

**Hawaiian Paradise Park Owners Association  
APPROVED – General Membership Meeting Minutes  
February 22, 2015**

I. **Call to Order:** The President, BJ Mullenix (District 9), called the meeting to order at 3:11 p.m. Quorum was established. The meeting took place in the Activity Center.

II. **Roll call:**

**Board of Directors:** B.J. Mullenix, President (District 9); Dr. Jo Maynard, Vice President (District 5); Janice Ashford, Treasurer (District 7); Moani Pai-Paige (District 6); Craig Crelly (District 3), Ruth Mizuba (District 2), Randi Larzalere, Secretary (District 4), Roseanne McLean (District 8). Absent: Francis Ganon (District 1),

**Guests:** Susan Escobar, Tom Sawicki, Jim Tatar, Michael Bernham, June Conant, Janice Ashford, Jo Maynard, Robert Luke, Wilfred Tilton, Aki Lintuner(sp?), M. Mentnech, Lenard Allen, Ken McGilvray, Linda Deeltr(sp?), Judy Sumter, Alexa Von Alemann, Det & Tom Picher, Anita Myers, Clifford Mon \_\_?, Sondra \_\_?, Michael Dickerson, Renjo \_\_?, Sheldon Lehman, Kahealani Martins, Ruth Mizuba, Kerry Burrell, Alan Horwitz, David Prager, Richard & Judith Fetcher, B. Robertson, Lyn Walker, Peggy McKinsey, Loriann Regala, Deborah Hillman, Sharon Carino, Aaron Francis, Alden Justin Barrios, Roseanne McLean, BJ Mullenix, Dennis Stockton, Sarah Matthews, Brad Matthews, Leilani & Craig Crelly, Jackie Apigo, Terri Stratron, John Seastrom, Rodrik Thompson, Bruce R. Derrick, Deby & Al Baudin, Ron Haskin, Perla Whitehawk-Taylor, John Stillwell, Michael Brown, Sam Sailer, Mayelin Stillwell, Ron Vizzone, Moani Pai-Paige, Randy Setrlage, Carl McMinny, Gregg Ilummm\_?, Don McKay, Cynthia Bologna (Falstrom), Deborah Koval, Darrell Houghton, Carol Wozniak, Susan Hicks, Randi Larzalere, Steve Crawford, Sandra Collins, Mary Cornish, Judi Houle, Michelle Blum, Deborah Luce, Elizabeth Weatherford, Bonnie Fithian, Fran Calvert, Gayla McGrady, Gregg Datlof, Dan Bossor, Beth Evesong, Joy A. San Buenaventura-Lehman

III. **Approve Agenda**

**Peggy McKinsey moved to have [c. Community Action Committee] and [d. Committee Reports] on the agenda ahead of [b. Bylaws] D. McKinsey seconded the motion. Roseanne McLean (District 8) motioned to approve the agenda as amended with change of line-up. Randi Larzalere (District 4) seconded the motion. Vote: Yes-Unanimous. Motion carried.**

IV. **Approve Past Minutes**

**Dr. Jo Maynard (District 5) motioned to approve the General Membership Meeting Minutes of 10-26-15. Roseanne McLean (District 8) seconded the motion. Vote: Yes-Unanimous. Motion carried. Vote: Yes-Unanimous. Motion carried.**

V. **President Report – BJ Mullenix** - Report about the wrongful termination lawsuit, which is currently in litigation, thus further comments could affect the defense of the claim so nothing can be reported at this time.

VI. **Interim GM Report – Dr. Jo Maynard**

- An old motor that would have cost \$5,000 to repair was sold for \$2,300.
- The Dodge truck was sold for \$2,500 and out of the \$15,000 allotment authorized by the Board for a truck, a Toyota Tacoma 2 Crew king cab 2WD was purchased for the \$10,000+657 tax/license fees.
- To help mow and clear easements, out of \$90,000 allotted by the Board, a mower and boom arm was purchased for \$80,000. They are really working well cutting the brush and cane grass.
- During the windstorm from Friday night to Sunday morning, the road crew responded to 7 down trees.

- Mowed 20 miles of easements
- There were 119 road requests: 113 cleared/completed with 6 Outstanding.
- 156 hours water truck usage
- 1 ton of trash hauled away
- The white van that had been reported by vigilant homeowners calling the office and reporting its illegal dumping has been found, cited and impounded for that illegal dumping.
- disposed of 5 pigs
- filled 8 miles of potholes
- dropped and rolled 10 miles of road
- scraped and re-graded 9 miles of road
- 6 responses from the police dispatch and one from a resident in the park.
- no smoking sign are up on the Hui.

VII. **Treasurer Report - Janice Ashford (District 7)** – During the last quarter, on 10/9/14 and 12/4/14, the Finance Committee met. They didn't meet this month due to the holiday. Next meeting is Monday 3/9/15 at 9 a.m. in the Activity Center Library and all are welcome.

Total Checking, Savings, Investments and Bond Reserve: \$3,846,365.12

Total Accounts Receivables: \$4,168,811.31

**Committee Report (limit 5 minutes per Report) All Motions must be submitted in writing:**

**Emergency Action Committee Report** – Peggy McKinsey – They've been meeting since October to insure residents of HPP receive timely help in a disaster. They've put out an information document about a how to siphon catchment water in the event of electrical pump failure. They are distributing a special needs survey to alert others during an emergency where the special needs help might be needed in the community. There is a request for volunteers to help out in an actual emergency. They are providing documents to the Board for posting on the website to include a Red Cross emergency preparedness list along with a Homeland Security document. Civil defense and the Red Cross have come and spoken to the committee. They are working on a Hui electrical evaluation for a generator, if needed in emergency. Working on a Emergency flow chart with end product to be an HPP Emergency Response Plan. Anyone who signed up at last meeting, you will hear from them with info on what will be expected. Please consider volunteering for this Committee.

**Albizia Tree Control Committee - Judy Houle Co-chair with Randi Larzalere** – Albizia tree patrol program is going to be implemented using the \$30,000 Emergency Fund spurred from Mr. Ilagan's efforts. Workshop on site to begin soon. Volunteers needed from the community who will give permission for them to treat your trees. A team will have the Milestone herbicide and staff as well as will do all they can to help March 21, 2015 at 9 a.m. Saturday, which will be the tentative first workshop. They will start at the top of Maku'u. A written permission from absentee owners required for the team to treat those lots. Hiring an arborist is about \$2,000 per tree, but the poison program is free. Someone mentioned a lot owner on 10<sup>th</sup> at dead end, some trees are ready to fall onto the power lines. There's also a form letter on Greggor Ilagan's website to send to non-resident lot owners. There's also a letter available in Japanese translation for absentee owners that might live in Japan and are in need notification.

**Road Traffic Safety Committee - Mayelin Stillwell** – RTSC has been re-commissioned. They look for hazards along the road and shoulders. The committee assesses on sight, makes solutions and presents to the

Board. They are looking for members and a Chairperson for the reinstated board. Please contact her through the office. Meeting times will be established as soon as some more people join us.

**Path Committee - John Seatrom** – formed 2 years ago by a community vote. They have completed a master plan for pathways via pedestrians and bicycles. Hiking trail and bike path perimeter plan being worked on. Only 5 on the committee for 10k community. Volunteers with equipment and for my ideas would be appreciated. If can't come to meetings at least get on their email list 3<sup>rd</sup> Tuesday of every month at 6 p.m. All are encouraged to attend.

**Fugitive Dust Committee - Ron Haskin** – for Kareen, Chairman – They are trying to find an alternative for the roads. Kapoho has used a new type of chip-seal that works and Vendors are willing to come do some test patches. They would like to know about particularly difficult and problem areas by the lot owners, so they can test on the worst ones. If anyone knows of any good product, they'd like to be informed about it. They think they've found two or three products that run about \$70,000 per mile instead of previous very high quotes per mile. They are a five year, temporary fix at best, but it beats gravel and water spraying, which doesn't last and is being spent now. A new type of chip seal and about six other products are available. It was noted that a cost analysis of maintaining dirt roads versus other products will be analyzed as to what is the cost per road per year versus the road dust committee proposal, as soon as all the test sections and products looked are analyzed and the numbers crunched for that comparison. Some test patches were covered up with gravel, in past, rather than allowing the test sections to perform and be analyzed, so those will be carefully uncovered with rakes, if and as possible, to see how they perform. A company from Kona is coming to take samples of the roads tomorrow to analyze and see about some actual test sight areas. Environmental issues are being taken into account as they are contacting possible companies for road improvements. A picture of the work done in Kapoho was shown. It was stated to be impressive how well it's holding up. The potholes will still have to be addressed first. A former president of Fern acres who had experience and knowledge about the roads and roadwork stated that HPPOA's roads are ready for chip seal because they've been graveled for many years. He stated that Base course is put down first, then chip sealing can occur. Once chip seal is laid, it was projected that maintenance cost would be less than \$5,000 per year.

#### VIII. Old Business:

1. **Nominating Committee - Craig Crelly** – Craig wanted to motion to pick a chairman because it takes two members to call a meeting. Judy Sumter signed up, Roseanne McLean stated that she was to be the Chairman, but she didn't receive the sign up sheet. There's a March 15, 2015 deadline for the nominating and ballots will have to go out very soon due to this timeline.

#### IX. Owner Input (3 minutes per owner)

Tom Sawicki – Owned since 1975. He stated that there's chip seal on Orchidland drive and it has potholes that get more knarly than other areas. The county is going to improve Maku'u, but they won't maintain the side roads. He proposes making cul de sacs in all the cross roads between Maku'u and Paradise, then he felt that all would be more secure with no one driving through their streets.

Jim Tatar – 7 year resident. Former president and treasurer in Fern acres. Member of neighborhood watch and leader for HPP Cert Team. Explained "Who's in charge of what?" (See Handout/Power Point Attachment to be on website) The Hawaii county civil defense is in charge of CERT Team and the Hawaii police are in charge of Neighborhood Watch. He stated his feeling that it's the fiduciary duty of HPP Board to support CERT. Repeater and radios were to be purchased. Participation in both CERT and Neighborhood Watch by

members of the Board was requested and stated would be appreciated. He stated his desire to have the bond requirement dropped to allow them to train at the activity center. He felt that the organization should receive free use of the Hui rights and would like that added to the agenda as well as requested having the HPP Generator on site for use by emergency team at the Hui as or if needed.

Jackie Apigo – Requested having guest speakers placed at the top of the agenda for all future meetings. She had heard that there are 15mph signs in the shop, so she requested some installed on her busy road. She has a husband who is very ill from the fugitive dust created by the speeders dust. She made a heart-felt, impassioned plea for help in the matter, especially because she also reported that the water trucks hastily dropping their loads so that doesn't help much at all either, and is a waste of community funds because it's such a temporary to nil fix for her road and this is causing a distressing, urgent, pressing, deteriorating health condition for her husband.

Ken McGilvray – upset about rock put on his road and states it makes a dust cloud when driven upon. Wants his road cleaned up on railroad between Kaloli and Paradise. Correct that 1 mill to pave one mile is actually \$247,000, but noted that the financials say \$330,000. Either way it's not a million to pave one mile. Grubbing and clearing spent requires independent contractor to determine if the work was completed or not according to the contract. A third party could tell whether it was or was not done correctly, then if not done, or not done correctly, then it can be redone by contractor and engineer could be held accountable. If there's no contract then Union bank released funds without a contract and they would be who is to be held accountable. Wants an engineer hired at 5 or 10k noting that since no road manager has been paid for several months with a non-paid Interim GM in place, so then we have saved some money and could find out if we got what we paid for because the Board has to get this corrected or else they will be responsible. **Ken McGilvray motioned to hire an engineer firm to review the last two paving and grubbing contracts and come out on site to look at the work that was, or was not done, and issue a report at a cost not to exceed \$10,000. Mayelin Stillwell seconded the motion.** Discussion: It was asked if there was a punch list and if it was approved. That was not known, but he did know that when the final bill is submitted by contractor, we only release retainage after we have approved the job. It was stated that a punch list was done by the engineer and his punch list only matched the RTSC's punch list, but he signed off on it. He stated that Phase 5 or a change order of Phase 4 is also in contention, but it's phase 4 and 5. Grubbing and clearing was about \$119,000 and the paving was about 1.6 million. Phase one through 3 are all complete. Last Board meeting Yamada's retainage was okayed to be paid. He stated that the former GM announced at a meeting that the job was done. **Vote: Yes-80 No- 5 Motion carried.**

**Jim Tatar motioned that Neighborhood watch and CERT won't have to pay rent or produce a million dollar bond to use the Hui for their meetings and swap meet. Sheldon Lehman seconded the motion.** Discussion - A heated discussion occurred. The free rent would be to put all their money toward their work. The contention came to the Neighborhood watch having declared themselves a separate entity from the Board. All Board Committees get free rent of the Hui, but it was felt that because they are separate entities, then payment for use was in order to be requested. If they're not a committee under HPP, then, as a separate entity from HPP, they were request to pay rent. It was asked who covers the liability. When CERT is training they are under the county. Neighborhood Watch is hoped to be brought in under civil defense but, at this time, is under the HPD. It was asked who is responsible for liability during the swap meet? It was asked, who's responsible if you don't want a bond? The association has a bond for the building, but it's a limited bond. Our bylaws support CERT. Neighborhood watch was a committee of the membership who used to give

reports at regular board meetings, but do not now that they are a declared separate entity. **VOTE: Yes- 69 No-19. Motion carried.**

Judy Houle – President Neighborhood watch – invited everyone to attend meetings on the first Saturday of every month. They organized a loose dog sweep with a coordinated effort of the humane and police departments. She is coordinator of cell stat to monitor roads for speeders. There is a camera loan program, open to any resident – they caught two felons with them. All monies went to repeater system and emergency radio system. All monies go back into the community. They try to find solutions. She patrols with their emergency radio team. They report suspicious activities and crime. Joined the emergency action committee, is working with American Red Cross and CERT.

Michelle Bloom - lives on 20<sup>th</sup> at dead end. Wanted to know if people who live on a dead end think that they will be last to be paved. It doesn't make sense that there are signs on Maku'u for local traffic only, but the thought process that dead ends aren't in the formula and wanted to know what the criteria looks like. Living on a dead end road shouldn't make them second hand citizens. Wants it fair to all residents. The amount of traffic does seem to be important, since we all use the main streets to get home, but the decision about who's next in line and what that thought process is about how that process is made was what she wanted to know. Dead end roads shouldn't be last.

Dick Koval - concerned that there's people who come to these meeting for first or second time and think they have all the answers. Where were they in the past. We have a history of solving problems. When we come to a meeting and spend a lot of time over 20 or 40 dollars that is a waste of time. Wants people to stay to the end of the meeting and make their vote count for the Bylaw changes. The real part of the meeting is coming up and deserves your attention.

#### **X. New Business**

**1. Report from Greggor Ilagan's Office** – Two representatives came in his place because he was in Washington, so a Newsletter was distributed and noted that it is also available on Greggor's website. They're working with the State and Albizia committee including funding for contractors to cut them down along State Highways. They take your calls when you call the office and they do their best to come up with answers. Discussed willingness to help find out the neighbors with Albizia's or other issues. Call his office at: 965-2712 – in the Pahoia office at the former police station. The \$30,000 garnered for the Albizia elimination is for the salary of the albizia coordinator, Springer Kaye.

**2. Bylaws Committee – 12 proposals with Q&A – (1 to 2 hours allotted) - see attachment of proposed changes.**

**3. Community Action Committee – Judy Sumter – Chairman** – Helping with the master plan for HPP – There was a Power point presentation, which will be made available by them for the website. Results of questionnaires will be discussed. Of the 10,000 sent out, 457 was all they received, but it was a very good random sampling strata of people. Bill and Kathy Tilton created the power point presentation. Top requests **Minimarket, post office, urgent care (top 3 requests)**, gas station, coffee shop, hardware store, beauty shop. A Regional Town/Community Village Center was the top Survey priority. Recreational was the second top request to include parks, walking and bike trails , pool , gym, sports fields, et cetera. Infrastructure support and safety – people would like better walking paths to feel safe from vehicles, better speed controls, street lights, albizia control, updated telecommunications, etc. A possible map of a Regional Town Center model was shared. It's important to put our wishes down. Give your name on the sheet to receive info from

the committee or give it to the office to be sent over to them. The minutes from their meetings and this presentation will be available on the HPPOA website.

**HR Committee**-Moani Pai-Paige - Update – She was appointed by the Board. Since its establishment in January, they met February 13<sup>th</sup> and came up with a couple recommendations that were approved by the board at last BOD meeting: 1) they will seek legal counsel to get clarity on past and future processes not to exceed \$1,000. 2) They were allowed by the Board to recommend a temp Bookkeeper and Temp GM, for no longer than six month.

**4. Committee Reports Bylaws Committee – Rodrik Thompson - [hppbylaws@hotmail.com](mailto:hppbylaws@hotmail.com)** Copy of Bylaw amendment proposals distributed. This was a ‘reading’ and all of these proposals will also be run by a lawyer to make sure they are legal.

P4, 9, 13 Definitions: “5-5-5” Rule – Five Board members meeting is to be considered a meeting. There must be a minimum of five directors as a minimum. There must always be five to have a meeting. For a majority is at least five directors.

P4, 9 Delete “preferential” voting for directors

P5, 17, 23 Delete four-member executive committee

P7 Written statements to members must be in lay language

P7 Members can add to agenda at member meetings

P7 No board quorum needed at membership meetings – due to a conflict this is going to be re-looked at.

P7 Alternate chairperson allowed at special membership meetings. – bond document may block this so it’s going to be re-looked at.

P9 Signatures to start recall of a director reduced to 100.(right now it is 200)

P11 Bylaws are higher authority than Roberts Rules

P11 Openness – Allows Public statements (at the beginnings of meetings), video and audio recordings (should be allowed, but we may run into problems with privacy because permission to publish must be gotten prior to that)

P17 Bylaws proposals not subject to board approval. – This will be run by a lawyer for legality.

**Announcements:**

- a. The next BOD meeting is March 18, 2015
- b. The next General Membership meeting is Sunday, June 28, 2015
- c. Communications

**Adjournment** at 6 p.m. **BJ Mullenix (District 9) motioned to adjourn. Roseanne McLean (District 8) seconded the motion. Vote: Yes-Unanimous. Motion carried.**

Respectfully Submitted and Approved:

_____	_____
Susan Bambara, Recording Secretary	Date

_____	_____
Randi Larzalere, Secretary	Date

**Motions Log 2-22-15**

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