

**Hawaiian Paradise Park Owners Association
The Board of Directors Meeting on March 20, 2013**

I. Call to Order: President June Conant called the meeting to order at 6:00 p.m. Quorum was established. The meeting took place in the Activity Center.

II. Roll Call:

Board of Directors: June Conant, President; Merrill (Skip) McAlister, Vice-President; Elizabeth Weatherford, Secretary; Joan Galante, Treasurer; Francis Ganon, Terry Michels, Tom Nickerson, Judy Sumter, and Verne Presnall.

Guests: Derek Alatan, Larry Brennan, Leilani Bronson-Crelly, Bruce Derrick, Dorcas Liu, Jeff Luce, Bill Newman, Evan Pfaff, Sal Panem, Mayelin Stillwell. Also present, Scott Reilling, General Manager, Denise Warner, Recording Secretary and Christina Fisher, Recording Secretary.

III. Approval of Agenda:

Elizabeth Weatherford moved to accept the Agenda as amended. Terry Michels seconded. Vote in favor: Unanimous approval. Motion carried.

IV. Owner Input:

1. Sal Panem – Due to the request made by the Attorney General to facilitate the shoulder lane conversion project on Hwy 130, Mr. Panem has requested four volunteers who would be willing to testify in court that they agree with the court judgment 20 years ago that awarded the necessary land to the State.
2. Greggor Ilagan – As Councilman for District 4, he offered to help expedite communications between residents and Council. A talk story on Agriculture has been planned on March 22nd. He also noted that the Fire Chief is not in favor of the bus stop, recycling center or spigot at the Fire Hall, since it may hinder safety vehicles. Residents were encouraged to provide testimony regarding the current resolution on the decriminalization of marijuana.
3. Larry Brennan – was informed that there is a standardized letter sent out to residents who have items encroaching on the easements. He asked for clarification on the intrusion of Albizia boughs over easements and neighboring properties.
4. Bill Newman – asked if there was a set back requirement. He was informed by Mr. Nickerson that there are set back requirements with a little tolerance for interference into the easements of 12” in an agricultural zone, as long as it is under 6 ft in height.
5. Jeff Luce – Jeff was the one who noted that Albizias hanging over a neighbor’s fence destroyed part of it in a storm; Board members noted that anything that hangs over your property can be cut down. Legal action can also be taken for the damage caused by the tree overhanging your property.

6. Bill Newman - added that if it is deemed to be a hazard, the State will remove the hazard and put a lien on the property. Contact Steve Ziggler, Hawaii State Civil Defense.
7. Ken McGilvray – implored Board members to improve attendance at meetings. He also asked for justification on several budget line items and expenditures to date.

V. Approval of Minutes

Board Meeting of February 20, 2013 – Tom Nickerson moved to accept the Minutes of February 20, 2013. Terry Michels seconded the motion. Vote in favor: Unanimous approval. Francis Ganon abstained. Motion carried.

VI. Committee Reports:

1. Finance Committee – Joan Galante presented the report. Of note, the year-to-date budget is on par at 110% ratio as required by the bond. The budget was readjusted once the motion was adopted to offer a 5% discount to residents who paid on time. The first six months was the actual costs, and the next six months was what remained, adjusted for the discount in fees.
2. Parks – No report was available, as there has been no volunteer to Chair the Committee.
3. Path – Larry Brennan noted that the Committee is working on an addendum to the Master Plan.
4. Paving – No report was available.
5. Road Traffic Safety – Mayelin Stillwell noted that the wide curve on L Rd. may need to be reconfigured. It may be possible to make an arrangement to allow a landscaping company to remove desired coconut trees from easements, thus saving removal fees.
6. Nominating Committee – Candidates were announced: Larry Brennan for D9, Bill Newman for D8, June Conant and Craig Crelly for D6, Joan Galante, Les Peterson and Francis Ganon for D1. Ballots will be mailed by May 1st with a deadline for ballots to be received by the League of Women voters by June 1st. Volunteers were requested to help with the mailing.

VII. Treasurer’s Report: Joan Galante presented the Treasurer’s Report.

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| Construction Fund (available for paving) | \$1,758,771.57 |
| Savings, Checking and Investments | \$3,950,023.50 |
| <u>Total Checking/Savings and Construction Funds</u> | \$5,708,795.07 |

VIII. General Manager’s Report and Road Supervisor’s Report: Mr. Reilling reported on progress to current projects including a soil stabilization project, the potable water station and the bus shelter on 21st. The DOH will be conducting a study in HPP to test well water and will be identified by vehicles and badges. In response to the request to have green waste pile on 16th removed, Mr. Reilling noted that the cost would be too high, estimating the cost between \$15-\$20,000. In response to the need for clearing away green waste and rubbish, Mr. Nickerson suggested setting up a redemption center so that tipping fees would be waived.

IX. Motions Log: – ongoing.

X. Unfinished Business:

1. NPDES Permit – Mr. Pfaff noted that an NPDES permit should not be needed for maintenance activity to restore roads to an original condition. A drafted letter to request a formal reply from the State was submitted for review.

Joan Galante moved to send the letter Mr. Pfaff has written to the State Environmental Division, so that we can get a response in writing. Elizabeth Weatherford seconded. Discussion ensued. Vote in favor: Joan Galante, Elizabeth Weatherford, Judy Sumter, Verne Presnall and Terry Michels. Opposed: Tom Nickerson and Francis Ganon. Merrill (Skip) McAlister abstained. Motion carried.

In response to questions about the lapse in the general permit, Mr. Pfaff noted that the State allowed the general permit to expire, which had provided an umbrella of coverage for HPP under a “Notice of General Permit Coverage”. In order to extend coverage under that existing NGPC, the State would have required specific details as to the next roads to be paved and the time period for paving, which is information that may not have been available before the permit expired.

2. WiFi at Activity Center – No update at this time.

Tom Nickerson moved to table the discussion on the WiFi at the Activity Center until the next meeting. Elizabeth Weatherford seconded. Vote in favor: Unanimous approval. Motion carried.

3. Mailbox Relocation – Of note, any additional mailboxes must be purchased; currently there are 2300 boxes for 4300 homes. The Board reviewed suggestions for relocating boxes in high traffic areas. The mailboxes which have been knocked down will be replaced. Mr. Reilling suggested soliciting an RFP for architectural design on centralizing the location of the current boxes, as well as for potential residential expansion in HPP.

Joan Galante moved to allow the General Manager to send out an RFP to get an architectural conceptual drawing. Elizabeth Weatherford seconded. Discussion ensued. Vote in favor: Terry Michels, Tom Nickerson, Merrill (Skip) McAlister, Elizabeth Weatherford, Tom Nickerson, Joan Galante and Verne Presnall. Opposed: Francis Ganon. Motion carried.

4. Status of Metro Traffic Counters – Bruce Derrick noted that three counters are now working and will be set up on Shower Dr., 29th and 30th. They will record 24hrs/day for three weeks, followed by one week idle and then another two sets of three weeks. Then the data will be analyzed.
5. Main Roads Dedication Project – Tom Nickerson reported that dedication of the roads would have to be approved by the full Council. Currently, County representatives are opposed to taking on the main roads due to the precedent it sets and the costs of maintenance. The Council may be willing to endorse a test resolution to see how the members vote.

XI. New Business:

1. Review Dust Committee Recommendations – After review of the Committee’s recommendations, Mr. Nickerson provided the Board with several suggestions, such as

requiring realtors to disclose a potential “particulate matter” problem and certification from haulers that their loads meet or exceed County standards.

2. Discuss the Encroachment at Maku’u and 21st – After a written warning and a meeting with the resident, Mr. Reilling asked the Board for direction on whether to remove the greenery from the easement in front of his property and allow him to plant the greenery on his property.

Verne Presnall moved to give the home owner 30 days written notice to dig the holes so that we can place the palms on his property. Joan Galante seconded. Discussion ensued. Vote in favor: Verne Presnall. Opposed: Francis Ganon, Merrill (Skip) McAlister, Tom Nickerson, Terry Michels, Elizabeth Weatherford, Judy Sumter, Joan Galante. Motion lost.

A final 30 day notice will be sent that the palms will be removed and permission is needed to place them on his property.

3. Discuss the Encroachment at Paradise Ala Kai – Mr. Reilling noted that response from legal council dated March 13, 2013 has indicated that an easement agreement is not necessary for the slight encroachment of Dr. Swigart’s property fence.

Tom Nickerson moved to have Ivan Van Leer send a formal demand for a formal encroachment agreement. Elizabeth Weatherford seconded. Discussion ensued. Vote in favor: Tom Nickerson, Francis Ganon. Opposed: Elizabeth Weatherford, Terry Michels, Verne Presnall, Joan Galante, Judy Sumter. Merrill (Skip) McAlister abstained. Motion lost.

4. Decrease in speed limit on Hwy 130 – Elizabeth Weatherford reported that the Department of Transportation will reduce the speed limit on Hwy 130 from Shower Dr. to Ainaloa Blvd. from 55 mph to 45 mph.
5. Cell Tower – Mr. Reilling reported that two companies have requested permission to install a cell tower, but deed restrictions on the 20 acre properties allow for only parks or schools. The Board considered the property on 4th for such a purpose, since it does not have a deed restriction.

XII. Communications:

1. Email to Greggor Ilagan – bus stop and potable water station – noted.

XIII. Announcements:

- a) Next Board Meeting: Wednesday, April 17, 2013 at 6:00 p.m. in the Library.
- b) Rubbish Round Up on April 13th
- c) Bus Schedule is now available for April 1st.

XIV. Adjournment of Meeting:

The meeting adjourned at 9:15 p.m. and the Board convened for Executive Session.

Respectfully Submitted and Approved:

Christina Fisher, Recording Secretary of Minutes

Date

Elizabeth Weatherford, Secretary

Date

Motions Log

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