

**Hawaiian Paradise Park Owners Association
Board of Directors
Meeting of October 21, 2009
Minutes**

I. Call to Order. President Frank Annin called the meeting to order at 6:00 pm.

II. Roll Call.

- a. Board of Directors: Frank Annin, President; Randy Dresselhaus; Joan Galante; Ron Vizzone; Ken McGilvray, Treasurer; Jeff Gray; Keone McAllister; Dale Watson, Secretary; Bob Rainie. General Manager, Kaniu Kinimaka-Stocksdale, was also in attendance.
- b. Guests: Rochelle Augustin; W. Beck; Tom Brown; Jerry Carr; June Conant; Dan DeSoto; Jasmine DeSoto; Dave Fithian; Roger Hanson; Chris Larson; Johnson Lum; Richard McGrady; Harry Musgrave; Tommy Spencer; Robin Wright. In addition, there was one person whose name was illegible.

III. Agenda. The following items were added to the agenda:

- a. Awards Program was added to New Business.
- b. Reinstatement of the Human Resources Committee was added under Committee Reports.

Bob Rainie moved to approve the agenda with the changes noted. Jeff Gray seconded the motion. The motion was approved unanimously.

IV. Guest Speaker. Tom Brown with the Hele On transit system address the board on the subject of the possibility of having a Hele On route run through Hawaiian Paradise Park. He provided an overview of the system and its heavy use in the Puna district. Among concerns as a route through HPP is being considered are: potential damage to the roads; inadequate road width especially on the side roads; and running the busses on private roads. Board members expressed their support of the idea of having busses come into HPP, and Mr. Brown indicated that he would bring this up with the Corporation Counsel at a meeting to be held in the near future. He indicated his willingness to return to speak with the board at its November 2009 meeting.

V. Owner Input.

- a. Dave Fithian asked about the possibility of having Mayor Kenoi speak at the General Membership Meeting. Kaniu Kinimaka-Stocksdale indicated that his staff said his schedule would not permit his attendance at the October 2009 meeting.

- b. Johnson Lum spoke about the newly-approved special use permit that allowed him to open his "Hobby Garden." He said that it is for keiki, that it is very low key, and he anticipates light traffic only. He invited the board to come to visit the facility.
- c. Richard McGrady said that there was a vehicle on his property and he wondered what he should do about having it removed. Others at the meeting indicated that they were aware that a car had broken down and it will be repaired and removed.
- d. W. Beck asked about the plans for road maintenance. He lives on Railroad at 21st. Kaniu Kinimaka-Stocksdale said that current plans would have that road worked on towards the end of December, weather permitting. It was last done in July. Mr. Beck said that the repairs usually only last about two months.

VI. Minutes of the meeting of September 16, 2009.

Ken McGilvray moved that the minutes of the meeting of September 16, 2009, be approved. Ron Vizzone seconded the motion. The motion was approved unanimously.

VII. Treasurer's Report. Treasurer, Ken McGilvray, presented this report.

Total Bank Checking/Savings Balances:	\$985,193.46
Total Investments:	\$569,594.67
Total checking/savings and construction bond funds:	\$10,232,706.04

Monthly income for September was \$55,992.87 and expenses were \$79,978.36

Ken noted some unusual expenses, including \$4,662.97 for Investment Fees. He said he will be investigating the possibility of changing investment companies to perhaps reduce that amount. There was a discussion of the amount HPP pays to take trash collected from the roads to the county transfer station. Kaniu Kinimaka-Stocksdale said that she is preparing a report tracking these expenses. She will use the information she gains from this in an effort to get the county to reduce or even eliminate the charges that HPP pays for this.

Dale Watson moved that the treasurer's report be accepted. Joan Galante seconded the motion. The motion was approved unanimously.

Ron Vizzone noted that the county of Hawaii is in the process of selling the equipment that it had been using for spraying Coqui frogs. He asked if it would be possible for HPP to use the Coqui Funds to purchase some of this equipment. When we are not using the equipment for spraying frogs, we could use it for other spraying purposes. Kaniu Kinimaka-Stocksdale said that she would investigate this.

VIII. General Manager's Report. Kaniu Kinimaka-Stocksdale asked if there were any questions about the report she had included in the board packet. Joan Galante asked if the board could continue to get a copy of the forecasting spreadsheet report the GM had introduced at the September meeting and Kaniu indicated that could be done. There was a discussion about why the equipment hours report was not included. Kaniu said that she

had found some inaccuracies in the data used to prepare the reports and expects to have the reports in better condition for the November meeting. There was a question about the mowing schedule. She said that, once the mower was put into service, there was some jumping around from point to point in the park to take care of urgent issues. Now the mowing should be on a more orderly schedule.

Finally there was a discussion about the placement of the mailboxes on Shower Drive. One issue is an autograph tree that might be in the way of the proposed new location for the boxes. Kaniu Kinimaka-Stocksdale was directed to get rid of the tree.

Ken McGilvray moved that the mailboxes on Shower Drive be relocated to a location to be prepared with a new concrete base, and that room for additional mailboxes be added. The motion passed unanimously.

IX. Committee Reports.

a. Neighborhood Watch. Jerry Carr reported that owners can now review crime data on the Neighborhood Watch website. It can be reached from the HPPOA main website. He also reported the purchase of street signs noting that there is an active Neighborhood Watch program in the area. These signs will first be used in areas where there is an active block watch group. Finally, he asked everyone to report any ATV or motorbike activity that is doing damage to our roads. The report should be directed to the police dispatch number, not 911.

b. Human Resources Committee.

i. Ken McGilvray reported on the efforts to recruit a General Manager.

Ken McGilvray moved to ratify the straw vote taken by phone among board members that the annual salary to be offered will be between \$45,000 and \$60,000. Dale Watson seconded the motion. The motion was approved unanimously.

ii. Ken reviewed the changes in the proposed revision to the employee handbook, and noted that there are revised policies related to Safety, Absenteeism, and Drug/Alcohol use. There was also discussion about the revision of the pay dates. Kaniu Kinimaka-Stocksdale noted that she had revised the pay periods so that pay statements reflect only work hours that have already been completed. She said that changing the current pay dates would be a hardship for several employees who have bills due on certain days of the month. Another issue discussed was the number of sick days to be allowed for employees. Finally, there was an extensive discussion of the use of compensatory time off in lieu of overtime pay.

Dale Watson moved that overtime hours be paid at time and a half rather than with compensatory time off. Randy Dresselhaus seconded the motion. The motion was approved with Ken McGilvray voting in opposition.

Bob Rainie moved that employees continue to have 12 days of sick leave per year. The motion died for lack of a second.

Ken McGilvray moved that the number of sick days be reduced to 6 per year. Randy Dresselhaus seconded the motion. The motion was approved with Bob Rainie and Randy Dresselhaus voting in opposition.

Dale Watson moved that the Drug and Alcohol-Free Workplace Policy be approved with the following changes:

“POST-ACCIDENT TESTING: Any employee involved in an on-the-job accident or injury ~~may~~ will be required to submit to a drug/alcohol test.”

“EMPLOYMENT SCREEN TESTING: Employment candidates ~~may~~ will be required to pass a drug/alcohol test as a condition of employment.”

“RE-TESTING: In the event of positive test results, the employee or candidate may request a re-test at his/her own expense and such a re-test must take place within two hours of the original test. Decision to grant...” (remaining part of section unchanged).

The motion was approved unanimously.

Dale Watson moved that pay days continue to be on the 1st and 15th of each month and that the pay periods continue with the current adjustment that ensures that employees are paid only for time worked. Randy Dresselhaus seconded the motion. The motion was approved with Ken McGilvray voting in opposition.

Ken McGilvray moved that the proposed Employee Handbook, with the changes noted in the previous motions, be approved. Jeff Gray seconded the motion. The motion was approved with Bob Rainie voting in opposition.

c. Finance Committee Establishment.

Ken McGilvray moved to establish a Finance Committee, with responsibilities to include but not be limited to, review and presentation of the budget and review and recommendations of merit increases. Joan Galante seconded the motion. The motion was approved unanimously.

Frank Annin said that the committee would be chaired by the Treasurer, and that there should be a board member as well as elected members of the general membership as outlined in the proposed revisions to the bylaws. The General Manager will be a member *ex officio*.

d. Human Resources Committee Reestablishment.

Joan Galante moved that the Human Resources Committee be reestablished as a standing committee of the board. Bob Rainie seconded the motion. The motion was approved unanimously.

Frank Annin asked for volunteers for the committee. The following were appointed to the HR Committee: Jeff Gray (as the board member); Robin Wright; and Jerry Carr. The General Manager serves as an *ex officio* member of the committee. At the

mid-meeting break, Jeff Gray was elected chair of the committee. Among the function of the committee will be: review of the performance of the General Manager; review and maintenance of position descriptions; review and maintenance of the Employee Handbook and Personnel Policies.

- e. Road Traffic Safety Policy Committee. Joan Galante noted that she was to have brought nominations for members of the RTSP Committee to this board meeting. One of the applicants for committee membership is now an employee of the Association and Joan asked for the board's opinion of this.

Ken McGilvray moved that staff members who are members in good standing of the association may be on any committee except the Human Resources Committee. Keone McAllister seconded the motion. The motion was approved with Joan Galante abstaining.

Joan Galante asked that this decision be published as a policy of the board.

Joan noted that the members of the RTSP committee will be Valentina (Tweetie) Fong, Ahmed Rifi, and Leilani Bronson-Crelly.

- f. Bylaws Committee. June Conant reported that the draft bylaws are out for review by the review committee, and she expects to present the draft bylaws at the February 2010 General Membership Meeting. There was a discussion of lots such as those owned by Bill Newman. In the past, two of his lots were "condo-ized," meaning that the lots were subdivided with two full homes on each section of the lots and each section was assigned its own TMK. June noted that he is the only person in HPPOA with such an arrangement, and this kind of splitting of a lot is no longer permitted by the county. There are over 400 other lots in HPPOA with more than one home, but no others have more than one TMK assigned. In the past, Mr. Newman has been charged for a roads assessment for each TMK. It was the consensus of the board that he should be charged only one roads assessment per lot, not per TMK. Ken McGilvray will discuss this with Mr. Newman and the staff and try to make some arrangements to make up for the incorrectly assessed lots by adjusting future roads assessments.

X. Unfinished Business.

- a. Motion Log. There was a brief discussion of the motions log with the General Manager noting that staff should be able to do more work on these logs in the near future.
- b. Owner Input Log. The discussion of the motions log included a discussion of the Owner Input Log.

XI. New Business.

- a. Use of lien monies towards purchase of road equipment.

Dale Watson moved that, retroactively to August 1, 2009, lien monies be set aside from income, less expenses incurred, for a line item to pay for new or replacement equipment. Bob Rainie seconded the motion. After extensive discussion, Dale and Bob withdrew their motion.

- b. Additional foreclosures on property. Ken McGilvray presented a new offer from an owner. The owner has sent in two checks totaling \$3,000 and further agrees to pay \$200/month until all the fees in arrears are paid off. Ted Hong recommends that we accept the offer. It was the consensus of the board that we accept the offer but stipulate that, if even one payment is late by even one day, we will foreclose immediately. The burden of proof of payment is on the owner. The board further directed that we charge a reasonable interest on the balance due to the association.

There was further discussion about other properties that are eligible to have the foreclosure process started. It was the consensus of the board that these actions should be started.

- c. Basketball Hoops on easements. There is a letter from Joann Backman regarding the problem of basketball hoops on association easements. Joan Galante said that the RTSP committee will take this issues on for consideration.
- d. Debra Jean Baker (the "Taco Lady") on Paradise Drive. Kaniu Kinimaka-Stocksdale said that staff has been researching this issue. There is still some work to be done on this.
- e. Election of Vice President of Board of Directors. Dale Watson nominated Bob Rainie to be the Vice President of the Board. Ken McGilvray nominated Jeff Gray to be the Vice President of the Board. After a secret ballot, President Frank Annin announced that Bob Rainie had been elected.
- f. Awards Presentations at General Membership Meeting. Kaniu Kinimaka-Stocksdale announced that there will be three awards presented at the General Membership Meeting on October 25, 2009:
- i. Rick Edwards Award: This will be presented to June Conant.
 - ii. Allan Deehr Award: This will be presented to Frank Annin.
 - iii. Albert & Maizie O'Neil Award: This will be presented to Ahmed Rifi.

XII. Announcements.

- a. Accounts Receivable Software. Kaniu Kinimaka-Stocksdale announced that she has decided to use QuickBooks Enterprise as the Accounts Receivable program. She invited board members to come to the office to review and discuss this as they wish. She will send board members three possible dates and will arrange a presentation accordingly.

XIII. Adjournment. Frank Annin adjourned the meeting at 9:30 pm.

Respectfully submitted:

Robin Messenheimer, Recording Secretary

Dale Watson, Board Secretary

Motions Log

Bob Rainie moved to approve the agenda with the changes noted. Jeff Gray seconded the motion. The motion was approved unanimously.

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