the gate

2. Replace no trespassing signs, (which were removed), private property signs, and signs describing the danger of unstable, still active volcanic terrain.
3. Create a standing committee of LCA members who will advise the board of problems associated with the lava area as they arise and explore solutions to those problems.
4. Write a letter to each LCA member and ask their opinion on the future development of the lava-covered area inside Leilani Estates.
5. When the response from the whole membership is in, the board will create a policy that has elements for protection of the area as well as opportunities for members to build a home on their property as long as they follow all the county (permitting) and LCA guidelines (CC&R) for construction.

We have addressed #1, 2, and 4 points on this motion.

1. The gate: Alice contacted 3 gate welding companies, and the board will choose the best bid that satisfies LCA requirements for license and insurance.. The rain these last 2 weeks has delayed start up possibilities.
2. Signage: we have obtained “no trespassing” “treacherous terrain” and “no parking” [as well as a25 mph speed limit signs] that are ready to go up.

Alice and Robert are sending the letter in #4 above to every member of LCA, to ask the following:

How do LCA members wish to have these lava-covered properties developed in the future? Do they favor building of houses on the site, along with reopening of the roads? Or do they favor leaving the area undeveloped and protecting the landscape as it was when the eruption stopped? Perhaps they favor some of both. Letters will be collected and the information will be compiled as they are returned.

Meeting adjourned at 7:43 pm

The next LCA meeting will be the Members Meeting that (for the first time) will follow the actual procedures outlined in the LCA By-laws. It will be a Zoom meeting on Saturday, March 20 at 1 pm. The link to join the meeting will be sent out on Mail Chimp and also be on the Agenda that will be posted on the website.