

**Hawaiian Paradise Park Owners Association Membership Meeting
Draft Minutes of October 28, 2012**

- I. **Call to Order:** President June Conant called the meeting to order at 3:10 pm. Elizabeth Weatherford served as Secretary. Quorum was established.
- II. **Roll Call: Members:** Valerie Abelaye, Debra Agbayani, Francis Lee Akuna, Clyde Almeida, Kaoki Appenzeller, Rosa Athens, Carol Atthowe, James Avilla, Al Bandun, Debbie Bandun, Selena Barnes, Diane Barros, Joe Barros, Robert Beebe, Tim Blakley, Tommy Blundell, Elizabeth Bonnell, Joe Boticelli, Leilani Bronson-Crelly, Michael Brown, Rosemary Brown, Kerry Burrell, Ann Caldwell, Mary Calip, Gale Camachio, James Camachio, Douglas Cappogizossi, Fely Cappogizossi, Jerry Carr, Ian Cave, Carol Chamblin, Bernadette Chase, Erwin Chase, Harold Ching, Jacquelyn Ching, Kathy Chrash, Michael Chun, Sandra Collins, Helen Cooper, Steven Crawford, Wenny Davis, Bruce Derrick, Thomas Doughen, David Fithian, Noel Foronde, Faustino G., Joan Galante, Francis Ganon, Lionel Gomes, Scott Hampe, Roger Hanson, Kareen Haskin, Oubonh Henderson, Susan Hicks, Todd Hough, Hadley Huit, Gregg Hummer, Mark Hunter, Henry Ingold, Eric Inonye, Blanche Iwashita, Tom Jennings, Deevie Johnson, Dana Jones, Barbara Kahn-Langer, Jocelyn Kaide, Patricia Kayl, Chris Kelly, Richard Koval, Janet Kuester, Cindy Kurishima, Judie LaChance, Anne LaVasseur-Mullen, Ronald Lee, Peter Lesley, Linnea Lindley, Dorcas Liu, Stanley Lovett, Veronica Lovins, Deborah Luce, Brent Magstadt, Linda Malc, Merrill R. McAlister, Roy McCormick, Ken McGilvray, Heather McNeill, Mike Mentnech, Doreen Mercado, Gary Michaelis, Terry Michels, Inge Misajon, Carol Mongle, Thomas Moore, Thomas Mullen, Karen Myer, Bill Newman, Thomas Nickerson, Dolores Numi, Susan Otagura, Norman Paik, Michael Pankowski, Maya Rose Paulsen, Regina Pereira, Evan Pfaff, Margaret Phillips, Det Picher, Tom Picher, Mary Porter, Monique Pouvray, Verne Presnall, Elsie Ramos, Bonifacio Ramos, David Ratzlaff, Karen Reyes, Laura Richman, Erhard Rick, Valerie Roberts, Barbara Robertson, Rana Rodillas, O. Rosehill, Russell Ruderman, John Rudolph, Dakota Russell, Elin Sand, Valapa Sangviriyakuk, Dayle Santos, Frank Santos, Cecilia Scarpelli, Frances Scarpinato, Cynthia Schimpt, John Seastrom, Alan Simeon, Daryl Smith, Doug Stillwell, Judy Sumter, Frank Suskin, Gyongyi Szirom, Rod Thompson, Chuck Titherington, Tap Titherington, Bruce Tsumamoto, Charles Urquhart, Albert Vandervelde, Iris Viacrusis, Thomas Vincent, Deborah Walsh, David Watters, Kristina Wavak, Elizabeth Weatherford, Chuck Webb, Lorna Witherspoon, Dennis Yoshida. **Guests:** Greggor Ilagan, Councilman Fred Blas, Councilwoman Faye Hanohano, Rene Siracusa, Daryl Smith, Mr. Scott Reilling, General Manager, Cathy Fincher and Morgan Sky, Administration; and Recording Secretary, Denise Warner.
- III. **Agenda:** The agenda was amended and approved.

Leilani Bronson-Crelly moved to consider the item Survey importance under New Business before Owner Input. Seconded. Unanimous approval. Motion adopted.

The amended Agenda was then approved. Vote in favor: Unanimous approval. Motion carried.

IV. **Guest Speaker – Rene Siracusa, proposed medical services in Pahoā:** – Ms. Siracusa presented an overview of a proposed emergency care clinic which is in development for Puna on Hwy 130 near the water tanks. She asked residents for financial support in the amount of \$1/year per lot.

V. **Minutes:**

Minutes were made available from June 24, 2012.

Bill Newman moved to accept the Minutes of June 24, 2012. Seconded. Motion carried by majority vote.

VI. **New Business:**

a) **Survey importance** – June Conant assured members that the survey was developed in response to the request issued by the Department of Health, in which they asked HPPOA for a plan to deal with fugitive dust. She emphasized that the survey was intended to poll residents' opinions in order to develop a plan that represents the preferences of the community.

VII. **Owner Input:**

- a) **Peter Frost** – asked to meet with owners who have consolidated lots in order to gain support to change the rule that each acre lot is charged a separate road maintenance fee.
- b) **Roy McCormick** – lives on a fire road, and was promised that the fire roads would be done first. Since he still lives on an unpaved road, he spoke against doubling the road taxes and suggested getting legal counsel.
- c) **David Ratzlaff** – asked residents who are complaining about the dust to work with the Board to have the area in front of their home paved, because not all residents want their roads paved. He also asked why the State and County won't match funds to HPP's in order to help with paving costs.
- d) **Iris Viracrusis** – Asked why the Board has not responded to a petition which he organized a year ago; and asked the Board to ask local politicians to help HPP.
- e) **Tap Titherington** – asked the politicians and the Board to consider that the fugitive dust law applies to construction, not to private roads in HPP. She also asked residents to consider that they bought homes on unpaved roads.
- f) **Jacquelyn Ching** – noted that road maintenance fee increases must be approved by the members with the appropriate number of votes.
- g) **Garry Michaelis** – reminded the residents that most have signed an escrow paper that states buyers accept the dust resulting from unpaved roads. He also noted that as the roads are privately owned, the State and the County have no desire to contribute tax

funds; and perhaps a gas station could be opened in order to keep tax monies for paving of the roads.

- h) Mark Hunter – spoke against an increase in road maintenance fees, since residents had already voted in favor of paving roads, and little was done.
- i) Erwin Chase – asked how many of the absentee owners are delinquent in their payments.
- j) Anne LaVasseur-Mullen – noted that she and her husband own four lots on Beach Rd., for which they pay separate road maintenance fees, even though they are not one acre lots. She asked members to not vote for someone who's in office, but for someone else.
- k) Joe Botticelli – he asked the Board what happens if the roads are paved, but the loan cannot be paid. He also suggested that better road maintenance might be a more efficient option to control dust than to pave the roads.
- l) Rana Rodillas – noted that she had hoped all roads would be paved, and asked for clarifications on how the funds from road maintenance fees are used.
- m) Russell Ruderman – asked that the members treat each other with respect. He suggested that the plan for the Department of Health include: treating the roads of those who complained; or, notifying DOH that over the course of one or two years, different methods will be tried to treat the dust; and, finally, a plan to respond to complaints.
- n) Tom Jennings – asked the potential politicians to fight for what their constituents want.
- o) Jerry Carr – suggested that since the Health Department has not fined HPP, drastic action may not be necessary at this time. He also suggested the survey be revised in such a way so as to not unduly pressure residents to agree to the high costs of paving all the roads.
- p) Diane Barros – spoke in support of her road getting paved.
- q) Sue Bennett – noted that after putting out “Slow down!” signs, traffic slowed down significantly. She suggested other residents do the same.
- r) Rod Thompson – asked that a specialized lawyer be used to deal with the DOH. He commented that the ballot can be faked and asked the residents beware. He also said that he made motions in February 2010 to decrease the rate of increase, and the Board threw out the motion twice, and the current Recording Secretary wrote the Minutes to reflect their position.
- s) Veronica Lovins – suggested base course which is treated with oil be used on the unpaved roads. She also suggested fundraisers be developed to help people who might lose their property because they cannot pay their road fees.

- t) Blanche Iwashita – inquired if an activity log showing road maintenance schedules and salary increases exists. She also asked where the money is going for road maintenance fees, since other subdivisions pay much less.
- u) Ken McGilvray – calculated that the projected costs to pave another five miles seems to have escalated to \$239,000/mile from past costs of \$225,000/mile, and asked that this increase be accounted for. He also noted that the membership previously made a resolution to not increase road maintenance fees in 2013. *Ken McGilvray made a resolution to not increase the road fees in 2013. Seconded. No vote was taken. The President ruled the motion out of order due to the fact at the October Board of Director's Meeting, the yearly fee was increased by 5%, but if the owner's account is current and the 2013 fee is paid by the due date, the fee will be the same as this year; i.e., \$262.*
- v) Karen Reyes – stated that she was promised that her road would be paved. She asked that the staff stop dumping wet gravel on the roads and let them go back to lava rock in order to diminish the dust.
- w) Dave Watters – asked if other subdivisions have had the same fight with the Department of Health. He also asked for greater dissemination of the facts discovered by the Board in order to communicate better with those who are upset.
- x) Elizabeth Weatherford – noted that the Board is currently improving the website to allow residents to read documents reviewed by the Board, and to keep abreast of any progress or rules that apply to HPP.
- y) Mike Mentnech – asked if the State was misrepresenting the law, and questioned whether they understand the implications of such a decision when 95% of the dust comes from State owned land. He asked for support from politicians who might be able to help resolve this issue.
- z) Barbara Kahn-Langer – noted that she had asked for updates on the traffic counters which were supposed to be installed within the last year but no progress was ever presented. She asked the Road Manager to respond on the progress of this motion.
- aa) Chuck Titherington – suggested that residents who are complaining about the roads leave. He also suggested that methods to control dust be conducted in front of their homes.
- bb) Tom Nickerson – suggested an aerial land survey be conducted of HPP in the amount of \$15/acre in order to open up possibilities such as, asking for a waiver of county development standard on the roads, and to develop park parcels as assets from which base course materials could be excavated. He also pointed out that Sheila Watumull's lot is charged only one road fee for each of the six 20 acre parcels, but if that were changed to a per acre basis, the fees could pay for the land survey.
- cc) Chris Kelly – supported the creation of a bike path on each of the major roads in order to prevent pedestrian accidents.

- dd) Bill Newman – suggested the Board adopt a road paving policy which states which road is to be paved, and in what order; and, which would permit 200 ft of paving in front of homes where owners have a compelling, documented health issue. He asked the politicians who are up for election to help HPP resolve this issue.
- ee) Mike Chun – stated that he is not on the record. He asked members to consider that the Board works voluntarily. He also suggested members compose motions to clarify what they want the Board to accomplish.
- ff) Steve Stein – suggested that approval of Minutes with the current Secretary is debatable. He read from Minutes 2004 regarding a motion regarding logs for staff activity, gas usage, etc. which should have been instituted. He asked for greater transparency regarding who gets paid and for what.
- gg) Leilani Bronson-Crelly – felt the survey reflects only one option: to pave the roads in order to mitigate the dust for \$23 M. *Leilani Bronson-Crelly made the motion to form a Committee made up of residents and Board members to consider the fugitive dust issue and any laws or mitigation programs that may apply. Seconded. Discussion ensued.*
- Rod Thompson moved to amend the motion to add that Leilani Bronson-Crelly be made Chair and all relevant documents shall be posted on the HPP website. Seconded.*
- Bill Newman amended the motion that the Board be required to turn over all documents related to the issue. Seconded. Discussion ensued. Motion carried by unanimous approval.*
- The first amendment was voted on: that Leilani Bronson-Crelly be made Chair and all relevant documents shall be posted on the HPP website. Motion carried by unanimous approval.*
- The amended motion was voted on: To form a Committee made up of residents and Board members to consider the fugitive dust issue and any laws or mitigation programs that may apply with Leilani Bronson-Crelly as Chair and with the requirement that the Board turn over all relevant documents related to the issue, which shall then be posted on the HPP website. Motion carried by unanimous approval.*
- hh) Sandra Collins – noted that the Health Department had informed her that their actions are only a result of complaints received. And she also asked residents to consider changing the bylaws to better represent residents' wishes.
- ii) Karen Myer – asked if paving all the roads will fix the dust issue.

VIII. Treasurer's Report: The Treasurer's Report was available upon check-in. Joan Galante, Treasurer presented the report to the members.

Total Construction Fund **\$4,068,495.51**

Total Checking/Savings and Construction Funds **\$6,119,469.12**

IX. General Manager's Report: The General Manager's Report was available upon check-in.

X. Committee Reports:

- a) Neighborhood Watch – No report.
- b) Parks –No one has volunteered to Chair the Committee. Of note, the Coqui funds have been transferred to a Playground fund for future development.
- c) PATH – John Seastrom noted that 12 members are currently involved in the development process; and he encouraged residents to join the Committee or provide suggestions.
- d) Paving – No report.
- e) Puna Makai Alternate Route – Jerry Carr reported that the Planning Director has promised to let us know when the scoping study begins. When that happens, the Committee will start meeting on a monthly basis. Of note, the project is no longer called the Puna Makai Alternate Route, but rather, the Alternate Route, which opens up other locations for consideration.
- f) Road, Traffic, Safety Committee – Verne Presnall reported that the street numbering is continuing to progress well. Three proposals will be made at the Board Meeting: 1) to replace missing street sign letters: L M N O; 2) to replace all falling or knocked down stop signs; and 3) to provide two more signs for blind hills on Kaloli and 20th and 24th and Maku'u Dr.

XI. Unfinished Business:

- a) Response to Owner Input – see the HPPOA website.

XII. New Business:

- a) Elect two candidates from the membership for the Finance Committee – *Barbara Kahn Langer moved to elect Dale Watson and Ken McGilvray to the Finance Committee. Seconded. Motion carried by majority vote.*
- b) Elect Nominating Committee (5 people) for 2013 Director elections – Districts 1, 6 and 9 are up for three year appointments, and District 8 is up for a one year appointment. No members volunteered for the Committee.

XIII. Announcements:

The next Membership Meeting: February 24, 2013 at the Activity Center at 3:00 pm.

XIV. Adjournment:

The President adjourned the meeting at 5:35 p.m.

Respectfully Submitted and Approved:

Denise Warner, Recording Secretary

Date

Elizabeth Weatherford, Secretary

Date

Motions Log

Bill Newman moved to accept the Minutes of June 24, 2012. Seconded. Motion carried by majority vote.

After amendment, the following motion was considered: To form a Committee made up of residents and Board members to consider the fugitive dust issue and any laws or mitigation programs that may apply with Leilani Bronson-Crelly as Chair and with the requirement that the Board turn over all relevant documents related to the issue, which shall then be posted on the HPP website. Motion carried by unanimous approval.

Barbara Kahn Langer moved to elect Dale Watson and Ken McGilvray to the Finance Committee. Seconded. Motion carried by majority vote.