

**Hawaiian Paradise Park Owners Association
APPROVED – Board of Directors Meeting Minutes
July 20, 2016**

I. Call to Order: President, Craig Crely (District 6) called the Board of Directors meeting to order on July 20, 2016 at 6:08 p.m. Quorum was established. The meeting took place in the HPPOA Hui Activity Center Library. The meeting was done in two parts with an Executive Session in between the first and second session to allow for all done in the Executive Session to be announced in the second portion of the evening's Board of Director's Meeting.

II. Roll Call:

Board of Directors: Craig Crely, President (District 6), Dr. Jo Maynard, Vice President (District 5), Ruth Mizuba (District 2), Janice Ashford (District 7) Paul Wheelless, Secretary (District 3)-[outgoing/VACANCY-open for volunteer], Randi Larzalere (District 8), Larry Kawaauhau (District 1)-[Incoming], Floyd Branchfield (District 9)-[Incoming], David Pettijohn (District 8), John Rudolf (District 4) **Absent:** Outgoing: BJ Mullenix (District 9), Francis Ganon (District 1)

Guests: Shawn Merrill, Dennis Stockton, Bridget Haley, Ken McGilvray, Floyd Branchfield, David R. Pettijohn, Allan Deehr, Steve Crawford, Mayelin Stilwell, Bruce Derrick, June Conant, Beth Evesong, Judi Houle,

III. Approve Agenda

Janice Ashford (District 7) moved to approve the agenda of July 20, 2016. Randi Larzalere (District 8) seconded the motion. Discussion: Decorum Policy was moved to Executive Session per Secretary reporting it was his typo and not meant to be in this Agenda. Park review moved to new business, Cluster mailbox update added to old biz. **Paul Wheelless moved to approve the agenda as amended. Dr. Jo Maynard seconded the motion. Vote: Yes-6, 0-No, 0-Abstain. Unanimous. Motion carried.**

IV. Approve Past Minutes

Paul Wheelless (District 3) moved to approve the 6-15-16 meeting minutes. Dr. Jo Maynard (District 5) seconded the motion. Vote: Yes-6. Unanimous. Motion carried.

V. President's Report – Craig Crely – We're still in arbitration. The playground area is doing great and being enthusiastically used by many, especially in this nice hot weather, although the children mentioned, "it's really hot when it's hot," in regards to using the equipment, during this hot weather, but all are enjoying access to it. Welcome to the new board. Please read your bylaws and we'll try to go from there. Thank you all for your participation here tonight.

VI. Treasurer's Report – Janice Ashford -

Gave a report on Past Due Collection. Collections from this past fiscal year was \$209,970.87. The total collected this year for the past "PAST Due" is: \$145,274.67. And to current date we've collected \$1,973,171.52. Future (anyone paying in advance payment) collected is: \$13,309.99. In the last year, the office has done, just for transfers @ a \$200 per transfer fee, a total of: \$92,800 - so there were a lot of transfers that went on in HPP in the past fiscal year.

The Past due outstanding right now in order: 1) Hawaii, 2) Mainland, 3) Foreign – In June, \$292,929.10 in Liens were processed against people who were overdue.

Bank Balances as of the end of June 2016:

TOTAL Checking, Savings, Investments and Bond Reserve: \$6,003,395.48

TOTAL Accounts Receivables: \$2,299,223.46

VII. GM Report – Don Morris – Road crew went back to inch and a half base course to fill potholes. They were using ¾ inch base course for a while because people were complaining about the extra wear on their tires from the inch and a half base course. We went back to the 1½ inch because it lasts longer, holds up on the roads better, and doesn't cause as much dust.

Equipment: We continue the daily repairs and maintenance on all equipment. The grader is in need of a new flywheel. It will be down one to two weeks once we start the repairs, depending on how long it takes to get the parts. I'm still looking for another backhoe – have not found the right one for the right price yet.

Dust Abatement: We have started the prep work on 26th, Maku'u to Paradise, and Paradise to Kaloli. We will be chip sealing in August.

Mowing: "Grasshoppers" company has signed a new six-month contract for the main roads. Road crew mowed 32 miles of roadway easements.

Drop and rolled: 18 miles

Gravel, graded and rolled: 23.5 miles

Rubbish Pickup: 2.25 tons

Dead animals: 2 pigs

Tress removed: 2 areas of trees

Road Maintenance Request: Total Requests: 139, Total Resolved: 77, Total Unresolved: 62

Safety Report: No accidents or injuries for the past 24 months.

Thank you for your support.

VIII. Announce Results of the Election: The following people were elected: Larry Kawaauhau (District 1), John Rudolf (District 4), Randi Larzalere (District 6), David Pettijohn (District 8), Floyd Branchfield (District 9)-[Incoming].

IX. Swear in new Board Members: The new Board members were sworn in with the Officer's Oath.

X. Adjourn to Executive Session -- Ruth Mizuba (District 2) moved to go into Executive Session. Dr. Jo Maynard seconded the motion. Vote: Yes-6. Unanimous. Motion carried. Adjournment to Executive Session at 6:23 pm.

RECESS/RECONVENE: [END of HPP BOD MEETING PART 1 WITH SECOND HALF of HPP BOD MEETING RECONVENED AT 7:36 – Board Member

Larry Kawaauhau (District 1) left the meeting at this time in order to go to work.

Announcement of Officers results were publicly reported to the audience in attendance as follows: Craig Crely (District 3)/President, Ruth Mizuba (District 2)/Vice President, David Pettijohn (District 8)/Treasurer, Randi Larzalere (District 6)/Secretary.

XI. Committee Reports:

1. **Community Service – Judi Houle** – Reported that she works to get resources for our residents in the park. Next fire ant workshop, Saturday, July 30th – they will be in the pavilion for it. Three streets in the park willing to have free treatment done. 3rd/1st/kaloli and paradise = one acre sites.

-- Reported that because the Primary election is August 13, the swap meet is changed to August 20, 2016.

-- The Disaster exercise of June 17 was a success and the emergency radio team did well. Next up FEMA course work for how to relay messages and provide resources after a disaster. There's a storm coming possibly by this Saturday, so they are preparing their radio team to walk the roads if the winds come and knock down the trees. Please come to the meetings and workshops.

Director Floyd Branchfield (District 9) – made a statement acknowledging Judi Houle and all that she is doing and has done for this community. Noting that the board owes it to her to draft a letter of commendation or at least a letter to present to her one more pat on the back for all that she has done. It was noted there is a yearly Community Service Award, which she should be nominated to receive.

Floyd Branchfield (District 9) moved to draft a letter of commendation and thank you to Judi Houle for all that she has done for this community . John Rudolf (District 4) seconded the motion. Discussion: Mr. Branchfield will create the first draft of the letter for the Board to approve. **Vote: Yes-8. Unanimous. Motion carried. :**

XII. Old Business

1. **Dust Abatement Project – List of Roads --** A Dust abatement project list was distributed to the Board with a complete chip seal schedule. **Dr. Jo Maynard (District 5) moved to approve the letter to Ed Yamamoto, Environmental Health Specialist, regarding the control of fugitive dust. Janice Ashford seconded the motion.** Discussion: The chip seal schedule will be included with the letter. **Vote: Yes-8, Unanimous. Motion carried.**

2. **Status of County Park Review – Ruth Mizuba** – Reported that she was not aware of any updates from the County Council, adding the note that the council actually has two years to act on it.

3. Cluster Mailbox Update – Ruth Mizuba – A letter was sent out regarding the waitlist of 00 to 500 people waiting for mailboxes in the park. Cluster mailboxes has been considered and agreed upon. Previous board agreed on two sites 15th/Kaloli and 16th/Maku'u, but the post office hasn't been responsive as to what specifications needed to install and when we'd receive them. The letter was written to the Postmaster, Mr. Iritake and the update is that the interim Postmaster at Keaau, reported that the letter was received and it's "going upstairs." This is the first step of progressive increments that we can make with the post office in seeking resolution for the need we have for more mailboxes.

XIII. New Business

1. Approve Conflict of interest policy – no changes have been made to it since the 2010 revision. **David Pettijohn (District 8) moved to adopt the policy. Dr. Jo Maynard (District 5) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.**
2. **Craig Crelly (District 3) moved to approve use of the latest edition of Roberts Rules of order 2011. Randi Larzalere (District 6) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.**
3. **Oil Spill Road Clean-up** – A Soil Report that states that there's oil in the ground and it needs to be taken care of, along with a cost proposal by a certified professional was distributed – **Janice Ashford (District 7) moved to approve the oil clean-up for the estimate of \$8,593.58 and not to exceed \$10,000. Dr. Jo Maynard seconded the motion.** Discussion: The State inspector comes, they dig out the area, load it into plastic to a truck, which then dumps it at a special waste site in Kona. Then they will have to go back in and fill the area with base course and things it needs to restore it. The Department of Health said it has to be cleaned up. **Vote: Yes-7, no-0, Abstain-1 (Floyd Branchfield/District 9). Motion carried**

XIV. Owner Input

Stafford Lombard – Has lived here since 2007 and has concern that the park is not taking care of overhanging vegetation at Kaloli at Paradise and side roads including 17th between Paradise and Kaloli, which he reports is a one lane road. Questioned why we can't have a letter drafted by HPPOA's attorney and submitted to all non-resident owners give the Association the right to go on their property to take care of these albizia? When was the last time the Board, as a whole, has been on the roads to look at the problems we have in this park? Four maintenance people cannot do this much maintenance. Why can't we get the AC reject for the roads in our development and save us money because chip seal will only last if you keep the big trucks off of them.

Beth Evesong: She gave an Aloha and thank you to the Board for taking on the responsibility of volunteering for our association. In reference to last month's membership meeting, in which an anonymous document was given out, which gave false and unfair discrimination against our HPPOA Representatives and that false information needs to be countered by the Board with their info and documentation to explain their decision and how it came to be along with the bylaws they used to come to that decision, In her opinion it was a missed opportunity by the Board to explain and address that falsely incriminating letter. Of interest is our bylaws article 8 section 8 – all corporate powers shall be exercised by, or with, the authority of the board, meaning that the elected board takes recommendations from the committees, but it, the board, has the final authority on decisions. The elected board of directors are our elected representatives voted in to protect our association brought by our community's own private members against our association and Board. Any assertion that our board members should not have legal representation is against our bylaws (which she cited). The Association shall protect from indemnification and defense policy, which includes protection of the General Manager, the Board and office staff in connection with any suit or action. She went on to state that the assertion in that anonymous letter distributed last month that they shouldn't have their expenses paid without a finding in their favor is preposterous. She went on to state that a conflict of interest exists if any member has a direct or indirect financial interest involving the association so to that point any finance committee member who has a money interest in any Arbitration, Legal Proceeding or Legal Action pending against our association should abstain and recuse themselves from participation. Thanks you

Mayelin Stillwell – "District three is supposed to be a vacant seat so what's going on with that? The other guy was here earlier and is not here now, we have a right to know if there's vacancies!" She was upset that the Board stayed with the rules as posted for Owner Input and didn't answer her question to allow Owner Input to continue.

Steve Crawford – Congratulations to the new directors. He declared that there's four of them on the finance committee and three that were elected. He stated he wanted to follow-up on Mayelin's question as to why the board reappointed a Board member and where a newly elected Board members had gone this evening.

XV. Policies to Review

1. Conflict of Interest – approved earlier in the meeting.

2. Board Packet Documents were distributed.

XVI. Announcements:

- 1. Next Board of Directors Meeting: August 17, 2016
- 2. Next General Membership Meeting: October 30, 2016

XVII. Adjournment

Dr. Jo Maynard (District 5) moved to adjourn back into Executive Session. Janice Ashford (District 7) seconded the motion. Discussion: They don't want to be here all night. **Vote: Yes-8. Unanimous. Motion carried.** Meeting adjourned at 8:14pm

Respectfully Submitted and Approved:

Susan Bambara, Recording Secretary

Randi Larzalere, Secretary

Date

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BOD Meeting Motions Log 7-20-16

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