

(23 March 2017 BLC meeting cancelled)

HPPOA Bylaw Committee Meeting Minutes 13 April 2017

APPROVED

Meeting was called to order at 5:55 PM.

Present: Steve Crawford, Parker Nicholson, Milton Pavao (Chair) and Mayelin Stillwell (secretary)

Absent: Christian Pearson

Approval of Agenda. All Approved.

Member Input: None

OLD BUSINESS:

1. Approve 9 March 2017 minutes. All approved.
2. Article V Definitions Sec 2 P 4 - After discussion ensued, there was change of wording in (b). Milton will redo the draft for Sec 2, (a) and (b).

"Section 2. **Funds**

a) Road Maintenance Funds. Any money collected for road maintenance activities including, but not limited to, any late penalties, interest paid on road maintenance assessments, lien fees, transfer fees, and interest and dividends paid by banks or other financial institutions on road maintenance funds.

b) Non Road Funds. Funds derived from any source other than road maintenance fees funds."

3. Article VIII Sec 8 Powers and Authority (l) P 10 - After discussion, additional proposals were made. Milton will redo the draft.

(l) "Designate or appoint **Board** committees, which shall report and make recommendations to the **Board**. **No Board committee shall be formed to oversee or advise any membership committees."**

4. Article VIII Sec 8 Powers and Authority (m) and (n) P 10 - Approved. Milton will make drafts.

(m) "**Shall** review and approve an annual budget and Capital Improvement Plan and ensure an annual report reflecting the Association's financial status (unaudited) and the Capital Improvement Plan is mailed to the membership and posted on the Association website within 60 days after fiscal year end. **(See Appendix E and F)**"

(n) "**Shall** approve the annual mandatory road maintenance assessment. Any increase **in excess of 10%** over the prior year's assessment must be approved by a majority of the membership **at the October membership meeting (See Appendix E).**"

5. Article VIII Sec 8 Powers and Authority (o) P 10 - Reviewed 1st sentence proposal: "Collect all **road maintenance** assessments and fees levied by the Association., **including the road maintenance assessments.**" All approved amended proposal.

Discussed the remainder of (o) and it's relation to Article XI Sec 3. Following proposals made thus far:

"The Association's **Board** shall be charged with the duty of retaining custody and control of all funds, maintaining full and accurate account records of said funds, and preparing regular financial reports **thereof which shall be made available to members at membership meetings and upon request.** All funds generated by the collection of road maintenance assessments must be deposited into a separate bank account, and shall not be commingled with any other Association funds. Said road maintenance funds shall be expended solely and exclusively for expenses arising from the actual operation and administration of road maintenance activities and compensation to the Association for the use of it's non-road maintenance assets as per Article XI."

Discussion ensued about Article XI and it's need for clarification. Further review is needed.

6. Article V Definitions - P 5 - Proposed new Section 22, definition for "Association".

One possibility discussed previously: "**Association - Lot owners of record of the Hawaiian Paradise Park, Increments I and II, referred to as "member" or "membership"**". (ref: Article VI (a) P 6)

After discussion, another consideration was proposed: "**HPPOA known as Association shall be defined as an organization of members with the common purpose of road maintenance activities with a formal structure.**"

Discussion was to possibly use parts of both options and combine into one definition.

Homework: Review Article VIII (o) and Article XI. Come up with definitions for "Association" and "Non Road Maintenance Assets".

Meeting adjourned at 7:05 PM. Next meeting 27 April 2017.