

**Hawaiian Paradise Park Owners Association
The Board of Directors Meeting on September 21, 2011
Minutes**

- I. **Call to Order:** President Ron Vizzone called the meeting at 6:00 p.m. Quorum was established.
- II. **Roll Call:**
- a) **Board of Directors:** Ron Vizzone, President; June Conant, Vice-President; Ken McGilvray, Treasurer; Elizabeth Weatherford, Secretary; Margaret “Peggy” Stevens, Alan Dale Watson, Judy Sumter and Francis Ganon. Absent: Verne Presnall.
- b) **Guests:** Derek Alatan, Clyde Almeida, Karen Aurello, Randall Aurello, Paul Baillie, Rob Beaufield, Gini Byrne, Jerry Carr, Harold Ching, Michael Glendon, Lucy Jennings, Tom Jennings, Manuel Martinez, Bill Spencer, Kehau Spencer, Steven Stein, Iris Viacrusis, Vicki Williams; also present, Scott Reilling, General Manager and Tommy Spencer, Roads Supervisor.
- III. **Approval of Agenda:** *June Conant moved to accept the Agenda with the provision that the Owner Input be changed to the beginning of Meeting. Margaret Stevens seconded. Vote in favor: Margaret Stevens, Ken McGilvray, Elizabeth Weatherford, Judy Sumter, Dale Watson, June Conant. Opposed: Ron Vizzone, Francis Ganon. Motion Carried.*
- IV. **Approval of Minutes:**
- a) **Regular Board Meeting Minutes of August 17, 2011 –**
June Conant moved to approve the Meeting Minutes of August 17, 2011. Judy Sumter seconded the motion. Vote in favor: Unanimous approval. Motion carried.
- b) **Special Board Meeting of September 6, 2011 –**
Ron Vizzone moved to accept the Minutes of September 6, 2011. Elizabeth Weatherford seconded the motion. Vote in favor: Unanimous approval. Motion carried.
- V. **Owner Input:**
- a) Ron Biniset – asked the Board why the County park was voted down.
- b) Derek Alatan – asked for clarification on the Board’s decision to vote down the park. He also asked the Board why they were considering paving roads from Kaloli to Shower to help the County, when the County has not been willing to help HPPOA.
- c) Vicky Williams – asked the home owners and the Board to work together.
- d) Iris Villacrusis – asked the Board to take the lead at the meeting with the Director of Department of Transportation tomorrow. The Board suggested that owners form a Committee to create ideas for better communication.

- e) Mike Glendon – thanked the Board members who paid attention to the needs of the owners. The meeting was disrupted by this resident and several Board members and guests felt threatened. Because of a disruption from this individual in language and actions, the Board decided to look into other ways to control the meetings.
- f) Jerry Carr – reviewed the bylaws with respect to issues which should be dealt with in Executive session, and felt that picking the roads to be paved should not have been done in Executive session. He did suggest that “contracts” be added. He also encouraged residents to attend the meetings frequently in order to have greater understanding and input into the Board’s decision-making process. He also expressed concern over how the last special meeting was adjourned.
- g) Karen Aurello – asked for a percentage of home owners who pay road fees and those who do not. Mr. McGilvray noted that 82.88 % are collected at this time. This time last year it was 74.3 %. She expressed disappointment that no roads were selected at the Special Meeting of September 6, 2011.
- h) Steve Stein – asked if the Board choosing roads based on who lives on the roads to be paved; if they were looking into the past General Managers expenses like \$400-\$500 lunches, etc.; and if Board members were making money from HPP noting that mulch was missing. Ken McGilvray responded that to the best of his knowledge the GM had a contract which allowed her to make purchases up to \$1,000 without prior Board approval. He also stated that no Board Member has received financial compensation and only one member lives on a road that was paved and no other members live on roads which are currently on the list of roads to be paved in Phase IV.
- i) Paul Baillie – asked the Board to treat the home owners equally in deciding what roads to be paved. He asked for information on road policies. The Board responded that it is on the website and the criteria was originally suggested in the bond process. He also stated that unless his road is maintained as equally as others, he will withhold his road fees.
- j) Randy Aurello – received clarification that if lot owners on a road would like to pave their own road they can.
- k) Yen Chen – Friends of Puna’s Future updated the Board and guests about the progress of Bill 1626, the initiative to get the County to use fuel tax money to maintain publically accessed private roads.

VI. Committee Reports:

- a) Parks - Peggy introduced herself to the members and noted that although she had not been voted as Chair she was certainly willing. In response to owners’ concerns about the negative vote on the County park, she responded that the County was not willing to write down any details required by the Board and that the County had already rewritten the bond issue to include other areas for the park. She noted that the County already has two parcels by the ocean which HPP is asking for them to return. She felt that HPP should head up the creation of the park. She asked home owners to support the Committee by joining.
- b) Finance – No report was available.

- c) Neighborhood Watch - Jerry Carr noted that the chili cook-off was a big success. He encouraged lot owners to participate in Neighborhood Watch.
- d) PMAR – No report was available.
- e) Paving – Francis Ganon noted that the bids will be opened on Friday, September 23, 2011.

VII. Treasurer’s Report: Ken McGilvray presented a review of the Treasurer’s Report.

<u>Construction Fund (for paving)</u>	\$4,240,550.81
<u>Total Checking/Savings and Construction Funds</u>	\$8,017,549.97

The Board noted that the roads to be paved will be made public after the bid is selected in order to get the best deal.

VIII. General Manager’s Report and Road Supervisor’s Report: Scott Reilling reviewed the monthly road maintenance report. He reported that one accident investigation was activated due to an incident on August 18, 2011 when a road crew member got dust in his eyes while grading. No long term damage to his eye was reported and no loss of work. He reported that bids for Phase IV will be reviewed on Friday and the following week the Paving Committee will select the contract. Sign posts will be installed for PAKA Neighborhood Watch to set up Neighborhood Watch signs. He asked that residents who have experience in writing grants contact the Office. He asked the Board to consider EPLI and EBLI insurance policies which would total approximately \$2400. The request to waive tipping fees is still in progress. He distributed a report on dust suppressers and equipment that will help with full depth restoration to our dirt roads.

IX. Unfinished Business:

- a) Motions Log (on-going). Tracking Nos. #279, #314 and #385 have been completed.

X. New Business:

- a) Consideration of Compromise on the Employee Health Insurance Contribution – The Board decided to discuss this issue in Executive session.
- b) Requirement of Release of Owner Information (database) to HiDOT and USPS – The Board discussed the possible repercussions and/or alternatives to providing the information.

Margaret Stevens made the motion to deny the request from the DOT and let them seek that information through their own channels. Ron Vizzone seconded the motion. The Board discussed among other things, possibly getting the request in writing. Vote in favor: Margaret Stevens, Ken McGilvray, Ron Vizzone, Francis Ganon. Opposed: Dale Watson, Judy Sumter, Elizabeth Weatherford, June Conant. Motion lost.

- c) Request by Annie Svaty to Support 5th Annual Howling Holidays Event on December 11, 2011 – Ms. Svaty asked for the Board’s support to block off 16th Street from Maku’u and Paradise between the hours of 7:30 - 10:00 a.m. for the dog walk. Proceeds go to Rainbow Friends Animal Sanctuary. She also asked to rent the whole facility for \$100 and for waiver of the deposit.

Ken McGilvray moved to dedicate 16th Street between Maku'u and Paradise for the hours of the event and to rent the Activity Center for \$100 and waive the deposit. Margaret Stevens seconded the motion. Discussion ensued.

Judy Sumter amended the motion to rent the facility for the \$100 fee and ask for a \$125 deposit of which \$25 is not refundable in order to pay for the fee of the caretaker. June Conant seconded the motion. Vote in favor: Francis Ganon, Margaret Stevens, Elizabeth Weatherford, Ron Vizzone, Judy Sumter, June Conant, Dale Watson. Opposed: Ken McGilvray. Amendment carried.

Amended motion: The Board agrees to dedicate 16th Street between Maku'u and Paradise for the hours of the Annual Howling Holidays Event on December 11, 2011 and to rent the facility for the \$100 fee and ask for a \$125 deposit of which \$25 is not refundable in order to pay for the fee of the caretaker. Vote in favor: Francis Ganon, Margaret Stevens, Elizabeth Weatherford, Ron Vizzone, Judy Sumter, June Conant, Dale Watson. Opposed: Ken McGilvray. Motion carried.

XI. Communication & Correspondence:

- a) Robert Wright, email of 8/22/11, re: PAKA Neighborhood Signs.
- b) BJ Leithead-Todd, Planning Director, Memo of 8/24/11, re: Special Permit No. 650 (87-000009). The Board discussed the amendment to the Special Permit which includes expansion of the Church's building(s) over four acres, including consolidation of the four lots into one four acre property.
- c) Response to June Conant's letter to State Attorney General, of 8/29/11, re: "Fugitive Dust. June Conant shared with the Board and guests the response to her letter which came from the Deputy Attorney General, Bill Cooper who represents the Clean Air Branch of the Dept. of Health. His letter noted that the owner of the land under the roads where fugitive dust occurs is responsible for utilizing reasonable controls to prevent fugitive dust. Therefore, Ms. Conant explained that while HPPOA is responsible for road maintenance based on fees received from lot owners, any of the 5750 land owners in increment one would be held liable in a violation of the fugitive dust issue. Increment two is owned by HPPOA and is responsible as an owner for those roads and any violations due to fugitive dust.
- d) William F. Cooper, Deputy Attorney General, letter of 9/12/2011, letter responding to Ms. Conant.
- e) Derek Alatan, letter, survey and petition of September 2011, re: Request to Pave 25th Avenue.
- f) Iris Viacrusis, memo delivered on 9/12/11, re: Request & Petition to Delay Phase IV Paving Project.
- g) Glenn Okimoto, Ph.D., Director of Transportation, letter of 9/12/11, re: Keaau-Pahoa Road Improvements – EA & FONSI (STP 0130-27).

XII. Announcements:

- a) Next Board Meeting: October 19, 2011 at 6:00 p.m. in the Library.
- b) Next General Membership Meeting: Sunday, October 30, 2011, 3:00 p.m.

XIII. Adjournment of Meeting: The meeting adjourned at 8:52 p.m. *Margaret Stevens made the motion. Elizabeth Weatherford seconded. Vote in favor: Unanimous approval. Motion carried.*

Respectfully Submitted and Approved:

Denise Warner, Recording Secretary of Minutes

Date

Elizabeth Weatherford, Secretary

Date

Motions Log

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