

VACATIONLAND HAWAII COMMUNITY ASSOCIATION, INC.
Special Board Meeting Minutes
July 9, 2005

Board members present: Acting President Perry Miles, Treasurer Richard Shea, Secretary Brenda Schott and Director Paul Charbonneau

Board members absent: President Kirk Flanders, Director Bill Parecki, Director Len Horowitz

KKWA members present: President Eric Schott, Treasurer Stephen Lang

Community members present: Curtis Clay, Sheryl Fletcher, Joel Shockman, Linda Shea Flanders, Gladys Christenson, Mars Holman Smith

KKWA requested this special meeting with the VHCA Board of Directors which was held at Perry Mile's home, therefore there is no agenda from VHCA. Acting President Perry Miles called the meeting on order at 10:00 am. The purpose of this special meeting focused on a unanimous action of KKWA Board of Directors to install 2 portable toilets at the Wai `Opae tidepool area within purported grant of easement of water lines area, anticipating heavy usage by our greater community during peak visitor season, which was immediately challenged by VHCA President Kirk Flanders (in absentia) as a liability issue, stating that the easement is granted to the VHCA. The fact that the VHCA currently has NO liability insurance was mentioned. Perry Miles asked Richard Shea to work on the details of obtaining liability insurance including logistics regarding the placement of portable toilets and follow up at our next meeting.

KKWA President Eric Schott read the letter to VHCA formally requesting VHCA's permission to use the water line easement for the purpose of providing 2 portable toilets during peak visitor usage from June 30 – Sept 6, 2005, based on current studies regarding contamination of tidepools frequented by the greater community (attach A).

Linda Shea Flanders submits email letter dated July 8, 2005 from Kirk Flanders directed to be read by the secretary. (attach B).

Discussion ensued regarding liability as a private community faced with environmental impact issues resulting from providing "park like" amenities to the greater community, the basis of a special assessment already in place to deal with managing access and implementing education vs. "gate" as our tool in facing a future of eminent exposure to this special fragile place we ultimately agree to perpetuate, and the phenomenal task of balancing it all. In reference to recent correspondence to all current VHCA board members from Andrew Wilson of Roehrig, Roehrig & Wilson, Attorneys at Law (attach C) challenging said special assessment, it was proposed that the Acting President respond with a letter including our current copy of By Laws, April 2003, superceding that of October 2000 in the case of VHCA vs. Kenneth West (attach D).

Linda Shea Flanders spoke as a representative of Cape Kumukahi Foundation, stating that as a result of her grant writing, the Nature Conservancy agreed to contract \$5k to match Community Conservation Network (total of \$10k) and collaborate with VHCA in its mission to educate and control access of our special neighborhood, specifically addressing the issues of the need for a security officer, or a night ranger to discourage poaching and enforcement of laws and/or security cameras, etc. therefore seeking formal concurrence from the VHCA Board. Perry Miles motioned to accept this grant, Richard Shea seconded. All in favor.

Eric Schott announced that KKWA has agreed to pledge \$1k toward the effort to control the coqui frog infestation throughout our neighborhood and asks VHCA to match that contribution and to note that they can confirm \$1,400 of private donation already in place, bringing a proposed total of \$3,400. We all agreed that

timing is crucial and we need to present to individual lot owners the responsibility factor in maintaining this program in order to achieve success. Richard Shea motioned to agree to this pledge of \$1k from VHCA and Brenda Schott seconded. All in favor.

Committee Appointments: As per our by laws, committee chairpersons were appointed and those requiring at least one board member is noted by *, for a total of 3 members in good standing, representing house/farm lots equally as possible.

Auditing: Sheryl Fletcher, Eric Schott plus one more to be determined by July 30, 2005

*By laws: Richard Shea, plus two more s/a

Entrance: Brenda Schott, Cosette Noll, Curtis Clay, Mars Holman Smith, plus one more s/a

Health & Safety: Joel Shockman, Jan Anderson, plus one more s/a

*Nominating: to be named no less than 120 days before our next annual (TBD s/a)

*Roads: Perry Miles plus two more (TBD s/a)

*Policy: Perry Miles plus two more (TBD s/a)

Radio Station: (Emergency Response) Perry Miles, plus two more (TBD s/a)

The next meeting was set at Saturday, July 30, 2005, 10:00 am at Perry Miles' home. Richard Shea motioned to adjourn the meeting at 11:26 am. Paul Charbonneau seconded. Meeting adjourned.

NOTE: On July 18th the place of meeting was changed to the Schott's home and members were notified by phone.

Respectfully submitted,

Brenda Schott, Secretary

Signed copy and attachments are filed with VHCA secretary

Corrections amended on July 30, 2005

Paul Charbonneau motioned to accept the minutes as corrected and Richard Shea seconded. All in favor.