

**Hawaiian Paradise Park Owners Association  
Minutes of January 21, 2009**

I. **Call to Order.** President Jeff Spaur called the meeting to order at 6:00 pm.

II. **Roll Call.**

Board of Directors: Jeff Spaur, President; Frank Annin, Vice President; Dale Watson; Bob Rainie; Randy Dresselhaus; Ken McGilvray, Treasurer; Ron Vizzzone. General Manager Suzanne Mayhew was also in attendance.

Guests: Erhard Autrata, Walter Bell, Jim Brown, Sean Bush, Jerry Carr, June Conant, Dave Cronister, Terri Cronister, David Fithian, Francis Ganon, Roger Hanson, Barbara Kahn-Langer, Bonnie Orlikowski, Joey Orlikowski, Robin Wright

III. **Board Appointment to Fill Current Vacancy in District 8.** Suzanne Mayhew reported that Daniel Diamond, who was being considered for the vacancy, has a class that conflicts with the time of the Board of Directors meetings. Frank Annin noted that the Board has 60 days after a resignation to fill a vacant position.

*The Board agreed to postpone making an appointment to fill the current vacancy in District 8 until the regular meeting of the Board of Directors in February 2009.*

IV. **Approval of Agenda.** The following changes to the agenda were approved:

- Items A and B under New Business were removed as the Board member who was to introduce them, Kaniu Kinimaka-Stocksdale, was not able to attend the meeting.
- An item related to a request by Shipman regarding Health and Safety, was added under New Business.

Dale Watson asked that the Board revisit the question of the establishment of a Budget/Finance Committee. Jeff Spaur explained that this is an item which should be announced prior to the meeting, and directed that it be placed on the agenda for the regular meeting of the Board in February 2009.

V. **Owner Input**

A. Francis Ganon said that he had called his representative, Bob Rainie, and had not received a response back from him. He said he was concerned about having been told he would have to pay for speed humps near his property. He said that he did not believe that speed humps had to be to County standards as the road are not built to County standards. He also said that it was his observation that the paving company did not appear to calibrate it equipment, and he felt that was cheating HPP as the pavement was not as thick as that for which HPP is paying. Dale

Watson said that there are inspectors on site, and that HPP is paying for paving material by the ton, so thickness was not an issue in cost.

- B. Erhard Autrata recommended that HPP notify home owners on the main roads that they may be responsible if someone is killed or hurt by limbs from trees on their property. He suggested that HPP provide the name of contractors who are available to cut trees. He said that it was opinion that, if HPP does not take this kind of action, then HPPOA may be liable for being sued in the event of a death or injury.
- C. Joseph Orlikowski said that he was concerned that two items on the agenda depended on the attendance of one member of the Board, and that those items had to be removed from the agenda just because of the absence of one member. He asked that the Board have a back-up plan when one Board member is responsible for a particular item.

**VI. Approval of Minutes.** There were no corrections to the minutes of December 17, 2008.

*Ken McGilvray moved that the minutes of December 17, 2008, be approved. Frank Annin seconded the motion. The motion was approved unanimously.*

**VII. Treasurer's Report.** Ken McGilvray presented the Treasurer's report. Specific items of note were:

|   |                 |
|---|-----------------|
| Total Bank Checking/Savings Balances:               | \$297,021.70    |
| Total Investments:                                  | \$617,300.73    |
| Total checking/savings and construction bond funds: | \$11,684,375.21 |

Ken McGilvray noted that the road expenses shown for December were higher than usual because a check that had been lost was not replaced until the month of December. So the road expenses included both November and December expenses.

*The Treasurer's report was accepted.*

**VIII. General Manager's Report.** Suzanne Mayhew presented this report. There was a discussion about the appropriateness of the "brainstorming forums" described under the heading, "The Future of the Paving Project," especially as they had been scheduled without Board approval. Suzanne expressed the opinion that this was a matter for the General Manager, and these meetings did not require Board approval. Dale Watson said that he felt that the issues to be discussed were matters for the Board to consider. Bob Rainie said that he felt that the Board should have been asked to approve the meetings. The Board took no action with respect to the scheduling of the two meetings scheduled by the General Manager

Regarding the Bond Compliance section of the report, the Board agreed that the process discussed will be to the benefit of HPPOA.

Dale Watson expressed concern that the upper roads are getting more road maintenance services than the lower roads. Suzanne explained that any work that is a safety issue always has priority, and there are more frequently safety issues on the roads noted as having had more maintenance than others. She also noted that the grader is out of service because there is a part that needs replacing, and they had not been able to locate the correct part. It is a plug that is not covered in the maintenance manual.

Jeff Spaur asked about the Database. Ken McGilvray said that we have not heard from the developer in some time, and he will schedule a conference call with Suzanne and the developer and report back to the Board.

## **IX. Unfinished Business**

- A. Next Phase of Paving. Suzanne Mayhew presented a draft set of specifications for the lower main roads overlay. She noted that the specifications are not complete at the engineer will fill in the numbers on the last page. Both alternatives will go out for bid. Once bids are received, the Board can decide if the scope of the work should be changed prior to HPPOA's negotiating the final price.

"Limits of Work" section. There was a discussion about the 50' "stubs."

"Repair of Selected Areas" section. There was a discussion about whether saw cutting should be addressed in this section.

*Dale Watson moved that the specifications be approved with the following changes:*

- *Under "Limits Of Work," the final sentence should be changed to read, "At the makai end, the paving shall be continued approximately 50 feet into the crossroads past the right of way." (Underscored phrase added.)*
- *Under "Repair of Selected Areas," the second sentence should be changed to read, "The existing asphalt pavement within the selected area shall be removed up to and including saw cutting and replaced with asphalt concrete \$44 mix." (Underscored phrase added.)*

*Randy Dresselhaus seconded the motion. The motion was approved unanimously.*

The next step will be that Suzanne will inventory the cross roads and prepare a cover letter. Ken McGilvray said that he would be available to assist in the inventory. Bob Rainie asked that there be a meeting to review the cover letter. Jeff asked that Suzanne prepare the cover letter and provide it to all Board members for review. At that point the Board will determine if a meeting is necessary.

There was a discussion about what will happen when Loeffler completes its work under the Phase I contract. After some discussion about what the bond requires of

us, Jeff Spaur said that we first need to find out where we are now with the funding, which will not happen until we get binds on this next phase of the work.

- B. 2009 Newsletter Options. June Conant reviewed the reasons for not mailing out the Conch. Basically, (1) new postal restrictions were such that, by the time that people received the Conch, the news would be old; and (2) the cost would be in excess of \$4,500 per issue (including postage). Walter Bell added that advertising could defer the cost of the printing and postage. However, we would need volunteers not only to obtain ads, but to follow up on payment.

June said that we have to complete at least one more mailing to the membership prior to the end of June to comply with Bylaws requirements. There was an insert in the billing mailing which would have counted as one mailing under the Bylaws.

*Frank Annin moved that there be a second mailing to the membership before the end of June 2009. Ken McGilvray seconded the motion. The motion was approved unanimously.*

**X. New Business**

- A. Speed Hump Policy. Ken McGilvray said the size and composition of speed humps can be adjusted, and he said that he does not expect the cost for one to be more than \$2,500. He said that he does not believe that the cost of speed humps should come out of road funds.

*Frank Annin moved the development of a speed hump policy as recommended. Randy Dresselhaus seconded the motion. The motion was approved unanimously.*

The speed hump policy was to be developed by a committee consisting of Robin Wright, Dennis Higgins, and Barbara Kahn-Langer.

- B. Shipman Proposal. Jeff Spaur said that Shipman would like permission to adjust the position of the barriers near Kaloli point to block a new unofficial road that has been created through undeveloped lots near where the current barriers are placed. This will require a release of liability from the lot owners on Beach Road. If the lots are to be developed at some future point, Shipman will move the barriers to accommodate the lot owners.

*Jeff Spaur moved that the Board adopt the following resolution:*

*Resolved that HPPOA grant W. H. Shipman, Ltd., access via HPPOA roads to address placement of barricades/boulders on lots in Hawaiian Paradise Park, with lot owners' prior permission and with appropriate notification to the HPPOA office.*

*Frank Annin seconded the motion. The motion was approved unanimously.*

**XI. Announcements.**

- A. The next regular meeting of the Board of Directors is Wednesday, February 18, 2009, at 6:00 pm.

**XV. Adjournment.** The President adjourned the meeting at 8:20 pm.

Respectfully submitted:

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Robin Messenheimer, Recording Secretary

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Kaniu Kinimaka-Stocksdale, Board Secretary

### Motions Log

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*The Treasurer's report was accepted.*

*Dale Watson moved that the specifications be approved with the following changes:*

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