

**Hawaiian Paradise Park Owners Association
APPROVED – Board of Directors Meeting Minutes
July 15, 2015**

I. Call to Order: President, Ruth Mizuba (District 2) called the Board of Directors meeting to order on July 15, 2015 at 6:06 p.m. Quorum was established. The meeting took place in the HPPOA Hui Activity Center.

II. Roll Call:

Board of Directors: Ruth Mizuba, President (District 2), Dr. Jo Maynard, Vice President (District 5), Janice Ashford, Treasurer (District 7), Craig Crelly (District 6), Roseanne McLean (District 8)

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

Guests: Jackie Apigo, Susan Escobar, Greggor Ilagon, Dan Besser, David Rothstein, Paul Wheeless, Dick Koval, John Seastrom, Terri Stratton, June Conant, Bruce R. Derrick, Randi Larzalere, Daniel Larzalere, Deborah Hillman, Jacovelyn Bondon Ching, Beth Evesong, Melody Boehl, Andrew Boehl, Judi Houle, Steve Crawford, Mayelin Stillwell, Frances Lee Akana

III. Approve Agenda

Roseanne McLean (District 8) moved to approve agenda. Craig Crelly (District 6) seconded the motion.

Discussion: Date of next BOD meeting to be added on to next agenda. **Vote: Yes-5, Unanimous. Motion carried.**

IV. Approve Past Minutes

Dr. Jo Maynard (District 5) moved to approve the 4-15-15 BOD Meeting Minutes. Janice Ashford (District 7) seconded the motion. Vote: Yes-5. Unanimous. Motion carried.

Roseanne McLean (District 8) moved to approve the BOD Meeting Minutes of June 17, 2015 with corrections. Dr. Jo Maynard (District 5) seconded the motion. Discussion: One typo was removed. **Vote: Yes-5. Unanimous. Motion carried.**

V. Guest Speaker/Civil Defense – Daryl Oliveira – Coordinating with the community to build partnerships with the subdivisions. A shipping container will be brought on HPP to store emergency supplies. They are working to improve communication from Civil Defense during emergencies. They want to help create a network through the Board members to the community. They want to put the Boards of the subdivisions on their communication lists to help quicker response times during an emergency. He circulated a sign-up sheet for the Board members to fill out, so he can communicate with them during an emergency.

Guest Speaker/Councilman Greggor Ilagon – Wanted to update on the Park. They had a meeting on the 9th of July, 2015. They discussed the parcel at the end of HPP. One parcel couldn't be blocked off and the other side will be looked at blocking off with rocks. There will be signage added to discourage camping. He wants the letter from the Board to take to Parks and Recs for the park. A letter was written and sent to his office by HPPOA. He needs verification from HPPOA's general council with a legal opinion that the parcel can be given and that there was an official vote to make sure that the dedication of the land is legal and that the Board has the authority to dedicate it with a lease. If you lease you have to take on liabilities.

Roseanne McLean moved to dedicate 20 acres on 26th and Kaloli to the county to commence creating a park there. Dr. Jo Maynard seconded the motion. Discussion: Send it to the director of finance and Greggor Ilagan will speak to HPP's Land Use Attorney, Tom Yee, to get something that gives the authority to do this. **Vote: Yes-5 Unanimous. Motion carried.**

VI. President Report – Ruth Mizuba – Update on park is that it is pending and the letter is on the way for councilman Greggor Ilagan to do the resolution after Tom Yee, the land use attorney is consulted. No news on the Library. It doesn't look too optimistic. It makes most sense to be near a highway because it is State funded, but Shipman has offered two sites in Kea'au; however, we want our legislators to know we are interested and will cooperate.

Post office – no new developments. They will seek an acre, not part of the park parcel at 26th and kaloli, as previously discussed. It would be a one acre parcel somewhere, and a thousand or more mailboxes would be secured on it with parking, which is safer and more secure than how the boxes are now. There is hope of two or maybe three along with a post office on Paradise also in hope of being developed.

Verizon Cell Tower – no known objections were received in the community and so Verizon was informed by letter that they could proceed.

VII. Swearing in of Candidates – Two candidates were up for positions: 1) John Rudolph who was interested in District 4, and 2) Paul Wheelless for District 3. John Rudolph was not present.

Paul Wheelless stated as an owner in the park for 25 years, he has seen the ups, downs, fighting, arguing, doesn't like it, wants to help everyone get along and make this park a superb place to live. Everyone is going to have issues. We need to understand the Board makes the decisions, but we need owner input. District 3 needs to give me the information that I can give to the Board about what needs to happen in our District. He was a military medic and knows what it's like to be under fire. He was a police officer on the mainland and was a foster care case manager in Hilo, so he understands people. He worked for National Guard at Youth Challenge to help estranged youth get back in line. He's presently disabled so he has time on his hands to make this his focus. He's also part of DAV, a disabled Veteran's service program helping Veterans. He wants to help get a disaster program in place here in the park. He told his men, don't tell me how you can't do it, tell me how you can get it done, what you need and we'll get it done.

Roseanne McLean (District 8) moved to vote in Paul Wheelless as Director for District 3. Craig Crelly seconded the motion. Vote Yes-5, Unanimous. Motion carried.

Paul Wheelless was sworn in as Board Representative for District 3 and then took his seat on the Board.

VII. Vice President Report – Jo Maynard (District 5) – Reminded the speakers to put their name on the speaker's list before the owner input began.

IX. Treasurer's Report – Janice Ashford (District 7)– Finance committee met on July 7 in activity center library. Members attending included: Ken McIlvray , Steve Crawford, Melody Boehl, Don Morris, our GM, Jo Maynard and Ruth Mizuba. The committee discussed purchasing a water truck because they spent over \$9,000 water hauling, in the last fiscal year. This does not include the actual purchase of the water, hauling only. The motion did pass in finance committee to purchase it.

The current problems with credit card processing company were also discussed in the Finance committee meeting. A motion was made to remove current processor and start activation with First Hawaii bank. Once complete, this info will be uploaded onto the website with a new link for credit card payment for road fees.

The Finance committee is also looking into possibly changing employee health insurance, but they haven't gotten all the info needed yet, so that will be discussed next month.

The Committee discussed the chip seal project – Our GM, Don Morris had a “Worst Case” cost scenario for the chip seal. Chips seal cost: \$80,308 versus paving cost per mile of \$209850. A notice or special membership meeting with only one item on the agenda, chip seal was discussed. One Board member felt it was operational and not for the general membership to decide, so we need to decide tonight whether we are going to call a special general membership meeting so that we can educate and then ask for a vote.

Committee discussed \$5,980.00 due Ludwig for the retainer that HPP is still holding – it was discussed that we need to come to a compromise to get final work finished, but since then there's been some warnings, so she, personally, does not want to be part of that meeting and so the Board has to decide what they want to do with the Ludwig situation.

Bank Balances as of June 30, 2015:

Total Checking, Savings, Investments and Bond Reserve: \$5,487,068.82

Total Accounts Receivables: \$2,226,555.70

Ruth Mizuba (District 2) suggested funds moved from assets to paving roads. See no reason to not use the funds for paving the roads.

Dr. Jo Maynard (District 5) moved to approve paying Ludwig the \$5,980.00 retainer owed. Roseanne McLean seconded the motion. Discussion: They didn't finish the check list, but it's obvious they aren't going to come out and fix it now. They would be in the hole if we get them to fix. What if we have one of our attorneys send a letter to them regarding the five thousand plus, and then we could regroup and go after the person probably responsible for this in the first place. The letter should outline the punch list that's unfinished. If they would come out to finish it, they would be gladly be paid. No one signed off on the final job. It was decided that they need to get the attorney involved. **Dr. Jo Maynard (District 5) rescinded her motion.**

Dr. Jo Maynard (District 5) moved to have HPPOA's attorney send Ludwig a letter addressing the issues HPP still questions regarding his work. Roseanne McLean seconded the motion. Discussion: Make sure it doesn't cost more than what is owed to consult the attorney. They want to use Ivan Van Leer for this. Dr. Jo Maynard (District 5) will contact Ivan Van Leer to commence the process of the letter. **Vote: Yes-6, Unanimous. Motion carried.**

X. General Manager's Report – Don Morris (see handout attached or previous BOD Meeting Minute notes) –

Ruth Mizuba (District 2) added to the report that: Savings by machinery repairs done on site by the road crew, in addition to their regular duties, has saved HPPOA in three months: \$4,803.50

XI. Committees to be re-instated

Dr. Jo Maynard (District 5) moved to approve the bylaws committee. Roseanne McLean (District 8) seconded the motion. Vote: Yes-6, Unanimous. Motion carried.

Roseanne McLean (District 8) moved to approve the Emergency Action Committee. Dr. Jo Maynard (District 5) seconded the motion. Discussion: they work with civil defense to plan and carry out help during an emergency. **Vote: Yes-6, Unanimous. Motion carried.**

Roseanne McLean (District 8) moved to reinstate the Community Action Committee. Dr. Jo Maynard (District 5) seconded the motion. Vote: Yes-6, Unanimous. Motion carried.

The Fugitive dust committee was not reinstated because it is no longer needed at this time.

The Nominating committee not active at this time. It will be considered and reestablished at the General meeting in October.

Roseanne McLean (District 8) moved to approve continuation of the Paths committee. Dr. Jo Maynard (District 5) seconded the motion. Vote: Yes 6, Unanimous. Motion carried.

Roseanne McLean (District 8) moved to approve the Finance Committee to continue. Dr. Jo Maynard (District 5) seconded the motion. Vote: Yes-6, Unanimous. Motion carried.

Dr. Jo Maynard (District 5) moved to establish an HR Committee and to be chair. Roseanne McLean (District 8) seconded the motion. Discussion: They need to be tasked and know what they are to do before we set them loose. **Vote: Yes-6, Unanimous. Motion carried.**

Dr. Jo Maynard (District 5) requested two people to volunteer to be on the HR committee and give their name and number at end of meeting.

Roseanne McLean (District 8) moved to continue the albizia committee. Dr. Jo Maynard (District 5) seconded the motion. Discussion: Informational workshops are appreciated and the info is being made good use of by the community. **Vote: Yes-6, Unanimous. Motion carried.**

Roseanne McLean (District 8) moved to approve the Special Road Assessment Committee. Dr. Jo Maynard (District 5) seconded the motion. Roseanne McLean (District 8) amended the motion to establish a Special Road Assessment Committee, which Roseanne McLean (District 8) will chair. Dr. Jo Maynard seconded the motion. Discussion: this is to try and collect extra road fees from businesses using the roads with vehicles over 18,000 pounds. All business in the park need to be evaluated for road usage. Who is using our roads, like huge dump trucks speeding by that aren't from within the park? There's schools with buses. We will need to discuss whom we need to assess. We'll give this committee a task list. People were asked to join. **Vote: Yes-6, Unanimous. Motion carried.**

Dr. Jo Maynard (District 5) moved to not approve the Road Traffic Safety Committee. Roseanne McLean seconded the motion. Discussion about why ensued. It was stated that it is creating more havoc than helping. They were given the task to assess the roads and they refused. A discussion ensued about whether that task was really officially tasked and they refused, because it wasn't officially given them. Dr. Jo Maynard asserted that they are not a necessary committee any more, and they don't seem to want to help the GM. **Vote: Yes-5, No-1 (Craig Crelly). Motion carried.**

XII. Unfinished Business:

- a. **Response to Owner's Input** – none were pending
- b. **Cell tower update** – letter to Verizon that they can proceed with business as they contacted private owners for the tower as there were no community objections
- c. **Park Update** – by Greggor (see above)
- d. **Library Update** – not optimistic but want to stay as contenders for whatever is offered by state and county

XII. New Business:

- a. **Water truck purchase –Roseanne McLean (District 8) moved to purchase a water truck for the park. Dr. Jo Maynard (District 5) seconded the motion.** Discussion. The GM found one for \$31,500 – it waters from its front and back. It’s a good investment and would allow us to use our water rather than pay for hauling water. The second truck found was \$33,000 aluminum and in bad shape. This purchase is already allotted for in the budget. Over \$9,000 spent already this year hauling water so this will easily pay for itself. The truck is 26 years old, has 158,000 miles, but that isn’t that much for a vehicle like this, must be taken to a mechanic before purchasing. Road crew can repair and assess it. **Roseanne McLean (District 8) rescinded the motion.**

Roseanne McLean (District 8) moved to allow the GM, Don Morris, to purchase the white water truck for \$31,500. Janice Ashford (District 7) seconded the motion. Discussion: It might be gone if we don’t buy it. We have two crew members with licenses to drive it home. **Vote: Yes-6 Unanimous motion carried.**

- b. **Oceanic Cable requesting an additional 15 year contract –** Still has five years, but they’re willing to invest in expanding their services if HPP extends the contract with them to make it worthwhile to them. **Ruth Mizuba (District 2) moved to extend the contract with Oceanic Cable for an additional 15 years. Janice Ashford (District 7) seconded the motion.** Discussion: It was asked, “will it go past 16th for a fact?” They have stated they will expand services. To expand the area. They don’t want to make the investment unless they have the contract. Mr. Wheelless wants to see their proposal. He’s been in the park 25 years and hasn’t seen Oceanic at all. They have five years on their current lease. They want to get it renewed so they can make the investment in the cable. Don Morris will ask them what that expansion plan includes. Amended the motion that follow up will be done prior to the vote. **Ruth Mizuba rescinded the motion.** The GM, Don Morris will follow up to find out what they propose to give in their expansion plan for the contract modification.
- c. **Chip Sealing roads –** There’s a new type of material developed in Afghanistan that is water soluble and could be laid by our own crew, not requiring outside contractors. They will continue to explore paving the roads and it may or may not be chip sealing at this time. Chip sealing could be started, but won’t be with the person suggested in the past. The GM just received information about a material that may be better than paving or chip sealing and would cost much less than paving, possibly similar to cost of chip sealing. A prospectus and info will be looked at and to be given to the Board for them to consider. **Ruth Mizuba (District 2) moved to give GM’s crew to pursue chip sealing. (no second was heard),** she stated that road maintenance like chip sealing will be done by the GM and the board will be kept informed. **Ruth Mizuba (District 2) moved to empower the GM, Don Morris, to make decisions for road maintenance as needed and as may include chip sealing. Roseanne McLean (District 8) seconded the motion.** Discussion: Ruth Mizuba asserted that there’s a budget of \$350,000 and they will have more info about the new product. Janice Ashford (District 7) interjected that we don’t start on one thing and then go in another direction. We need to decide what happens and not just throw it into the GM’s hands. Paul Wheelless (District 3) wants more info on the new product, but we need to be concerned about really bad roads that need the help now. Let the GM see what roads absolutely need to be done and get them done. We were starting at the top and moving downward, so if we try to do it different it will cause a lot of problems. Another option would be to do one mile as a test. Some of the park is paved. One dead end road is chip sealed. They are going to be chip sealing in Orchidland starting tomorrow, if people want to go look at it. Spending money for outsiders, when there might be a better product that we can do in house, is a good idea, but we do need to get started. There is a road we should do the chip seal test on: 23rd from Kaloli to Shower. We never got a third bid. The GM, Don Morris, stated that the only thing that we will be getting from them is the oil, the

machine that lays the oil and the operator, another machine to roll with operator. We need to do as much in-house with our own road crew as we possibly can. This new product that's come to our attention could be completely done in-house. **Ruth Mizuba (District 2) rescinded her motion.**

Roseanne McLean (District 8) moved to have one mile of chip seal be done on 23rd between kaloli and shower. Dr. Jo Maynard (District 5) seconded the motion. Discussion: once you put it down, taking it back up is not as easy if you don't like it -- it will have to wear out. It will be quite a deal to bring in the spray truck needed for it, so it might be better to have it done up higher and the people on that road have to be notified ahead of time. The new product would be ready to be driven on in an hour. So on 23rd it'd be better to wait for a superior product. **Roseanne McLean (District 8) rescinded her motion.**

XIV. Policies to Review

- a. **Adopt conflict of interest policy – Roseanne McLean (District 8) moved to adopt the current conduct policy. Roseanne McLean (District 8) rescinded the motion because it's in the bylaws already. – Discussion tabled to next month.**

- b. **Approve Robert's Rules of Order, Revised Edition – Roseanne McLean (District 8) moved to approve Robert rules of order, revised, 11th edition. Paul Wheeless (District 3) seconded the motion. Vote: Yes-6, Unanimous. Motion carried.**

XV. Owner's Input (3 Minutes per Owner)

Dick Koval – suggests regarding purchase of water truck and miracle product: Someone should contract health department to make sure they know we are still working on the fugitive dust issue and that we're purchasing a water truck, along with investigating other options, so they know that we are following up with mitigating our dust problem.

Bruce R. Derrick – It's a big mistake eliminating the Road Traffic Safety Committee. Signage has not met the code in past and that's a liability to this association, which RTSC helps. He went on to demand an Executive Session be convened to address bad behavior by the President and Vice President.

Mayelin Stillwell – read from the bylaws regarding the required fostering of an atmosphere of harmony and is requesting an Executive Session for harassment from Ruth Mizuba and Jo Maynard along with an additional charge of gross misconduct and willful misconduct by Jo Maynard. She then read into the record the meaning of harassment, willful misconduct and gross misconduct. She made formal charges and is seeking legal counsel. She wants Janice Ashford or Craig Crelly to be the point of contact for her.

Jackie Apigo – Asked if District 1 will ever have a Representative and when will board address his constant absences.

Beth Evesong - RTSC installed a sign no parking signs and towing signs. A year later the road committee has been back and attempting to remove those signs. The road traffic safety committee has never submitted documentation of how well the signs have been working in our dead end, but now don't like the way they look, even though they helped get them installed as approved by the HPPOA Board and they have worked well. The road traffic safety committee shows up without notice and yells at us that the signs should be removed and look bad even though they've worked so well for the seven months since they were installed. The road traffic safety committee chairperson is friends with our next door neighbor who doesn't want the signs and I believe that is why we are being hounded and attacked by this chair person. We want the road traffic safety

committee's actions to be addressed in public and not by executive committee. Deborah Hillman also signed this complaint.

XVI. Announcements

- 1. Next Board of Directors Meeting: August 19, 2015**
- 2. Next General Membership Meeting is Sunday, October 25, 2015**

XVI. Adjournment to Executive Session

Ruth Mizuba (District 2) motioned to adjourn to Executive Session. Craig Crelly (District 6) seconded the motion. Vote: Yes-Unanimous. Motion carried. Meeting Adjourned at 8:16 p.m.

Respectfully Submitted and Approved:

Susan Bambara, Recording Secretary

Paul Wheelless, Secretary

Date

Date

BOD Motions Log 7-15-15

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