

HI-BEE NEWS



The **Official** newsletter of the Hawai'i Beekeepers' Association
Also available on the World Wide Web at www.hawaiibeekeepers.org

Volume XVI November 2002

Michael M. Kliks, Secretary-Editor Tel: 988-7203

EXTRA, EXTRA, EXTRA: USDA Proposal will permit importation of New Zealand bees into Hawai'i!

State of the HB Association Message

POSTPONEMENT NOTICE

The Board of Directors has postponed the **Annual Meeting until February 24, 2003** at 7 PM at the Moanalua Pentecostal Church. At that meeting elections will be held to fill any board vacancy(s) conduct other association business. Any members wishing to add an item to the agenda for this postponement of the Annual Meeting should submit their item(s) in writing by February 5 to the Secretary, Michael M. Kliks by email at mmkliks@hawaii.rr.com or by mail to 3081G Paty Drive, Honolulu, HI 96822. All notices of meetings and their agenda will be posted on our Web site at www.hawaiibeekeepers.us.

Roster Of New Members in 2002

Owing to the HBA's increased public exposure through our newsletter and media coverage of our members' activities, we continue to grow at a healthy rate. We have enrolled 20 new members and 8 former members since the April membership meeting, including 2 neighbor island residents, 1 from Germany and one from American Samoa. Welcome to you all!

NEW MEMBERS

Mark Schmaedick, Pago Pago, American Samoa; Dietmar Wald, Dresden Germany; from Kaua'i Eric Coopersmith; from O'ahu, Lloyd Campbell, Dolores Brockman, Claude Higa, Wyatt Tillotson, -Mari Hartman, Alvin/Bunny Chong, Al Remos, Maggie Remos, Fred Humphrey, Elko Evans, Terry A. Lee, Evelyn Giddings, Rupa Bellard, Ron/Jairus Kiyabu, Bob White, Rick Rogers

REMEMBER TO RENEW YOUR MEMBERSHIP FOR 2003 EARLY: NOTICE AND FORMS BELOW

Calendar Of Events

MONDAY, NOVEMBER 25

HBA Membership Meeting, 19:00

Moanalua Pentecostal Church

MONDAY, FEBRUARY 24

Postponement of Annual Meeting, 19:00

Moanalua Pentecostal Church

The Board's FRAME

THE POLITICS OF IT ALL

Many of our members are frustrated, even angry that the dispute between the present Board of Directors and the previous Board continues. Some believe the problem should just go away, some like the way things were; others the way things are, but most agree that the dispute has disrupted the flow of business and information and especially the aloha between those with opposing opinions. However, the reality is that the politics of it all may be with us for a while because there is no settlement even being discussed. After several attempts to propose a settlement the only result was a stonewall and a threatening letter from the past Board's attorney. Although we will continue to seek an amicable settlement, it does not appear likely at this time.

SO, WHO'S RIGHT AND WHO'S WRONG?

There is probably enough blame for us all to share from officers to members. That blame may stem from a lack of understanding of how we conduct the business of the corporation. Even though the previous Board made significant errors in procedures and the membership permitted these errors to become a matter of record, the corporation will continue. Now, there's a dirty word – corporation. Many members hate the formality of doing business according to laws and by-laws and procedures; sometimes it offends one's common sense; some like the old days better or the social aspects of a club versus a corporation and some say it's just not as much fun. All of these opinions have value but again the reality is that we are a registered non-profit corporation and have been for the past 25 years, since 1977. And that's good news because the business structure of a corporation protects its members from individual liability, and we agree to govern ourselves by state law, our own by-laws and other procedural guidelines. This corporate structure also protects its members from any officer who may wish to substitute his/her own sense of order for any of these guidance documents. The membership must also have enough knowledge of the content of our laws to prevent such errors and abuse.

MISMANAGEMENT OR SIMPLE MISTAKES?

The HBA Board of Directors is a very important management

structure since our By-laws delegate virtually all of the day-to-day business of the Association to the Officers and Directors. The system of checks and balances to protect members from arbitrary actions by the Directors includes: our Corporate Charter, our By-laws, *Robert's Rules of Order* and Hawaii State Law. Some members believe a change in management was necessary because the outgoing Board did not abide by these guiding documents in managing the HBA and cite as examples that the Board:

- DID NOT hold monthly Board meetings;
- DID NOT include all Directors in management decisions;
- DID NOT hold the Annual November member meeting;
- DID NOT hold the Regular February member meeting;
- DID NOT operate under a member-approved annual budget;
- DID NOT submit annual income tax and GET tax statements;
- DID NOT renew corporate non-profit forms;
- DID NOT renew the corporate liability insurance policy;
- DID NOT conduct the annual audit of Treasurer funds;
- and DID violate our corporate charter and endanger our "non-profit" status by conducting sales "for profit" at the past two Farm Fairs.

A CASE OF LIGITIMACY

With all of the errors and omissions of the last meeting the members need to know who now comprise the legitimate Board of Directors and why. There is only one Board of Directors and its members are: Al Santoro, President, Greg Yee, VP, Chip Hartman, Treasurer, Michael Kliks, Secretary, and Lau Tovi, Glen Yamano, and Misha Sperka, all At-Large. Michael was appointed to the Board following the resignation of Brian Bauer. Some of the HBA members, particularly the outgoing Board and their attorney, question the legitimacy of the elections and require an explanation. This Board was elected on April 21, 2002, at a meeting convened and chaired by the then-president of the HBA. The rationale for holding an election at that time remains unclear and unexplained since the term of office of that Board would normally have run until this coming November. The members met and raised a question as to the appropriate time for notice of a meeting, that notice being 10 days; some members saying they did and others saying they did not receive ten days notice. The chair permitted a motion and a vote to waive the ten-day notice. This was highly inappropriate and erroneous but permitted to occur by the chair. The meeting then proceeded with nominations and voting; resulting in the election of the current Board.

Some members were upset that some ballots were cast using proxies; they believed that proxies couldn't be used in an election. Yet, our by-laws permit voting by proxy at any "Special Meeting". Since the meeting in April was neither the "Annual Meeting", nor a postponement of neither the "Annual Meeting", nor any other scheduled meeting as defined in our by-laws, it can only have been a "Special Meeting" and **proxies were therefore permitted.**

Our by-laws also state that we will use *Robert's Rules of Order* to conduct our meetings because those procedures guarantee every member's right to speak on a motion and that

no member or officer can invent their own protocols. *Robert's Rules* specifically states that errors of procedure must be addressed by a "point of order" at the meeting in question BEFORE becoming a matter of record. That did not happen. So, in spite of there having been several errors made by the chair at that meeting (from terminating Directors' term of office to ignoring our by-laws) the occurrences of that meeting are **now a valid matter of record.** Additionally, *Robert's Rules* also states "elections take effect immediately". Therefore, in accordance with all of our governing documents, the current Board was duly and legitimately elected and it takes its responsibilities very earnestly and it will perform its duties very diligently. The outgoing Board accepted the outcome of that election until two weeks later when, on May 6th they, through their president, claimed to still be in office. **In conclusion the problem is not that a new Board has taken office but that the old Board has not turned over the HBA corporate property to them.**

DAMAGES HAVE NOW BEEN INCURRED

Unfortunately the illicit actions of those causing this conflict continue. The HBA and its members have suffered damages and expenses which must be borne by its membership until settlement and restitution is made. Those former officers who still consider themselves in office are unquestionably in the wrong but they still hold valuable corporate property preventing its use by the elected Board. They have the old bank account amounting to over \$2000 as well as all the proceeds from the 2002 Farm Fair. They also hold all past corporate records, minutes of meetings, membership lists and other documents needed by the new Board to manage the HBA assets. This dispute has forced the new Board to seek, and to pay for, consultations with attorneys and other professionals over the legal matters of retrieving the corporate property.

Unless the past officers voluntarily turn over the HBA records, property and money in their possession and control, the HBA Board would have to bring a civil suit against them to retrieve that property. However, the cost of a suit would undoubtedly exceed the amount we seek to regain. Thus, even though we have suffered significant damages, it appears that our best course of action is to write off those losses and reconstitute the organization without those records.

HOW TO CONTINUE THE ASSOCIATION'S BUSINESS

The new Board has taken many steps to reconstitute the organization despite the threats, discord and intrusion undertaken by some past officers and their attorney:

- We have held our Board and membership meetings as specified in our by-laws;
- We have opened a new bank account;
- We continue to enroll new members;
- We have filed the required corporate registration documents with the state
- We have filed the required federal and state excise tax documents;
- We have provided testimony to legislative bodies, and state and federal
- agencies on important beekeeping issues;
- We have built an initial Web site.

The new Board has presented its credentials to all appropriate

state, federal and professional agencies and is now recognized by them as the legitimate managers of the HBA. To that end, we have signed a contract with the Hawaii State Department of Agriculture under which we will receive up to \$10,000 to develop a professional HBA Web site for the benefit of our members.

Although we have achieved a great deal in preserving the institution of the HBA, much remains to be done. Our biggest problem now is to reconstitute the membership so that we can proceed to conduct business at our meetings. Because the previous Board has withheld all membership records **we cannot tell who is and who is not a member.** Additionally, the old Board collected dues from members for an entire year without prorating the amount for the remainder of the year as stipulated in our by-laws. This compounded the problem of maintaining a current member list. Therefore, the Board will reconstitute the HBA membership effective January 1, 2003 as follows:

1. All current HBA memberships will expire on December 31, 2002;
2. Anyone wishing to become a HBA member for the year 2003 will pay dues for the year by January 1st 2003;
3. Anyone who has an existing balance of pre-paid dues from the year 2002 may apply that balance towards 2003 dues, paying the remainder for the year by January 1st (this may require the member to coordinate with the Treasurer for the correct credit);
4. Anyone who has an existing balance of pre-paid dues from the year 2002 and does not wish to renew their membership for any reason may request a refund for that unused portion or may donate that balance to the HBA (please coordinate with the Treasurer with your desires);

WHAT ABOUT THE ANNUAL MEETING IN NOVEMBER?

We held a Regular Meeting in August which was attended by many but which demonstrated our problem with ascertaining who our members were. We could not determine who the membership really was without a comprehensive member list. Therefore we could not conduct business but could only hold discussions. The above procedures for reconstituting the membership will solve that membership list problem but will necessarily take effect in January 2003...after the usual Annual Meeting scheduled to be held in November.

It is appropriate to notify the membership in advance of any postponement of a meeting when it becomes necessary. Therefore, this announcement serves as notice that, because the Board cannot determine the true membership, it has **postponed the Annual Meeting until February 24, 2003** at which time we will hold elections for any vacancy occurring on the Board of Directors during the past year and conduct other business. At this time there is one position requiring nominations. A full agenda for that meeting will be published as needed. This will also serve as notice that we will hold a **Regular Membership Meeting on November 25th** at the Moanalua Pentecostal Church from 7-9 pm.

SO TOO ALOHA

We all regret the errors that led to this dispute and the illicit actions of those causing continued conflict. However, your

Board of Directors was duly and legally elected. It has a fiduciary obligation, grounded in law, to manage the assets of the corporation. For those of you who decide to renew your membership in the HBA we welcome you with Aloha and encourage you to be involved and to assist as best you can. For those of you who decide to terminate your membership in the HBA we bid you Aloha and wish you success in your other affiliations. **We are essential to the future of agriculture in Hawai'i now, let's press on!!**

From the HBA BOARD OF DIRECTORS

NOTICE OF MEMBERSHIP MEETING

The Board of Directors will hold a regular Membership Meeting to do any business before it on Monday, November 25, 2003 at 7 PM at the Moanalua Pentecostal Church. Any member wishing to add an item to the agenda for this regular business meeting should submit their item(s) in writing by November 20th to the Secretary, Michael M. Kliks by email at mmkliks@hawaii.rr.com or by mail to 3081G Paty Drive, Honolulu, Hi 96822.

MEMBERSHIP NOTICE

In accordance with the HBA membership policy, all HBA memberships will expire on December 31, 2002. Those desiring to become HBA members for the year 2003 must renew their memberships as of January 1, 2003. Please complete the attached membership application and send it with a check for the appropriate amount to:

Chip Hartman, HBA Treasurer, 59-208B Kamehameha Hwy., Hale'iwa, HI 96712

WEB SITE DESIGN

In September the HBA Board signed a contract with the Hawaii State Department of Agriculture under which the HBA will receive up to \$10,000 to develop a professional Web site. Design and development has commenced at www.hawaiibeekkeepers.us. Al Santoro chairs the Web site committee and will provide updates to the membership (asantoro@compuserve.com). The first phase entailed an initial Home Page and has been completed. The next phase is the development of a "requirements and design" document which will specify what the site will contain. The basic requirements/capabilities of the Web site are:

- Security procedures and member passwords;
- Easy update and maintenance procedures;
- A members only area;
- Bee info forums;
- Postings of HBA business and announcements;
- Links to HBA member Web sites;
- Marketplace for promotion of members' branded products, and,
- Financial self-sustainability.

The committee requests input from the membership as to

content, structure and suggestions or other specific requirement statements. It is very important to get your requirements stated early so that they may be included in the design. For example: are certain keywords important to your searches, do you have favorite bookmarks, do you visit certain "bee" sites often, do you use scientific names, is specific content important to you, do you have bee data you'd like to see hosted on the site? Please email your comments and suggestions to asantoro@compuserve.com by November 24th.

NEWS BRIEFS

USDA/APHIS gives in to the WTO and propose to allow the importation of live honey bees into Hawai'i from New Zealand and Australia.

Honey prices up by 300%+

Millions of pounds of Chinese honey contaminated with antibiotics are embargoed globally.

Punitive tariffs imposed on honey from Argentina and China.

Hot Web Sites

(Members please send us any new sites you have found)

<http://www.hawaii.beekeepers.us> our new site that is being actively developed

<http://sun.ars-grin.gov/ars/Beltsville/barc/psi/brl>
The site of the USDA's Bee Research Laboratory – among others, our member Dr. Hachiro Shimanuki works there.

<http://www.nass.usda.gov/hi>
The National and Hawaii Agriculture Statistics Service site has annual reports on honey production and other info of interest to beekeepers.

www.nhb.org
The site of the National Honey Board has many pages of useful info on honey.

www.abfnet.org
The site of the American Federation of Beekeepers.

www.beekeeping.com Probably the largest apiculture site on the web with links to almost all of the other sites

Learning About the Buzz and the Bees

(Members please send us your article to be printed here)

HAWAI'I HONEY PRODUCTION AND PRICES 2001

(The full report is on line at: www.nass.usda.gov/hi)

April Field Sun-Day In The Bee Yard: SITE HOST NEEDED!

President Al Santoro has asked any member interested in hosting a field day-picnic to contact him to set up this popular event and fill in the blanks below:

RSVP: _____
Or e-mail: _____

THINGS TO BRING: VEIL, gloves, smoker, sunscreen, bee-suit, hive tools, honey samples, new gadgets and books to demonstrate. Don't forget anything for sale or trade!

LUNCH: Potluck main dish, salad or dessert and BYO beverages (please, no alcohol).

DIRECTIONS: Please call _____ at _____.

HBA OFFICERS: UPDATED

President: Al Santoro 637-4555
Vice President: Greg Yee 232-2208
Secretary: Michael M. Kliks 988-7203;FAX 988-5151
Treasurer: Chip Hartman 638-7210
Board Members At Large: Lau Tovi, Misha Sperka (Big Island, Glenn Yamanoha)/

2-STORY HIVES in Good Condition with Bees
10 frames each box, unified hive body and honey supper
With entrance door, suitable for use as pollination units.
Field sites can be arranged.
\$ 150 MICHAEL KLIKS 988-7203

Half page	\$ 35.00	Non-members	\$ 3.00
Full page	\$100.00		

ADVERTISING rates

<u>BUSINESS ADS</u>		<u>CLASSIFIED ADS</u>	
Bus card size	\$ 7.50	(30 words)	
Quarter page	\$ 20.00	HBA members	\$ 2.00

Rates are per issue. Copy, art and payment must be submitted by the 15th of the month prior to publication. Contact the editor for any special requirements and mechanical information.

APICULTURE HISTORY

TO SYMBOLIZE HIS WORK ETHIC MATEO BARBERINI ADDED 3 HONEY BEES TO HIS FAMILY COAT OF ARMS WHEN HE BECAME POPE URBAN XII ABOUT 1620. THE DESCENDANTS OF THIS PAPAL ICONOGRAPHY CAN BE SEEN ON MANY BOTTLES OF CHATEAUNEUF DU PAPE WINE FROM THE RHONE REGION OF FRANCE.

MEMBERSHIP AND PUBLICATIONS ... HAVE YOU RENEWED FOR 2003?

Membership in the Hawai'i Beekeepers' Association is open to anyone who has an interest in bees and beekeeping! You do not need to own bees or reside in Hawai'i to join. Regular membership is \$15 per person - includes a vote in HBA elections, discounts on other bee-related publications, a subscription to HiBee News and more; each additional family member may become a member for \$5. Associate Membership is \$12 and receives the newsletter but has no voting privileges. Foreign membership is \$20. Membership Meetings are held 4 times the 4th Monday of each month at the Moanalua Valley Pentecostal Church. The November meeting is the Annual Meeting at which Directors are elected.

Name _____ Phone (____) _____ Fax (____) _____ Email <_____>

Address _____ City, State, & Zip _____

Number of hives managed: _____ Areas of special interest: _____

Type of Membership: _____ Additional Voluntary Contribution \$ _____ Please apply to (circle one) Research / General Fund.

Start your savings now! Get a discount on the following subscriptions through the HBA:

- AMERICAN BEE JOURNAL 1 yr. \$14.44 2 yrs. \$27.38 3 yrs. \$38.96
- BEE CULTURE 1 yr. \$12.75 2 yrs. \$24.75
- THE SPEEDY BEE 1 yr. \$13.25 2 yrs. \$25.25

Send this form with payment (check payable to HBA) to:

Chip Hartman, Treasurer 59-208B Kamehameha Hwy, Haleiwa, HI 96712 (Tel: 638-7210)

MEMBER'S ADDRESS

The HiBee News
Hawai'i Beekeepers' Association
3081 G. Paty Dr., Honolulu, HI 96822