

**Hawaiian Paradise Park Owners Association
APPROVED – Board of Directors Meeting Minutes
January 17, 2018**

I. Call to Order: President, Lori Laucik (District 5) called the Board of Directors meeting to order on January 17, 2018 at 6:06 p.m. Quorum was established. The meeting took place in the HPPOA Hui Activity Center Library.

II. Roll Call:

Board of Directors: Lori Laucik, President, (District 5), Ruth Mizuba, Vice President (District 2) Chris Anderson, Treasurer, (District 8)-[arrived 6:26pm after first vote], Leslie Blyth (District 7), Patrick Murdoch (District 6), David Roe, Secretary (District 9), Larry Kawaauhau (District 1), Jack Oskins (District 4), Craig Crelly-[voted on to fill open District 3 position. Vote occurred Chris Anderson/District 8 and Larry Kawaauhau/District 1 had left the meeting: 9:34 p.m.].

Owners: Rosemary Brown, Clair Castro, Robert Merrill, Alexa Von Alemann, Shawn Merrill, Jeff Finley, Kathleen Shaw, Mayelin Stillwell, Steve Crawford, Bruce Derrick, John Seastrom, Tanya Seaver, Ben Leslie, Beth Evesong, Leilani Bronson-Crelly, Craig Crelly, Leo Warden, Judi Houle, Jennifer Gardham, Ashley Kierkiewicz, Paul Bates, Jeffree Silva

Visitors: Eileen O'Hara

Guests: Don Morris - GM

III. Approve Agenda

Discussion to amend the Agenda. Section F. to Old Business. Section G. to Executive Session. Add Approve Past Minutes of 11-15-17. **David Roe (District 9) moved to approve the Agenda as amended. Leslie Blyth (District 7) seconded the motion. Vote: Yes-7, No-0, Abstain-0. Motion carried.**

IV. Approve Past Minutes

Lori Laucik moved to approve the HPP BOD Meeting Minutes of 9-20-2017. David Roe (District 9) seconded the motion. Vote: Yes-3, No-2, Abstain-2. Motion carried.

David Roe (District 9) moved approve the 10-18-2017 BOD Meeting Minutes. Leslie Blyth seconded the motion. Discussion: Leslie Blyth (District 7) wanted her husband's Owner input changed. Clarifications noting the board/GM responses to Mr. Blyth's question were noted. **David Roe (District 9) moved to approve the amended meeting minutes as discussed. Patrick Murdoch (District 6) seconded the motion. Yes-5, No-3 (Lori Laucik/District 5, Leslie Laucik/District 7, Chris Anderson/District 8). Motion carried.**

David Roe (District 9) moved to approve the 11-15-2017 BOD meeting minutes' with the typo correction. Jack Oskins seconded the motion. Vote: Yes-7, No-1 (Chris Anderson/District 8), Abstain-0. Motion carried.

David Roe (District 9) moved to approve the 12-20-2017 BOD meeting minutes. Lori Laucik (District 5) seconded. Discussion: double check "SCAG" to make assure spelling is correct on page 8. **Yes-7, No-0 (Chris Anderson/District 8), Abstain-0. Motion carried.**

V. President's Report – Lori Laucik – Happy New Year. The first thing we can look forward to will be the Finance Committee looking at the budget again after our finance report changes from the bond changes. I was at the Finance committee meeting where there was a vote of no confidence for the Treasurer, and they requested replacing the Treasurer. Ruth Mizuba moved to remind the FC that they are an advisory committee (no second heard for motion). **Jack Oskins (District 4) moved for the board to replace the Treasurer per the Finance Committee recommendation. Leslie Blyth**

(District 7) seconded the motion. Discussion: It was a unanimous vote of the FC and this is my report because this is what the FC asked me to do. It is the FC's suggestion to replace the Treasurer. His attitude toward members, absence from meetings and other things were cited. A discussion ensued, but the Treasurer just asked for the vote to occur without further adieu. **Vote: Yes-5, No-3 (Ruth Mizuba/District 2, Patrick Murdoch/District 6, Larry Kawaauhau/District 1), Abstain-0. Motion carried.**

Chris Anderson (District 8) moved to elect Leslie Blyth (District 7) as Treasurer. Lori Laucik (District 5) seconded the motion. Vote: Yes-5, No-3 (Ruth Mizuba/District 2, Patrick Murdoch/District 6, Larry Kawaauhau/District 1). Motion carried.

President was asked how people get on the wifi report as part of her report continued. It was thought that the Association gets free wifi because we have a box. How to they access wifi and how to members get the password for that. Research requested of Spectrum regarding using this facility. The GM stated that he has called Spectrum more than once and they have not returned calls for two months running.

Ruth Mizuba (District 2) was concerned with Leslie Blyth (District 7) being Treasurer due to issues to be discussed in Executive Session.

VI. Treasurer's Report – Read into the record – Unreconciled Bank Balances as of the end of December 2017:

Total Checking, Savings, Investments and Bond Reserve: \$6,449,799.59
Total Accounts Receivables: \$2,044,144.76

In January 2017 HPPPOA billed approximately \$2.7 million for Road Maintenance. Of that we have collected approximately \$2.4 million as of the end of December. Currently, there is a total of \$2 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, some transfer fees owed on property transfers and other miscellaneous income.

There were 44 property transfers completed during the month of December as well. A few of these transfers included accounts with past due balances.

Staff is waiting for Board approval of the final audit report so they can post it to our website.

Bond documents have been signed and closing is in final phase. The old bond will be paid off on February 4th, 2018. We anticipate a savings of approximately \$1.3 million.

Statement Regarding Unaudited Financial Information: The unaudited financial information set forth above is preliminary and subject to adjustments and modifications.

VII. General Manager Report – Don Morris –

There have been a lot of recent concerns and complaints about the speed of traffic on the main roads, especially the larger commercial vehicles, such as Fed Ex and UPS. The ones that are even more dangerous at higher speeds are the tandem axle dump trucks, especially when they are fully loaded. These vehicles ravel up and down the main roads in excess of 40 to 50 MPH, or more. In order to keep them from reaching those speeds, I am asking the board to consider placing 4-way stop signs on the main roads at two to three differently evenly spaced crossroads so that the larger vehicles will not have enough road to get up to the higher speeds and hopefully that will help keep them at the posted speed limit.

Equipment: Our Backhoe repairs have been completed and it's back on the road. The water truck has been inspected, registered and is back on the roads. At the direction of the board, the GM with board member Jack Oskins, have purchased a new SCAGS zero turn mower for just under \$11,000. All other equipment is running fine at this time. We continue to do the daily maintenance and repairs on all other equipment.

Dust Abatement: We have watered 58 miles of road.

Mowing: The road crew mowed 72 miles of roadway easement.

Weed whacking: The road crew weed wacked: (1) 30th to 25th and 16th to 10th on Maku'u; (2) 32nd to 29th on Paradise; (3) 28th to 22nd on Shower; and (4) also mailbox areas on Maku'u, Paradise, Kaloli and Shower.

Graded & Compacted: 22.5 miles.

Widened, graded, graveled and rolled: 2.5 miles of roadway

Rubbish Pick-up: 1.75 tons plus 15 tires.

Dead animals removed: 4 pigs

Abandoned Vehicles: 1 vehicle removed and 2 tagged. Residents can also call County's abandoned vehicles at (808) 961-8552.

Safety Report: No accidents or injuries for the past 40 months.

Thank you for your support.

Discussion about pursuing striping main roads and getting a contract together, and a statement of work with clarifications to include the guarantee, insurance and licensure. GM stated it won't be thermal paint or with glass beads. There was a basic proposal given. The Finance Committee needs to go over the proposal and list the concerns, as well as what they'd like in the contract. Five bids were requested, but only one proposal was returned to HPPOA. The FC has a report detailing what they want in a contract.

Stop Signs: David Roe (District 9) – felt that private cars will blow through four-way stop signs. The GM stated that when implemented, they will call the police to request that they do their speed stings at the four-way stop signs. The main thing is the trucks going down the hill at high speeds. If we did it at 24th, 16th and 8th, the tandem axle truck cannot get up speed with that spacing. A board member felt that if the Association set the precedent, they can maybe eventually get lights where we already have four-way stops, in future when what he stated was the eventual county road that he felt will run through the community.

Jack Oskins (District 3) moved to have the GM put up three four-way stops on each main road. That would be a ten road stretch of about a mile between them. Notifications would be required. **Jack Oskins (District 3) withdrew his motion.** Patrick Murdoch (District 6) will work with the General Manager on a plan and idea for the four way stop signs. The Finance Committee will also hopefully have a plan and a contract for striping the roads.

The President noted that the roads look great now that the lawnmower is able to do the easements. Thank you for that.

VIII. Committee Reports

Bylaws Committee – Chair: M. Pavao – Report submitted in writing.

Equity Road Fee report – Peter Frost – absent – No report.

Mailbox Report – Ruth Mizuba – It is that someone has destroyed 100 mailboxes running in to them, so we're down to about 2,000 boxes and we need 5,000. The USPS stated they will install the mailboxes as needed. The USPS would require roofs on the boxes. When she spoke to the Post Mistress at Keaau, they proposed that if the USPS installs all the boxes, would HPPOA gather the fees to pay for them. It would be a good idea. IN the committee, forcing the USPS to provide door-to-door delivery, but it's not required to deliver door-to-door in rural area. They may stop delivery altogether because of the expense of replacing the ones that have been destroyed in the park. People could buy mailboxes and be responsible. The county agreed that people should provide their own mailboxes to get door-to-door delivery. A one-time fee would be a good deal. The committee is going to try to get the USPS to be forced to deliver to our homes individually although they've said they cannot. The next committee meeting is February 8, 2018 at 1:00 in the Hui Library. Leslie: We are no longer the remote subdivision we were 48 years ago. Each lot has an address and according to the post office, once the county or city gives you an address, you're entitled to home mail delivery. Pahoa has done it for some of their subdivisions, but Keaau has not done that. There was a question wondering if we install community boxes, will we forever give up our right to door-to-door services?

PMAR – No Report

Finance – Jack Oskins – I passed out handouts from the GM for the chip seal....we went into the chip seal costs as directed by the board. We found out that it cost \$59,000 a mile. We got quotations – we discussed two different methods, 1) Agri-bind 2) Levi-trac (sp?). He researched it on the web. Levi-trac is mainly just for dust control. Agri-bind can be used to actually establish a road. If you have heavy trucks, you put on more and make it a bit deeper. 12th avenue: just was done, they take the ripper on the back of the grader and stir up the existing area, then they add a bit of new on the top and roll it out. If we

had Agri-bind in 55 gallon barrels, we can put it in the water truck we already have, and then spray the water with the emulsion, spread it down, grade it, and compact it. This mixture of the Agri-bind can also be used for potholes even in asphalt roads, it can also be added to chip seal. We could even paint the strip down the middle of it. Right now, we're staring to repair our asphalt. It's giving away on us like on 27th. To fix potholes, it has to be cut out and then it gets hot mix to fix that. Sometimes that's a real difficulty, so we could start patching that up with the Agri-bind.

Bottom line we could do this for a test mile. It will be around \$60,000. At \$6.50/liter, \$48,000 per mile. You need 7,500 to 8,000 liters per mile. Shipping will be added to the cost. Former board member, Kathleen Shaw, got a quote for the Levi-trac for \$46,000.

It was stated that they agreed to contact Levi-trac, which is strictly for dust control, because that company offered to do a one mile free demo. We want to try to get Agri-bind to see if they would give a demo mile. It was noted that they have to have "fines" (sp?) for both products and those can be bought at \$300/ton. The product comes in a powder, can be mixed in the truck water tank, but it does have to have finds to bond to. The Finance Committee wanted the blessing of the board to try to get that test mile done. They want to try both products. The Finance Committee can move forward using the road sealing budget. It will count toward the required five miles due for the DOH requirements. **Lori Laucik (District 5) moved that the Finance Committee can move forward doing a one mile test from each of the two companies (Levi-Track and Agri-Bind)-this motion died in further discussion.** A board member wanted to make it two miles so there was a test on one where water collects and then another one on a straight-away like on 12th. A board member was concerned about run-offs.

The GM explained that this Agri-bind product is used in New Zealand and Guatemala. The Levi-Trac Company said they'd do a test for HPPOA, but the Finance Committee has to research if the Agri-Bind will offer that. **Jack Oskins (District 4) moved to move forward on a two mile test of dissimilar roads using the Agri-bind. Lori Laucik (District 5) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.**

Paths Committee – John Seastrom – Path committee continues working on the hiking trails and walking paths. They meet every third Tuesday of the month at 5:30 pm, in the library. They noted that they will be asking for some of the previously budgeted money for this project in order for them to continue the trails next month. (See Motion Below).

Park Committee – Ruth Mizuba - In the planning stage, there was a meeting on January 7th from 2 p.m. to 6 p.m. with the meeting follow-up on February 19th. They submitted three different plans, available to review from office. Most of it followed the recommendations of the park committee. We had wanted a dog park and didn't get that, but they included three tennis courts that we didn't ask for – two ball fields or one is not clear, but their sample proposed layouts are available for review. Please comment to the company or come to the meeting to give input about it.

Nominating Committee – Bruce Derrick – they're planning and have covered advertising the vacancies at the swap meet twice. Have worked on process for sample ballots, they have tweaked the candidate form which they presented to the board and would like that posted on to the website and made available in the office per board directive. The committee also decided that the article in the Conch Newsletter is sufficient for soliciting candidates for Districts 2 through 4, but it doesn't say that District 6 is also open, too. They requested that a post card can be sent to people with property in District 6 to let them know that they'll be voting for a Representative in their district, too – they submitted a proposed text sample for the postcard mailer to the board. The mailing will go out to people who own lots in east, but west Hawaii owners were not invited to be on the board only because of the monthly meeting commitment required precludes people far away from participating regularly as needed for the commitment. Five banners will be put up throughout the park. Districts 2,3,4 & 6 need representatives. District 6 will be done as a post card and sent to only east Hawaii for a cost of about \$200.00 – discussion regarding how to single out District 6 – if we're supposed to know the right ballots to what area, then we should be able to narrow that down by entering in the zip codes that cover east Hawaii. This has been done in the past. A discussion on how to figure out the ballots and the District 6 mailing. Sample Ballots will be presented.

IX. Community Resource Report – Judi Houle

Food Pantry: We've served 270 individuals since we started. We gave out 74 holiday gifts. Thanks to residents, Toys-for-Tots, and The Angel Tree who contributed money and gifts. The next food pantry will be the 24th. Volunteers welcome. We provided food to 195 people last month.

Albizia Control and ROD death will be discussed this Saturday at 9:00 in the Hui Library.

Fire ant work shop January 27th at 10am: Learn how to treat them. People on 3rd street are fire ant free by working together as a street.

The team is getting money to clean up the roadway of overhanging albizia. They hope the money will be released in the next several months. We qualified because it's considered an emergency route.

Emergency Alert – We all received a big ALERT last Saturday so our team will be meeting with civil defense to talk about it and how to be better prepared as a community. She hope that they can put the information they garner on the website. The main phrase to remember in a Missile attack is “get in, stay in, tune in” – We only have ten to 15 minutes to seek shelter. Lava tubes as shelters will be discussed at the next community meeting with Joy San Buenaventura. Another point of information given tonight was that the proximity to the explosion and the winds make a difference in the fallout situation. 24-hour fallout wait and then a 14 day supply of food and water is needed to be basically prepared.

X. Owner Input

Beth Evesong – With all due respect 8:30 we are at community input. Please try and get a grip. Board members please come with motions and more prepared. The approval process of the minutes was terrible tonight and it was a disappointment. I have a written request to post on website regarding the park. The current master plans are not on our website. Examples could be meeting notes from the January 7th meeting the PDF files I sent with the example of three proposed parks and the county planning contacted info: 808.356.1242. Call and attend the next meeting to make the changes you desire noted. The next public meeting on February 19th. It will be about the proposed changes that the community suggested.

A board member stated that a connector road will likely some day be coming through our subdivision. Though he hopes not, and he doesn't believe that it's in the works, but it would be good to have the stop signs in to that lights could be added if the roads were taken over. The stop sign plans should be a part of the general membership meeting to be discussed and planned with entire community. Beth replied that the community can do things to make that not happen.

A Discussion ensued about the forensic audit. She stated that in all the years she's been coming, the community information of what happened in that original bond is of necessary import to and for our community to understand what ha happened with our budget due to it.

Steve Crawford –I agree about the forensic analysis and the time line should be at least two years, but I'd be happy if it went back to 2012-2013.

Mayelin Stillwell –Acknowledged having heard the GM say that the board authorized him to do things, but stated that if the previous board authorized the GM to hire and fire, it is illegal until the bylaws have been changed first. She stated that if the board did that action during an Executive Session, it's null and void. She noted and read from Robert's Rules (#39 p. 343 “Improper Motions #15) because that is the agreed protocol. She concluded that if any motion is adopted that is null and void, then therefore, the GM would have had no authority to hire and fire employees for his office staff so the recent hiring's need to be looked at and both applicants need to be advertised for again.

Regarding filling of the BOD vacancy tonight, she wanted it noted that if some of the applicants are former board members who have a track record of breaking bylaws, then they should not be reconsidered. We have some new faces tonight.

Bruce Derrick: Stated that a four-way stop was looked at when we had the road safety committee – we put it one in at Beach and people blow through it. Yes, it has to be done by a contractor. The federal standard of private roads open to public traffic adopted January 2012. He stated that signs are not installed properly, and it's expensive to do them correctly. I've testified in

court as an expert witness on signage. If a car impacts a sign three or four feet from the road turns into a guillotine. It's a liability that could break this place. For more than three years we've had no striping. It's difficult to see in the rain. When you choose a Representative for District 3 tonight, look carefully.

XI. Old Business

- a. **Status of Membership Committee "Equity Road Committee"** – Peter Frost will need to request to address the membership to make the change of his committee name, at the next General Membership meeting because this committee is a membership committee, so he needs to take it to the membership.
- b. **Discussion on surfacing of 14th**, between Paradise and Maku'u; Status of construction proposal – Peter frost – not present. Cement shouldn't be thrown around because it has an environmental health concern. It's actually noted as dangerous in the Agri-bind information.
A member, Bruce Derrick, noted that soil cement was put down in three or four locations and it didn't work. – subject tabled to check out environmental concerns regarding the proposed Hawaii cement road test.
- c. **Chip Seal contract Discussion** – tabled.
- d. **Bond Update** – it's signed, old bond will be paid off on February 4th, 2018.

Break at 8:56 pm. – Return at 9:10

XII. New Business

- a. Elect temporary District 3 BOD Representative from candidate pool. The candidates, Craig Crelly, Tanya Seaver, and Jeff Finley shared a bit about themselves. Claire Castro's application bio was read to the group. A discussion ensued.
A member, Beth Evesong, interjected her concern that the present President revealed information from an Executive session. Jeff Finley withdrew his bid for candidacy. **A secret ballot vote occurred and votes received were as follows: Craig Crelly:5; Tanya Seaver: 3; Claire Castro: 0**

Craig Crelly is now the District 3 Representative. The HPPOA Board of Director's oath of service was given to Craig Crelly.

9:34 p.m. Chris Anderson (District 8) and Larry Kawaahau (District 1) left the meeting–Quorum still maintained with 7 Board members.

- b. **Response to owner's** – none
- c. **Meeting Minutes Approval Method and Audio Recording** – tabled
- d. **Paths funding Request:**
Funds for picnic table and base course for walking path – John Seastrom – needs the board to approve the following purchases: 1) 20 yards of base course \$600 was requested and 2) \$150 for a picnic table to be placed on the path for people to rest at and eat – it will be chained and piped. It's polymer and the metal is powder coated. **Ruth Mizuba (District 2) moved to approve Mr. Seastrom's Path Committee request to purchase the base course, and picnic table up to \$1,000 for the path work. Jack Oskins (District 4) seconded the motion.** Discussion: This was part of \$3,000 budgeted for the project of the walking path (a family route) and hiking trail (a bit more strenuous of a hike). **Vote: Yes-7. Unanimous. Motion carried.**
- e. **Election Discussion** – Lori Laucik (District 5) moved to approve the election committee to send District 6 postcards to east Hawaii residents, in District 6 only, to notify them of the opening for a Director in District 6. **Leslie Blyth (District 7) seconded the motion.** Discussion: The committee needs to define the boundary of east Hawaii of about seven zip codes from Volcano to Lapahoehoe will receive them. David Roe (District 9) willing to help. **No Vote occurred.**
 1. **Campaign Signage Policy** – it was one sentence. All campaign signage can only be placed on private property. Candidates cannot put up personal, individual signage.
 2. **Lori Laucik (District 5) moved to accept the nominating committee changes to the candidate submission form. Leslie Byth (District 7) seconded the motion.** Discussion: it's basically same with some date changes. It will be posted on the website and made available at the office. **Vote: Yes-7. Unanimous. Motion carried.**

3. Post card mailer was distributed. **Lori Laucik (District 5) moved to accept the post card as written to send out to District 6. David Roe (District 9) seconded the motion.** The updated posting in the website adding District 6 Candidacy is open for candidate to fill that position. **Vote Yes-7. Unanimous. Motion carried.**

f. **Hiring Process Discussion** – A discussion ensued.

XIII. Announcements

a. **Next scheduled BOD Regular Meeting is February 21, 2018 at 6 p.m.**

XIV. Adjourn to Executive Session

Lori Laucik (District 5) moved to adjourn to Executive Session. David Roe (District 9) seconded the motion. Vote: Yes-Unanimous. Motion carried. Meeting adjourned at 10:31 p.m.

Respectfully Submitted and Approved:

Susan Bambara, Recording Secretary

David Roe, Secretary

Date

Date

BOD Meeting Motions Log 1-17-18

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Lori Laucik (District 5) moved to accept the post card as written to send out to District 6. David Roe (District 9) seconded the motion. Vote Yes-7. Unanimous. Motion carried.

Lori Laucik (District 5) moved to adjourn to Executive Session. David Roe (District 9) seconded the motion. Vote: Yes-Unanimous. Motion carried.