

Hawaiian Paradise Park Owners Association
APPROVED – Board of Directors Meeting Minutes
August 19, 2015

I. Call to Order: President, Craig Crelly (District 6) called the Board of Directors meeting to order on August 15, 2015 at 6:04 p.m. Quorum was established. The meeting took place in the HPPOA Hui Activity Center.

II. Roll Call:

Board of Directors: Craig Crelly, President (District 6), Dr. Jo Maynard, Vice President (District 5), Janice Ashford, Treasurer (District 7), Roseanne McLean (District 8), Paul Wheeless (District 3), John Rudolf (District 4)

Absent: BJ Mullenix (District 9), Francis Ganon Francis Ganon (District 1), Ruth Mizuba (District 2)

Guests: Randi Larzalere, June Conant, Bruce Derrick, Beth Evesong, Judy Sumter, Dennis Stockton, Barry Henry, Terri Stratton, Steve Crawford, Judi Houle, Peter Houle, Lori Kong, Leilani Bronson Crelly, John Seastrom, Lori Kong, Peter Houle

III. Approve Agenda

Roseanne McLean (District 8) moved to approve the agenda. Paul Wheeless (District 3) seconded the motion. Discussion: Added to Old business: HR committee members, 5) placement of member for district 4. 4) HR committee, 4.5) appoint director for District 4. Old business #5 added: Ludwig. New Business: parts Ruth's Letter to be addressed regarding HR Committee members. **Roseanne McLean (District 8) moved to approve the agenda as amended. Paul Wheeless (District 3) seconded the motion. Vote: Yes-5, Unanimous. Motion carried.**

IV. Approve Past Minutes

Paul Wheeless (District 3) moved to approve the 7-15-15 BOD Meeting Minutes. Jo Maynard (District 5) seconded the motion. Vote: Yes-5. Unanimous. Motion carried.

IV.5 Appoint New Board member for District 4

John Rudolf (District 4) was asked to share a bit about himself. He has served on Boards in Hawaii for last 20 years. Served 24 years military, retired 11 years. Experienced managing condos and townhouses. Had a heart attack so he retired, but he noticed the issues on the Board and was asked, now that he's healthy, to volunteer to represent his district. He will bring honesty, trustworthiness, a professional attitude and a willingness to serve if appointed. **Dr. Jo Maynard (District 5) moved to accept Jon Rudolf as the new Board Director for District 4. Roseanne McLean (District 8) seconded the motion. Vote: Yes-5, Unanimous. Motion carried.**

Mr. Rudolph was given the Oath of Office.

V. President's Report – Craig Crelly – They'd like to see chip sealing, so the Board is exploring the possibilities of using it, they have right of way issues, they are going for dedication of a park, but now that Councilman Greggor Ilagan is running for Senate, maybe that should be reconsidered.

VI. Treasurer Report – Janice Ashford – (SEE ATTACHED REPORTED AS READ INTO THE RECORD) The Finance committee met on August 11, 2015

--Health Insurance: 3 proposals for current employee health insurance providers was distributed.

It was recommended to move to Kaiser for HPPPOA employees because it would save the association \$14,780 per year and is comparable except for not covering dental, which, if the Board chose Kaiser KP gold 15 option, it has dental and still saves the association \$11,671 per year. The changes would need to be made this month to start by September 1, 2015. It will be further discussed in Executive Session as is proper protocol regarding personnel decisions.

--Water truck. There was a leak in the tank of the one being considered for purchase last month, so it wasn't purchased per last month's approval to do so. The GM found a newer truck with half the miles. It had better tires, steel pipes, 6 sprayers instead of 5, and a 4500 gal tank instead of 4000 gallon. The GM negotiated the asking price of \$40,000 down to \$30,000 with the seller who is also asking that HPPPOA use him as a rock hauler for .25 cents less per ton than what we are currently paying. The Board had already approved \$31,500+1,200 to register for a water truck and this truck cost \$30,000 plus \$2600 to register, so it was purchased and thus saved the organization \$100 less than they had approved, and a much better truck was purchased for the company.

--Solar: The Finance committee has one bid and they need more info before bringing the proposal to board.

--Collections: only ½ of members are making their monthly payments.

--Chip Seal : GM gave an update to the Finance Committee regarding the Proposed Chip Seal Project. It has been re-written as a "Supply and Rental" Agreement. It is now ready to be presented to the Board.

--Credit Cards: we have now completed the move over to First Hawaiian Bank for the Credit Card Processing. The office did a test run and all went through wonderfully. We have alleviated a third party vendor so we no longer have that cost either.

--Bank Balances TOTAL as of July 31, 2015: \$5,200,212.93

VII. GM Report – Don Morris – out sick.

VIII. OLD BUSINESS

1. **Park Update:** Nothing was mentioned except the concern that Councilman Greggor Ilagan had proposed the park, they are waiting for paperwork, but it says HPP can give away the material. **Roseanne McLean (District 8) moved to appoint John Rudolf to liaison with Greggor Ilagan regarding the park. Janice Ashford (District 7) seconded the motion.** Discussion. Greggor Ilagan is HPP's councilman and pushing for the park, but he has stated that he's now planning to run for state Senate, so if we dedicate the property to the county, we don't know who will help us push the park through the council. He said he'd see it through to get the park for HPP, but now that he's changed political direction, it is not clear if he will help or even be able to push it through the council to create a park or not. A discussion about

the park and dedicating the land for a park without a guarantee for a park is needed. If they put anything else beside a park, we want to make sure we legally can stop that. We want to make sure we have someone in the council to push through the park.

****IMPORTANT NOTE:** The Bond possibly/probably nullifies ability for HPP to dedicate any land to anyone until it is paid in full.

2. **Library Update:** It was thought that the Library is a dead issue and HPP probably won't get the library.
3. **President's Response to owner's input.** New President Craig Crelly didn't have the old questions, but he did go through those he could answer from the past meeting minutes "Owner Input" section:
 - Dick Koval regarding fugitive dust and water truck – as reported, we have purchased it.
 - Question regarding repeatedly absent District Rep members: judicial is the only way to remove absentee directors or 200 names on a petition from the membership. Jackie Apigo has noted her representative and his absenteeism. Section 7 of bylaws was noted: if the members are appointed by the board, the board can remove, but District 1 was voted in by his constituents, so only the constituents can remove him for his serial absenteeism. One Board member felt that the District 1 Representative could be removed. A clause was mentioned in that regard that could also be discussed.
4. HR Committee - **Dr. Jo Maynard (District 5) moved to ratify the vote that approved David Prager and Terry Stratton on to the HR committee. Roseanne McLean (District 8) seconded the motion.** Discussion: Craig Crelly asked if it was put out on the website and it was affirmed that members were invited. **Vote: Yes-6, Unanimous. Motion carried.**
5. Ludwig – Dr. Jo Maynard discussed an email received from Mayelin Stillwell. The HPP attorney sent a letter and Ludwig replied to attorney who said a face to face was suggested. Dr. Jo Maynard (District 5) and Paul Wheelless (District 3) met with Mr. Ludwig. **Dr. Jo Maynard (District 5) moved to bring the issue and grubbing, and people involved to legal for a legal interpretation. Janice Ashford (District 7) seconded the motion.** Discussion: they asked Ludwig to come with what was written in contract, he couldn't provide a punch list, we were left a large sum of money cost to deal with the green waste, there is no follow-up saying that was said by Ludwig verbally that he would deal with that grubbing. There was nothing to back what he said. We are saying contract wasn't met, but the contractor says yes, they did. The third party in this becomes our engineer at that time. We should turn what we have for legal determination of what we need to do. We are laypeople making decisions that maybe we shouldn't make involving these three situations. Culpability, Ludwig, without documents to support their actions may have to pay for what it cost us. It was pointed out that the last board at that time, put together a bad contract with overseers shaking hands on things that should have been written down so that we as a board can see problem areas, like if he is owed that money. Neither he nor we are totally to blame, but what we learned was we needed to do better with our managers. We got stuck with a horrendous bill that should have been paid long ago and there are still issues that need fixing, which he did admit to. He admitted he shouldn't have trusted his manager as much, but he loses. Because of the situation as it stand now, another agreed that to get an attorney to get an official finding on this is good, but we are just as much to blame. Because of the coconut wireless, Mr. Rudolf noted that if HPP gets a reputation as being crummy or difficult to deal with, we have a problem. We need a friendly and honest relationship with contractors, so that said, Mr.

Rudolf, stated that he thinks we need to eat crow, pay Ludwig, and send him a letter stating that we are both responsible and we, like he did, take responsibility, and then we need to try to get him back as our contractor since he's not the only one we've had problems with and he did a good job doing what was done. Roseanne McLean stressed the need for good contracts written up before the fact from this point onward. We owe him \$5,980 plus he now wants to add interest due to the long delay in remitting payment, so we need to resolve this matter. Janice Ashford noted that the \$63,000 due for the grubbing versus \$5,900 owed is quite an offset and it looks like he owes us, so it then all falls back on the engineer who it appears did not do what he was supposed to do, because his contract stated he was supposed to supervise and that does not appear to have occurred. Dr. Jo Maynard noted that it's a legal process and all these interpretations need to be looked at by counsel, which shouldn't cost more than \$1,000 for this legal advisement. **Dr. Jo Maynard (District 5) amended her motion to not exceed \$1500. Roseanne McLean (District 8) seconded the motion. Vote: Yes-6, Unanimous. Motion carried.**

IX. Committee Reports

1. **Albizia Committee – Judi Houle** – the last workshop was successful. They went to two resident's property's to apply the milestone. Next Workshop is September 19, at 9am (always the third sat of month) meeting at the Hui library, and then they will be working on 13th and Maku'u dead end, where they have permission from two residents and they might have time for one or two more, if others down there want to request. Handouts about Little Fire Ant info was given out and will be included along with cocqui frog sprayer. There will be a sign up sheet for residents to use the spayer. They use a natural material not considered a pesticide. We haven't forgotten the frog and fire ant problems. Peppermint oil forms a barrier. Dr. Jo Maynard asked: What is to be done once the trees are dead? Is there a second phase? Milestone is never recommended to be used on trees near a house, road or important area because top limbs fall off first. Never use Milestone poison on albizia trees near homes, people or power lines. Call a licensed arborist to take care of hazardous albizia. It's cost effective because some of the other cheaper methods, the tree can grow back and only literally drops are used per tree.
2. **Emergency Action Committee – Judi Houle** – Next meeting September 2, at 2pm, in Hui library. Looking for community volunteers to help in a disaster relief, needed to help pass out ice and water in emergency. They've purchased a lot of emergency supplies. More HPP emergency response plans were made available for people to take. Please join us to know our plans for emergency action.
3. **Bylaws committee** – chairman unable to attend - no report
4. **Community Action Committee – Judy Sumter** – update of master plan was returned with minor suggested corrections from planning department. Councilman Ilagan's office will have for presentation in September or October council meeting. Judy Sumter asked the Board to move to bring in a representative from a property management company to discuss how town centers are created. Dr. Jo Maynard seconded the motion. Discussion – Questions can be asked by the membership and this would be for our next General Membership Meeting where we can ask them questions and they are willing to come as a volunteer. **Janice Ashford (District 7), for the Community Action Committee, moved to bring in a representative from a**

property management company to discuss how town centers are created. Paul Wheelless (District 3) seconded the motion. Vote: Yes-6, Unanimous. Motion carried.

Janice Ashford (District 7) moved that the management company representative would be for the General Membership meeting in October. Roseanne McLean (District 8) seconded that motion. Vote: Yes-6, Unanimous. Motion carried.

5. **HR Committee - David Prager, District 8** – working on it – New Job descriptions are being formulated and they will proceed toward replacing the newly open office positions created by two resignations.
6. **Paths Committee – John Seastrom, District 7** – we continue to work on 16th/17th street path. Next volunteer opportunity will be in September, they will be constructing barriers. We are making progress.
7. **Road Burden Committee – Roseanne McLean, District 8** – they haven't had a meeting yet. David Prager and Terry McLean are on the committee. It was asked when the Board established the committee and it was replied that it was done last month.

X. New Business:

1. **Create panel of district members to address board informally about problems.** – Paul Wheelless thought this could be an informal meeting so that members could just come in and discuss their issues. It was asked if this isn't what the district emails are for? Mr. Wheelless thought this might be a better idea. It was uncertain whether it actually would be okay to have a discussion panel with a board member just so members could air their issues to see if it's valid to bring to Board meeting. It was stated that everyone has the right to meet with his or her constituents and no formal meeting is required to do so.
2. **Need approval for the Secretary go outside HPP to assist in updating the owner's records?** – It is not the Secretary's job. His intent was to help the office with the backlog of recording the public records. The bylaws say he cannot go as an HPP representative, so he wants the authority to authority to assist with the backlog of addresses that are returned. It's public record. He can print them off and hand them to the office. The accountant who was hired should be working on that now, but he didn't know that because he's new. There were questions of confidentiality in allowing him to do that. That was why the Temp was hired into the office.
3. **HPP Food Pantry sponsored by the Aloha Lehua Café** – Lori Kong – Owner of the Aloha Lehua Café in Pahoia, offering to sponsor a food pantry in HPP for our low-income residents. The proposed day of the pantry is the 3rd Thursday of each month at the HPP Activity Center. The senior hula group has indicated that they are willing to share the center during the time of their Thursday practice. There are 45 pantries in Pahoia town. She wants to bring their food pantry to service HPP, Maku'u and Kaloli. She wants to hold a pantry here. They will open to the community at 1p until everything is distributed and will be cleaned up and out by 4:30. It would be appreciated if the kitchen could be available for refrigerated items . (see her proposal attached). The day of the event is the only day they advertise the event. They will bring in a volunteer crew to facilitate. They haven't had any problems with their pantries. People pick up their food and leave. Roseanne McLean (District 8) worried about people outside of the park coming, but it was explained that the pantries are expanding to the other subdivisions and it's not being advertised. She wants to share the donations where it is needed in this large community. The Board stated that they will take it under advisement and

get back to her. She followed-up and noted that they ask every person what area they are from, so if people are from another area, they will be directed to the pantry they can go to instead serving their own area. The Board said it wanted to check her liability insurance before they vote, although she assured them it is up to date, and she is willing to show all info as needed to make this happen for HPP's community. Janice Ashford will be the contact person for Board follow-up.

4. **HPP Thanksgiving dinner – June Conant** – Tesse Tinker has run this for 15 years and is asking the HPP Board of Directors to grant permission to hold the event again. She's willing to provide her leadership but asking office to sell the tickets. **Roseanne McLean (District 8) moved to approve Thanksgiving dinner and have the office sell the tickets. Janice Ashford (District 7) seconded the motion.** Discussion: They will be given website space advertisement and a flyer will be made for distribution. **Dr. Jo Maynard (District 5) amended the motion to include advertising. Janice Ashford (District 7) seconded the motion to amend. Vote: Yes-6, Unanimous. Motion carried.**
5. President responded to Ruth Mizuba's Letter in part: She wanted Craig Crelly's resignation from Bylaw committee. He had already resigned but also found per section 4, he technically didn't have to do so.

XI. Owner's Input

June Conant – recommended that all the directors get a complete financial report a couple days prior to the meeting so the Board members know what they are discussing on the day of the meeting.

Judy Sumter – Questions about chip seal and the expense of taking it up to put in a road at a later date, if it fails. There are a lot of reports from Seattle, Washington about it not being safe for animals. Is the person doing the work a licensed contractor? -- The answer was yes. Do we have any letters of recommendation and was his the only bid?

Peter Houle – 25 years in HPP. Chip seal is used to preserve asphalt roads as they wear and tear, not as the road itself. Stated that the latest type proposed is 50% water. –Answer: They are looking at one that the US army is using. Peter responded that's good because they should have no or extremely low water in them. He showed pieces of chip seal and pictures of newly laid chip seal by Kyle Pua, who he noted was an unlicensed contractor doing chip seal in OLCA where Peter stated that he also has property and where he is one of the Board who was against chip seal without further due diligence done first. He stated that he warned the OLCA board not to use the guy or the material because he asserted that all the materials being used in OLCA are 50% water. He showed a county court case that the county felt a particular profit mark-up was plenty regarding a Saddle road job where more than that particular profit fair mark-up was found charged and nullified as being too steep a mark-up. Mr. Houle stated that the company came to four subdivisions, then OLCA and hopefully not in to HPP. Go back to the paving plan. Don't try to dust the road with cookies. Five other subdivisions have realized they were wrong to use chip seal, I hope you won't be the sixth.

Hope Henry – would love to have the cluster mailboxes and/or post office in HPP, so she wondered how that was proceeding.

Leilani Bronson-Crelly – Lives in district 6 – welcomed the two new Board members suggesting that they be steadfast and wished them good luck. You are the representatives of your districts. 1) Your board packets are lacking. Those who came out tonight get nothing and it’s disrespectful to the people you represent. Please consider at least an electronic packet and hyperlink all supporting documents to the agenda. At least project the information using the projection machine purchased for that purpose in not to distant past. You are nothing without the constituency. For them to come out without having information furnished to them is an insult. 2) A woman came forward with an altruistic offering of opening a food pantry in our community where we have over 28% poverty in this district, and the fact that you couldn’t decide tonight to support this woman, if she fulfilled all the insurance requirements, is insulting.

David Prager – Suggested that the community call the two board members not showing up and ask them why they aren’t showing up for the Board meetings to represent their constituents as they took an oath to do.

XII. Announcements

- 1. Next Board of Directors Meeting: September 16, 2015**
- 2. Next General Membership Meeting is Sunday, October 25, 2015**

XIII. Adjournment to Executive Session

Roseanne McLean (District 8) moved to adjourn to Executive Session. Paul Wheeless (District 3) seconded the motion. Vote: Yes-Unanimous. Motion carried. Meeting Adjourned at 8:12 p.m.

Respectfully Submitted and Approved:

Susan Bambara, Recording Secretary

Paul Wheeless, Secretary

Date

Date

BOD Motions Log 8-19-15

Roseanne McLean (District 8) moved to approve the agenda. Paul Wheeless (District 3) seconded the motion. Roseanne McLean (District 8) moved to approve the agenda as amended. Paul Wheeless (District 3) seconded the motion. Vote: Yes-5, Unanimous. Motion carried.

Paul Wheeless (District 3) moved to approve the 7-15-15 BOD Meeting Minutes. Jo Maynard (District 5) seconded the motion. Vote: Yes-5. Unanimous. Motion carried.

Dr. Jo Maynard (District 5) moved to accept Jon Rudolf as the new Board Director for District 4. Roseanne McLean (District 8) seconded the motion. Vote: Yes-5, Unanimous. Motion carried.

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