

**Hawaiian Paradise Park Owners Association  
APPROVED – Board of Directors Meeting Minutes  
August 16, 2017**

**I. Call to Order:** President, Lori Laucik (District 5) called the Board of Directors meeting to order on August 16, 2017 at 6:05 p.m. Quorum was established. The meeting took place in the HPOA Hui Activity Center Library.

**II. Roll Call:**

**Board of Directors:** Lori Laucik, President, (District 5), Chris Anderson, Treasurer, (District 8), David Roe, Secretary (District 9), Kathleen Shaw (District 3), Patrick Murdoch (District 6), Leslie Blyth (District 7), **Absent:** Ruth Mizuba, Vice President (District 2)-Illness, Larry Kawaauhau (District 1), Jack Oskins (District 4).

**Owners:** Rosemary Brown, Bonnie Hollifield, Bruce Derrick, Shawn Merrill, Beth Evesong, Steve Crawford, Mayelin Stillwell, Judi Houle, Craig Crelly, Leilani Bronson-Crelly, Jane Tollefsrud

**III. Approve Agenda**

**Kathleen Shaw (District 3) moved to approve the Agenda of the 8-16-17. Lori Laucik (District 5) seconded the motion.** Discussion: “Old Biz Status of old Committees” to be tabled for next month. **Vote: Yes-5. Unanimous. Motion carried.**

*Chris Anderson (District 8) arrived at 6:08 p.m.*

**IV. Recess to Executive Session**

**Lori Laucik (District 5) moved to recess to Executive session. Kathleen Shaw (District 3) seconded the motion. Vote Yes-5, No-0, Abstain-0.** [Chris Anderson, District 8, did not render a vote due to arriving during the completing moments of this vote] **Motion carried.** Meeting adjourned to Executive Session at 6:09 p.m.

**Recess to Executive Session@6:09 p.m.**

**V. Reconvene Regular Session - Meeting Re-Opened@7:38 p.m.**

**VI. Approve Past Minutes:**

**Lori Laucik (District 5) moved to remove the last two lines Alexa Von Alemann’s owner input as requested by Alexa von Alemann. Chris Anderson seconded the motion. Vote: Yes-5, No-0, Abstain-1 (Leslie Blyth/District 7). Motion carried.**

**Lori Laucik (District 5) moved to approve the 7-19-17 meeting minutes as amended. David Roe (District 9) seconded the motion.** Discussion: none. **Vote: Yes-5, No-0, Abstain-1 (Patrick Murdoch/District 9). Motion carried.**

**VII. President’s Report – Lori Laucik (District 5) –** They are working hard on Department of Health and Signatory issues. The General Manager is out on medical leave and more information will be given out about the progress of the Dust Abatement/Chip Seal project. In July, we usually have to send out a letter, but it was not sent out, yet, so that we can send out the Department of Health info as well as give as much info as possible to the community about what is happening.

**VIII. Treasurer’s Report – Chris Anderson (District 8) -**

**Bank Balances as of the end of July 2017:**

*Total Checking, Savings, Investments and Bond Reserve:* \$6,549,453.99 – This is \$313,413.68 less than what we had last month primarily due to the Bond Interest Payment.

*Total Accounts Receivables:* \$2,251,925.32. Collected for the month was approximately \$71,119.48.

In January 2017 HPPOA billed \$2,722,568.00 for Road Maintenance. Of that, we have collected approximately \$2.3 million as of the end of July. Currently, there is a total of \$2.3 million to be collected; this amount includes billings that have yet to be paid for the current year and all prior years as well as finance charges, lien fees, transfer fees owed on property transfers and other miscellaneous income.

There were 52 property transfers completed during the month of July. A few of these transfers included accounts with past due balances.

The association placed 63 liens on delinquent properties during the month of July. In addition, approximately 38 liens release were also processed. Of those, all back fees were collected.

Year-end adjustments are continuing. The current July statements will have year-end adjustments that are not recognized on these reports and other final changes are taking place pending the audit. . Final changes are taking place pending the audit.

### **IX. Owners' Input (Three minute testimony per lot owner; please submit written questions for which you require a response)**

Jane Tollefsrud – She is a long time student of Peter Tam Hoy's Tai Chi Class offered at the Activity Center Hui every Monday, Wednesday and Friday. Peter has been teaching this class for over 25 years at the Community Center and he is the longest, steadiest and most reliable renter of this space. He requires only a key for access/use of the restrooms. There is never a need to clean up, no use of electricity, and when HPP uses the Activity Center for its regular meetings on the first Monday of every month, Peter has always graciously relinquished the space, even at a personal financial sacrifice.

Peter has been a community asset to hundreds and hundreds of students, during which time; he has paid HPP over \$100,000 in rent. This class is approximately 85-90% seniors and Tai Chi is our way to keep fit in mind and body. It is the highlight of my days and I cannot recommend it enough.

All was goo until what appears to be greed reared its ugly head. Suddenly, a few months ago, "the Board" raised Peter's rent by DOUBLE! Why is that? Why would anyone punish your longest, easiest and most respected tenant? Why would you expect the seniors in this community, many on fixed incomes, to absorb a 100% rental hike because of this wild pursuit for more money? I am here as a representative of the many participants in Peter's Tai Chi class who would like to request that the board please reconsider this decision. Please continue supporting those who support you. Thank you for your consideration.

Bruce Derrick – The roads have been open to public travel for over 50 years. The man who operates on our roads had better have a Driver's license. There is a safety issue of no stripes on our roads. Public safety should be job one, not chip seal. Tree work, thank you, but, please make sure the contractor cleans up all that debris in the easements because there's still logs from Hurricane Iselle, three yeas ago, and that stuff damages our equipment. We had four machines for road easement maintenance and now we have one. He feels the contractor doing the corners does a bad job. He's concerned with the lack of striping on the main roads causing a collision because death on our roads will then lead to more problems.

Beth Evesong: District 5 – Thanks to all the volunteer Board members with much appreciation for your time given. Because of the 2017-18 finance committee members weren't elected at the recent June 2017 general membership meeting, you, as the newly elected board of directors, are in a difficult situation. Our HPPOA bylaws are clear who are to be on the finance committee and are to include at least two community members who are voted on to the committee at the June Membership meeting; however that was not done this year. The members voted on to the committee serve a one-year term so the members who were on the last term are no longer on the new finance committee for 2017-2018. She referenced the bylaws book page 10-20 Finance Committee, Terms of Office.

Last month this board of directors voted to seek legal counsel on how to resolve the non-election of finance committee members at the June General Membership meeting on June 17, 2017.

As a former finance committee member in 2015 and witness to the arbitration legal process that arose when finance committee members were not elected as per our rules, I hope you, as new board members, will follow the options our bylaws have to resolve the need to elect new finance committee members. She felt the solution offered in the bylaws would be to send the membership a 30-day mailing notice of a special meeting. Referenced a part of Article 12. Or perhaps the board could send out that 30 day mailing in conjunctions with other the mailing that needs to go out, stating specifically that October Membership Meeting could be a place where

these new finance committee members could be voted on. She suggested this option per the bylaws to solve the problem at the October General Membership meeting, noting it is not the fault of this new board, but it is the unfortunate thing, with which they now have to deal.

Mayelin Stillwell: The Minutes look good and accurate. Thank you and good luck wishes to the new Board.

Peter Frost: Wanted his road's potholes addressed. Had comments about how concrete stopped the dust until the "sand ag mix base course was introduced," which he reports is now powder. He stated that fixing this situation would take care of one of the complaints that the health department is getting. He mentioned that he is the named representative for the trust of Mango Acres, which he stated is in a current lawsuit against HPPOA and that at the most recent Court proceeding, the Trust's Attorney made HPPOA's attorney look very bad, so he stated that the Trust will be winning the case and thus in light of his surety that, from his perspective, based on the last time he was in Court for Mango Acres, he will be winning, so he wanted to address consolidated lots that he feels should be grandfathered in and allowed to only have to pay one road fee, if the consolidation was done previous to HPPOA incurring the Bond and its requirements.

Alexa Von Alemann – People need to be more civil. She stated that she felt attacked by a Board member at the last meeting and said that he was not reprimanded. Wants more civility from the board. She reported that when she and Peter Frost gave their presentation at the last General Membership meeting, people who would have benefited from listening to it, left. We had information for people about the serious problem we have on these roads. I didn't like that after our presentation I was called by an office employee, no longer in HPPOA employ, stated that she was accused of not returning keys, but they were found and I was no longer allowed to use the facility. She felt that someone should have called and apologized for that accusation.

Bruce Blyth – He's been here since 1970. He's concerned about this chip seal project and specifically the most recently done roads. Shared his extensive experience working on all the roads of this island and has a long C.V. of experience, including chip sealing, and paving, because he's been a general foreman, and ran jobs for Willocks industrial park including a 14 man crew, so he stated that he is very well versed in building roads. He built many subdivisions, pipelines culverts, et cetera and stated that one day his wife told him she was disturbed about the new chip seal roads falling apart already. He checked out the newest ones and was disturbed and stated that to his observation they are failing already. He explained what he felt was how the roads are being done and the process of how the oil is to be put over a fractured surface, and not a solid surface or it'll only float on top, move out and cause potholes. He stated that he inspected a newly laid area and peeled back a whole section of road with his slipper. Road moves when people pull in their driveways on that road. He added that he is not against chip seal and that it works fine if it's done correctly. He felt the way it's being done up there on the most recent work done is incorrect and he felt the road will not last long, and that potholes will start, followed then with it peeling, "mark my words!" Had many questions about responsibility belonging to whom to re-do the road, what contractor took this job because if it's in house then it is not licensed. Questioned how many bids were gathered. Stated that he won't give it a year to last on 25<sup>th</sup> and 23<sup>rd</sup> between Paradise and Maku'u because it is bad, but added that there are other roads that aren't too bad. Wanted to know who's inspecting the work and what are the oil to water mixture ratios? Questioned where there is a contractor's warranty on the roads being done?

## **X. Committee Reports (Chair to give 3 minutes report: Motions must be provided in writing)**

***A medical emergency occurred at about 8:30 and the meeting came to abrupt halt.***

***Chris Anderson, District 8 had to leave the meeting.***

### ***8:53 PM meeting reconvened***

**Bylaws Committee** – Chair Milton Pavao was absent, but a Bylaws Committee member, Steve Crawford, stated that they have moved on to working on Article 9 and one of the things that they did was that their Committee secretary sent the board an email with an example of how they've been changing things with two examples to show the board the format that they have been following. A discussion occurred regarding the feasibility of making changes regarding the method of recording a meeting if the Recording Secretary is not available. Single bylaw changes are expensive, so the committee member cited that it wouldn't be feasible to address it as a breakout early issue on its own.

**Mailbox Committee** – Chair, R. Mizuba – Tabled due to Chair being out ill.

**PMAR** – Chair, Leilani Bronson-Crelly –Requested to let the record reflect that the new chairman is Christian Anderson – She wanted the record to also reflect for the Board’s edification, in regards to the Bylaws Committee report, that if the Board is trying to stay transparent, it cannot be accepting reports from Committee members rather than the Chairman. Rod Thompson initiated a specific number of items to be addressed in the Bylaws Committee, but this group of people have taken two and a half years and moved to different issues regarding the Bylaws. How are you ever going to be able to see all these changes in a sequential way if they’ve stayed on one article for two years? I was part of the last bylaws committee change. It wasn’t like this. She then went on to reiterate that because she is not the chair, it was not her place to give a PMAR report.

**Equity Road Fees Committee** – Alexa Von Alemann - Our Committee met, refined and emailed our to the Board. Peter Frost is still the Chair of the Committee because he is a Representative for a Trust and we have a letter from a lawyer that gave a legal opinion stating that a person representing a Trust can be a Committee member. The authorization should be in writing from the Trustee of the trust.

## **XI. Community Resource Report** – Judi Houle (Albizia, Fire Ant, Emergency Access Team)

**Albizia workshop** is the third Saturday of the month, August 19, at 9am in the Hui Library. After the workshop, we help a neighbor and treat their home. The volunteers help out and we get our training with this free service. Come to the meeting and sign up for free help on non hazardous trees for any six neighbors, at minimum, who sign-up for their street.

**Fire Ant workshop** – We had our most recent Fire Ant Workshop on Saturday, August 5, at the Hui pavilion from 2 to 4. The Workshops include a power point presentation and then they talked about how to mix the tango bait. To sign up for help with at least six or more neighbors, you can call (808) 961-3299 and the Big Island Invasive Team will come out to help. The homes do not have to be side by side on your street in order to get the help, just at least six people on your street. Go to [www.biisc.org](http://www.biisc.org) for more information.

**CERT** – They meet on the third Thursday of the month. This October 7<sup>th</sup> will be a training. They need a minimum of 20 volunteers to sign up for the offered Red Cross Training, which is free if we have 20 people in our community willing to learn.

**Food Pantry** – Every 4<sup>th</sup> Tuesday of the month. Food is picked up in Hilo at 11am. It comes in to the Hui at about 11:30 a.m., and then between 2 and 3:30, the people come for pick-up. The last Food Pantry held in July. We serviced 228 individuals.

These numbers were predicted to go up for summer and they did. About 1,030 people have been helped in just over a six-month period, so we know that the need is out there. The next Food Pantry is Tuesday, August 22.

## **XII. Old Business**

**1. Finance Committee: Status and Outstanding issues** – Robert’s Rules was consulted regarding the uncompleted order of business. If meeting is within 90 days, it can come back up on the agenda. Robert’s Rules addresses the problem. **Lori Laucik (District 5) moved to go by Roberts’ Rules Page 236 in the 11<sup>th</sup> edition and move the Financial Committee to the October General Membership Meeting agenda so that we can finish the outstanding Finance Committee Business. Leslie Blyth (District 7) seconded the motion.** Discussion: It will be put up early on in the agenda. **Vote: Yes-5. Unanimous. Motion carried.**

**Lori Laucik (District 5) moved that the Finance Committee for 2016-17 continue working until the October membership meeting when a membership vote for the 2017-18 Finance Committee is done. David Roe (District 9) seconded the motion.** Signups for members will still be open for the meeting. It will be announced and sent in the newsletter. **Vote: Yes-5. Unanimous. Motion carried.**

**2. Status of other Inactive Committees/Letter** – Lori Laucik – Tabled.

**XIII. New Business:**

**1. September 9, 2017 Road Forum Summary** – There will be a roads forum given by Joy San Buenaventura and her office wanted to know if HPPOA would like to participate. It was decided that because the Board does not know what her agenda is and why she wants the Board members to be a part of it and her proposed discussion about converting roads to county. Because the Board is not sure what she's planning, the Board decided that members would just attend as community members and the Board would not send an official Board representative to participate. **Lori Laucik (District 5) moved to not accept the invitation to attend the Road Forum Summary as a Board on September 9, 2017. David Roe (District 9) seconded the motion.** Discussion: Joy just mentioned to a Board member that she wanted the Board involved in the meeting. One member was invited, but due to being out ill recently, and it is coming up quickly. Although the event flyer stated that the President, Lori Laucik and Vice President, Ruth Mizuba each stated that they didn't agree to be on a panel as advertised. It needs to come to the board. People will attend as private person. She will contact to let. **Vote: Yes-5. Unanimous. Motion carried.**

**2. Fee Review:** Associate Member, Activity Center Use, etc. – The Finance committee need to meet as soon as possible to figure out what's going on with Chris and Jack from Board.

**3. Road Fee Increase Review for January 2018:** Business occupation, church and school fees for 2018 need to be discussed. This new board will need to address how to implement increases.

**4. Non-Assessed Lots' Status** – One large area has a Heiau in it. All the roads adjacent Highway 130 are not assessed road fees. – The Board will need to work with the GM on where the lots are and their status. There are 130 un-billable lots. – This became an action item that Lori Laucik will get info about to follow-up. It was stated that it's part of a court ordered list.

**5. Lot Zoning near 20<sup>th</sup> on Paradise** – Leslie Blyth – There's a big open lot that has trucks, which has been cited to cease and desist, but the current status is unknown. The zoning laws she checked state that type of commercial activity is not permitted in the AG1A zoning we have in this subdivision. If it's in support of Ag, one can do that. She stated that a mechanic in the park was going to be shut down, but they allowed him a Special Permit. She drove around the park and there are a lot of these base yards coming up because it's cheaper to not have to pay the commercial rates to lease a commercial property.

There are 25 things that are permitted, but that kind of commercial heavy duty trucking yard is not allowed. Storing oil is an EPA problem – it's the Antonio Trust – it was queried if it has any connection to HPPOA? We've complaining about the lot next to it for 25 years. They're not connected, and we've tried to get them to stop. I've got one on my street and I'm tired of living next door to this big trucking company. The DOT needs to be notified. We aren't heavy duty commercial in HPPOA. Big trucks are going up and down on our road and ruining it. A large discussion occurred about zoning, wear and tear, noise and what's going on in the community and it being AG zones, not for commercial truck base yards.

She distributed a cease and desist that was sent to one of the base yards. The Board needs to let the Planning department know that the community of HPPOA doesn't want commercial base yards operating in our community. Leslie Blyth will follow up. **Kathleen Shaw (District 3) moved to have Leslie Blyth continue to follow up on this issue (about lot zoning). David Roe (District 9) seconded the motion. Vote: Yes-5. Unanimous. Motion carried.**

**6. June P& L Statement Review - Tabled**

**XIV. Announcements:**

Regular BOD Meeting: 9/20/17 at 6:00 p.m.

General Membership Meeting: 10/29/17 at 3:00 p.m.

**XV. Adjournment**

**Kathleen Shaw (District 3) moved to adjourn. Lori Laucik (District 5) seconded the motion. Vote: Yes-5. Unanimous. Motion carried.** Meeting adjourned at 9:50 p.m.

Respectfully Submitted and Approved:

\_\_\_\_\_  
Susan Bambara, Recording Secretary

\_\_\_\_\_  
David Roe, Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**BOD Meeting Motions Log 8-16-17**

**Kathleen Shaw (District 3) moved to approve the Agenda of the 8-16-17. Lori Laucik (District 5) seconded the motion. Vote: Yes-5. Unanimous. Motion carried.**

**Lori Laucik (District 5) moved to recess to Executive session. Kathleen Shaw (District 3) seconded the motion. Vote Yes-5, No-0, Abstain-0. Motion carried.**

**Lori Laucik (District 5) moved to remove the last two lines Alexa Von Alemann’s owner input as requested by Alexa von Alemann. Chris Anderson seconded the motion. Vote: Yes-5, No-0, Abstain-1 (Leslie Blyth/District 7). Motion carried.**

**Lori Laucik (District 5) moved to approve the 7-19-17 meeting minutes as amended. David Roe (District 9) seconded the motion. Vote: Yes-5, No-0, Abstain-1 (Patrick Murdoch/District 9). Motion carried.**

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**Kathleen Shaw (District 3) moved to adjourn. Lori Laucik (District 5) seconded the motion. Vote: Yes-5. Unanimous. Motion carried.**