

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

**DATE:** Tuesday, February 10, 2009

**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  
Treasurer Robert Clark – District #2  
Robert Silverstein – Member-at-Large  
Craig Waltz – Member-at-Large (arrived @ 7:08 p.m.)  
Jackie Miller – Member-at-Large  
Brian McKee – District #3  
Marian Grey – District #4  
Robert Paine - District #5  
Scott Hayashi - District #8  
Richard Cheski – District #10  
Mark Collins – District #12

**ABSENT:** Secretary Jane Brown – District #1  
Carl Johnsen – District #9  
Vacant – District #11

**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            Paul Gil            Jim Grey            Steven Newell

**OWNER'S FORUM**

Mr. Paul Gill informed Board that the Senate is considering “Senate Bill 90” which gives the Department of Land & Natural Resources (“DLNR”) authority to regulate private marinas.

**PRESIDENT'S REPORT** – President Carr stated it is not necessary for the managing agent to conduct monthly Board meeting attendance calls. Going forward, if a Board member is not able to attend a Board meeting they should notify managing agent so quorum can be verified.

President Carr also stated the following:

- Any decisions/approvals made by the various committees that require a signature or notarization to a contract or document needs to go through him before it is forwarded to the service provider.
- There were some instances in the past where previous motions or rules were adopted and subsequently a Board member called other members to see if they would change their vote. President Carr informed the Board that this type of behavior is not conducive to business and would like it discontinued.

### **APPROVAL OF MINUTES**

The Minutes of the January 13, 2009 Regular Board Meeting previously mailed to the Board for review, was presented for approval.

**MOTION:** A motion was made by Director Paine, seconded by Vice President Scaduto to approve the Regular Board Meeting Minutes of January 13, 2009, as presented. Hearing no objections, the **motion carried unanimously.**

### **TREASURER'S REPORT**

The Financial Statements for January and February 2009 were previously provided to the Board for review and were adopted for filing, subject to year-end audit.

- 350 owners haven't paid marina fees thus far.
- AOA Esplanade requested to pay monthly instead of semi-annually.

**ASSOCIATION MANAGER'S REPORT** – Property Manager Nikaido reported that most of the delinquencies are due to The Peninsula. Final Demand letters will be sent in April and then all delinquent owners who do not pay will be sent to the association's attorney for legal action.

### **MARINA MANAGER'S REPORT**

Marina Manager Liddle's report 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 he spoke to Northwest Maritime today and everything is going as planned for the permit application. They completed the bathometric survey and sent to Anchor. Land surveyors will have a conference this week regarding surveying the beach. Committee will be seeking proposal for design and cost analysis for permanent groin to present to the Board at the next meeting.

4. **LANDSCAPE/DEVELOPMENT COMMITTEE** – No report by Chair Brown.
5. **MARINA PROPERTY MANAGEMENT** – No report by Chair Johnsen.
6. **MARINA WATER CHEMISTRY COMMITTEE** – No report by Chair Brown.
7. **WEB-SITE/TECHNOLOGY COMMITTEE** – No report by Chair Brown.

**UNFINISHED BUSINESS** - None

**NEW BUSINESS**

1. Senate Bill – A motion was made by President Carr, seconded by Director McKee to send a letter, on behalf of the HKMCA Board, stating non-approval of “Senate Bill 90”. Motion carried unanimously. President Carr will draft and forward letter.
2. AOA Billings – A motion was made by President Carr, seconded by Treasurer Clark to give the AOA’s who are paying in bulk an option to pay monthly or continue on semi-annual billings. Property Manager Nikaido to draft letter to AOA’s who are paying in bulk and forward to President Carr and Treasurer Clark for approval. Motion carried with Director Cheski abstaining.
3. Fuel Facility – A survey regarding possible Costco fueling facility may be sent to all HKMCA members for feedback.
4. Escrow Account – President Carr mentioned a \$75,000.00 deposit was set aside in escrow for the maintenance of the sand bag groin. Property Manager Nikaido will research and provide information to the Board.

**EXECUTIVE SESSION** - None.

**DATE, TIME and PLACE of NEXT MEETING**

The next meeting will be the Annual Meeting on March 10, 2009 at Koko Head Elementary School at 7:00 p.m. The next Regular Board of Director’s meeting will be held on April 14, 2009 at 7:00 p.m. in 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:



Lori Jessee, Recording Secretary  
Hawaiian Properties, Ltd.