

KULA NANI ESTATES COMMUNITY ASSOCIATION

2021 MINUTES OF ANNUAL MEETING

September 11, 2021

Zoom Meeting

CALL TO ORDER:

The 2021 Kula Nani Estates Community Association Annual Meeting was called to order by Host/Board Member Rich Donovan and Co-Host/Secretary-Treasurer Brad Dugan at 11:05 a.m.

ATTENDANCE:

The meeting was held on Zoom due to Covid 19 social distancing restrictions, and sign-in was by online attendance and proxies received.

Board Members/Officers Present: Brian Smith, President; Bart Santiago, Vice-President; John Dugan, Secretary-Treasurer; Rich Donovan, Director; JB Redenbaugh, Director.

DETERMINATION OF A QUORUM:

Donovan asked if a quorum was established. Dugan advised a quorum was met with 52% of signed proxies and online attendance.

CERTIFICATE OF MAILING:

Dugan read aloud the Certificate of Mailing, and certified that the notice was mailed and/or hand-delivered to all homeowners on/or about 08-11-2021 and will be made a part of the Association's annual meeting file.

Geoff Bennett, Lot #24, stated that he did not receive the Notice of Annual Meeting information packet, and was advised by Dugan that the packet was returned as undeliverable to the address on record. Bennett was asked to please provide updated contact information to be included in the permanent records and the homeowners' directory for future use. He agreed to do so.

TAX ROLLOVER RESOLUTION:

Dugan read aloud the Tax Rollover Resolution: "RESOLVED, by the Kula Nani Estates Community Association that the amount by which members' assessments as of December 31, 2021 exceed the total expenses of the Association for the purpose of managing, operating, and replacing the common elements of the property, shall be applied against the January 1, 2022 operating expenses."

**** A motion to approve the Tax Rollover Resolution was made by Bart Santiago, seconded by Brian Smith, and was verbally approved and accepted unanimously.**

APPROVAL OF THE 2021 ANNUAL MEETING MINUTES:

The draft Minutes of Annual Meeting of September 12, 2020 were previously mailed to all homeowners and posted on the Kula Nani website. Dugan asked for any questions, corrections, additions, and/or discussion.

Bennett asked why his requested concerns/corrections (via email) were not reflected in the minutes. He was advised by Dugan that he did not provide the verbiage that was required for inclusion in the minutes prior to this meeting. Bennett was asked to state what his concerns and corrections were, and they are as follows: (1) If anyone had information he asked about regarding the infrastructure new locations; (2) The AT&T contract; (3) The information he provided to Teresa Sena regarding her question of eradication of deer on her property was erroneously reflected as contacting the US Fish & Wildlife Service rather than the DLNR. He also said that he would like the homeowners to be provided with Hawaii's DLNR rules and regulations regarding use of firearms and/or bows in the neighborhood, [<https://dlnr.hawaii.gov/dofaw/>], and to check with local law enforcement as well. After a lengthy discussion, it was agreed by Bennett, Board Members, and homeowners in attendance, that the 2020 Annual Meeting Minutes would be approved with the corrections as requested by Bennett.

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**** A motion to approve the Draft 2020 Minutes, as amended above, was made by Bart Santiago, seconded by Brian Smith, and was verbally approved and accepted unanimously.**

REPORTS OF THE BOARD OF DIRECTORS/OFFICERS:

The President's and Treasurer's reports were included with the Notice of Annual Meeting documents that were mailed and/or hand-delivered to all homeowners. Dugan asked if there were any questions. None were asked, and no discussion ensued.

ELECTION OF BOARD MEMBERS:

Dugan reported that there are 2 board positions open; Santiago's and Smith's terms are up. He stated that both Santiago and Smith are willing to serve another 2-year term if there are no volunteers, and since there are none, both board members are re-elected.

OLD/UNFINISHED BUSINESS:

Dugan called for discussion on any unfinished business. There was none.

NEW BUSINESS:

- (1) Water tanks interior inspection. A few weeks ago Kula Nani flew our structural engineer, Don Owens, who was vacationing on Oahu, to inspect the interiors of both the upper and lower water tanks for re-coating. His report is forthcoming.
- (2) AT&T. Information regarding negotiations of the current proposed changes is included in the President's Report that was provided in the packet.
- (3) New Owners. President Smith welcomed the new owners of lot #21, Dan & Lilli Leong Malone, and Molly Malone; and new owners of lot #28, Michael & Sara Craig-Scheckman, "to our little piece of heaven here."
- (4) MECO Claim. Lori Aldridge, Lot #37, asked if there could be discussion of the claim. Dugan recapped the situation as it now stands. In July, 2020, UpCountry Electric's electrician was on-site doing a test run of the motor of one of the backup pumps when 2 feet of shooting flames blew out of it. He contacted Maui Electric immediately. The MECO technician came to view the damage and said there was a surge in the system and their transformer equipment failed. MECO then replaced the faulty transformer and several other transformers throughout the neighborhood. A formal claim was presented to MECO with complete information. However, after more than a year, MECO has denied any liability of the damage. The next step would be to present it to the PUC. Another option would be to make a claim to our insurance carrier who may then pay it and possibly subrogate with MECO. Or we could give it to an attorney (with a high retainer) for discussion. The consensus, however, was to go forward with the PUC. Both Aldridge and Charles Kulesa, Lot #14, volunteered to look over the claim for alternate strategies in dealing with MECO.

DATE OF NEXT ANNUAL MEETING:

The next annual meeting is scheduled for Saturday, September 10, 2022.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 11:32 a.m.

Respectfully submitted,

John B. Dugan
Secretary-Treasurer

By: Gerri Fleming, Recording Secretary

**** These draft minutes will be posted on the Kula Nani website. For any additions and/or corrections please send an email with correct verbiage to Gerri Fleming at kulananiestates@gmail.com.**