

**Hawaiian Paradise Park Owners Association
APPROVED – Board of Directors Meeting Minutes
September 20, 2017**

I. Call to Order: President, Lori Laucik (District 5) called the Board of Directors meeting to order on September 20, 2017 at 6:00 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), Chris Anderson, Treasurer, (District 8), David Roe, Secretary (District 9), Larry Kawaauhau (District 1), Jack Oskins (District 4), Kathleen Shaw (District 3), Patrick Murdoch (District 6), Leslie Blyth (District 7), **Absent:** Ruth Mizuba, Vice President (District 2)

Owners: Peter Frost, Alexa von Alemann, Tom Laucik, William Eaker, Mayelin Stillwell, Rosemary L. Brown, Beth Evesong, Eileen O'hara, Ken McGilvray, Steve Crawford, Bonnie Hollifield, Craig Crelly Judi Houle, Shawn Merrill

Guests: Council Person, Eileen O'hara, Julie Mitchell of Kuikahi Mediation Center

III. Approve Agenda

Kathleen Shaw (District 3) moved to approve the Agenda of the 9-20-17 BOD Meeting. Lori Laucik (District 5) seconded the motion. Discussion: Some changes made to agenda. **Kathleen Shaw (District 3) moved to approve the Agenda as amended for the 9-20-17 BOD Meeting. Lori Laucik (District 5) seconded the motion. Vote: Yes-7, No-0, Abstain-1 (Larry Kawaauhau/District 1). Motion carried.**

IV. Approve Past Minutes

Lori Laucik (District 5) moved to approve the 8-16-17 BOD Meeting Minutes. Leslie Blyth (District 7) seconded the motion. Discussion: Company Name change correction of an Owner's input workplace past. Vote Yes-8. Unanimous. Motion carried.

Lori Laucik (District 5) moved to approve the 8-24-17 Special BOD Meeting Minutes. David Roe (District 9) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.

V. President's Report – Lori Laucik – SEE ATTACHED DETAIL REPORT – President gave a detailed summary [ATTACHED] about how someone in the community had called to complain to the BBB and the board didn't receive the complaint for processing until they have five days left to respond. This was a concern because of the current issue with handling the repeated DOH complaint and how that could have some impact on the current discussions HPPOA Attorney is having with the DOH.

She went on to explain how she met Donald Smith, the Director of Engineering at the roads forum and since he lives in HPP, she decided to ask him as a homeowner, not a board member, about chip sealing under an owner/builder permit, which he then said he'd look into and she stated that she's still trying to get correct information on that project.

She explained that the President's Report needs to go out before the October 29th General Membership meeting because it has information about committee elections. There were delays so she went down to the office and approved it on the day it was put onto letterhead for mailing along with the financial statement in time for 30-day notice to members. She called a Finance committee meeting, but several Board members weren't available or felt that they weren't properly informed. The Treasurer felt that the President usurped his authority, and she explained that per her reading of Robert's Rules, if two committee members request a meeting, it is to be done, and there needed to be a meeting. This was the axis point of contention because the Treasurer stated that he did have a Finance Committee Meeting planned. The Treasurer was extremely upset about this, as were the board members who weren't present, because it appeared to be a secret meeting to those board members who were not notified, so they were not in the meeting. A heated discussion ensued.

VI. Treasurer's Report – Chris Anderson (District 8):

Bank Balances as of the end of August 2017:

Total Checking, Savings, Investments and Bond Reserve: \$6,525,562.25

Total Accounts Receivables: \$2,212,534.83. Collected for the month was approximately \$39,390.49.

In January 2017 HPPOA billed \$2,722,568.00 for Road Maintenance. Of that, we have collected approximately \$2.4 million as of the end of August. 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 84 property transfers completed during the month of August. A few of those transfers included accounts with past due balances.

The association placed 66 liens or releases on delinquent properties during the month of August.

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

Larry Kawaauhau (District 1), stepped out of the room at 6:38 p.m. A discussion on more information desired on the next report. Larry Kawaauhau (District 1), re-entered the room at 6:41 p.m. A long discussion ensued about the Balance Sheet and code consistency, reading the tables and the various reports provided.

VII. Owner Input:

Ken McGilvray: Stated that from his past experience, that, if there isn't any activity on a particular item, then, it doesn't print out on a particular P&L report because the program is not going to print out \$00.00. The balance sheet should print out everything because that's a running number, but on the P&L Report, it won't appear. Went on to state that he was on the Finance Committee last year. He gave history that at last General Membership Meeting the new Finance Committee wasn't installed due to a loss of quorum. He stated he has an issue and wants to make sure there's a discussion about putting people on the Finance Committee in October because he and the others who took the Community into arbitration over this last year, when they wanted to add people to

the Finance Committee at a time other than June, this was one of their issues. Therefore, to his mind, since the Association's attorney's won against him and the others in that Arbitration by arguing that the Finance Committee members can only be added in June, he, therefore, wants to that the Finance Committee is elected by the General Membership per the bylaws.

Steve Crawford: Questioned items on the Agenda regarding Old Business of which, a couple of the items are Finance Committee subjects, so since the Finance committee has not met on those things, I would like to know how the board was advised on how to proceed and what information could have possibly been advised?"

Beth Evesong: Thanked the board for serving and contributing to the community by being on the board. Noted that at last month the Board called upcoming October General membership meeting, a Special Membership meeting, as it should be per the special designation provided in the bylaws for electing members to the Finance Committee 2017-18. It is per the bylaws to be called a Special Membership Meeting by definition for the 30-day notice meeting. She stated her delight that the Board is getting the mailing out because that distinguishes the October meeting where it's being designated for the Finance Committee members to be elected in 2017-18. She noted that this is different from the reference that Ken McGilvray was making in his input about the past arbitration he and others were involved in against the Association over appointment of FC members where there was no notice given to that membership with 30-day notice that Finance Committee members would be voted on – so that's different distinction and partly why you lost the arbitration, she said directly to Mr. McGilvray. In addition, the HPPOA Bylaws state that the Board needs to mail a fiscal year-end annual statement and a President's report, as well. I'm hoping that those documents will also be provided in that mailing. ~ President stated that is the plan.

She went on to discuss the issue with the Finance Committee on having not been seated at the last General Membership meeting and citing how that should be done correctly per the bylaws. She stated that she appreciated that the Board acknowledged this is the correct path to take regarding seating the FC at the next SPECIAL General Membership meeting and that the board is proceeding as she suggested, per the bylaws. She then spoke in regards to the recent Finance Committee meeting that was called without the Treasurer/FC Chairman being at the meeting. She felt it was not proper for President Lori to usurp the responsibility of the Treasurer by having that unplanned Finance Committee meeting, essentially, unilaterally having taken over and had that Finance Committee meeting without the Treasurer and Finance Committee Chair along with other board members who were not notified of that meeting on September 18th. She went on to state that she believes that was a mistake to have happened and is the fact in hand evidence indicating that this board must learn to work together because the community really needs you to do your best for all of the community. Every one on this board member should know if something different is being done about a meeting. – Every board member should have the opportunity to attend if a meeting is going to happen, especially, if the rest of the community is also not informed and able to be availed of the meeting, then, at least there representatives should be informed so that they can be there. I believe you acted out of order President Lori, you should have notified all the board members about the Finance Committee Meeting you had, and I believe that you, Lori, should apologize to the Board for that mistake. ~ The President agreed with Beth about that and apologized for not having notified all the board members about the Finance Committee meeting she had.

Craig Crelly: I am standing here tonight because I have heard of a secret and illegal meeting of the Finance Committee that happened on Monday, September 18, 2017. The meeting was attended by four board members, one of which was the President, the board President who previously stood before you and said she was not going to break rules and was going to be transparent. This meeting was called by two Finance Committee members on Friday, September 15th. A called meeting must be of urgent business and cannot wait until the next meeting. There must be a provision in the bylaws to be able to call a Special Meeting of a committee. The notice of a meeting must be mailed out to the members of the committee. The membership also has a right to appear at this meeting. The only place that's in the bylaws for a special meeting is for the board, and they must give 7 days notice and notify members requesting that they be notified at Special Membership meetings, which must be mailed 30 days in advance. Why should the Finance Committee give less notice than that? The FC Committee Chair, which is the Treasurer, is the person to set the meeting date, which, according to the bylaws, only has to meet three times a year and as needed.

The President stated that the October 2017 Membership Meeting will re-vote in the new Finance Committee members. During ARBITRATION, there were two members voted on to the Finance Committee at the October 2015 Membership Meeting, which was 43-Yes and 0-No's. These committee members were found to not be on the Finance Committee during arbitration. The way the bylaws state the vacancies are to be filled is by the remaining Finance Committee members to pick them. The two members on the Committee is the Treasurer and the board member, they should pick the new members.

The June 2017 Membership meeting is run by the membership but presided over by the board President. The Agenda is made up by, both board and Membership, suggestions. If the membership, including the outgoing Finance Committee members had thought installing new Finance Committee members important, they could have put it at the beginning of the meeting. They could have modified the Agenda at the beginning of the meeting or made a motion during the meeting, but they didn't, but now they want to bend the rules, which, by being there, four board members seem to agree with. Please cite, HRS 4-14D, HPPOA bylaws and Robert's Rules for the way you're doing it and that it is correct.

Mayelin Stillwell: This in response to Leilani Bronson-Crelly's comments at the last BOD Meeting. If you refer to your copy of the February 12, 2015 Bylaws Committee Meeting Minutes, you will find Ms. Crelly suggested we work on the bylaws holistically. At the April 16, 2015 meeting, you will find that Randi Larzalere, a BLC member at the time, voted along with Craig Crelly and other BLC members to work on the bylaws holistically. Given these facts, it is puzzling that the Crelly's would take an accusatory stance, when they were the ones who suggested the BLC work holistically. At the February 2016 membership meeting, the BLC informed the membership that we had been working holistically on the bylaws and we gave our reasoning. There were no objections by the membership. All my references are posted on the website.

The Finance Committee is the Association's checks and balances, making it the most important committee. If the bylaws were followed, the FC would've been voted in at the June membership meeting as mandated and all would be good. Oddly, this important business was put on the back end of the agenda behind two long presentations. The former board President was advised that quorum was a concern and to attend to the FC business ahead of other agenda items. After a 1st and 2nd motion was made, the President stopped further action stating that he couldn't deviate from the agenda. This serious error has causes a negative ripple effect and has been the topic at three board meeting, now wasting time, and causing great angst amongst board directors, and the current FC.

Please refer to the handouts referencing Robert's Rules on changing an agenda. It states "Any particular item of business can be taken up out of the proper order by adopting a motion to suspend the rules by a two thirds majority vote, although this is usually arranged by unanimous consent. Hence an important committee report or an urgent item of new business can be advanced in order to assure its full and unhurried consideration." A second provision states, "after an agenda has been adopted by the assembly, no change can be made in it except by a two-thirds vote, or a vote of a majority of the entire membership, or unanimous consent." The new board resolved the FC predicament by reinstated the previous FC at the August board meeting, since a functioning FC is mandatory. Per Robert's Rules, if a quorum is lost at a meeting after a 1st and 2nd motion were made, the FC order of business can be resumed where it left off at the following membership meeting, which is what is planned in October. To prevent similar issues as this, all mandated business at a membership meeting should be near the front end of the agenda.

Shawn Merrill: Well, my fellow Finance Committee members had requested a committee meeting to be scheduled. The issues that my fellow Finance Committee members wanted to discuss were NOT of an urgent matter that could not wait for a meeting to be held AFTER tonight's Board meeting. As we all know, per our bylaws, Article 10, Section 1, Subsections A.-2a, the Finance Committee is to meet at least three times per year and as needed. P&L Statements, Record of Deposits and similar topics of discussion, do NOT constitute an emergency meeting and; therefore, in my opinion, could have waited until such time when a more suitable date and time could be determined.

Madame President, what constituted such a gross emergency that you failed to allow the Board's elected Treasurer to do his job as he saw fit? I see no such emergency. Madame President, I must question your leadership skills when you failed to allow Mr. Anderson to work with the Finance Committee, when you took it upon yourself to schedule a non-emergency meeting? As you are well aware of, per the emails from September 15 2017, to which you, Madame President, were copied in on, Mr. Anderson had reached out to the Finance Committee asking if Saturday, the 23rd, would be good for everyone. Two of the members responded to say that they could not, and they proposed alternate dates, and times, but, sadly, Madame President, you, unilaterally, took it upon your self, at 7:39 p.m. on that Friday to schedule a meeting, outside the proposed time frame suggested and expected all the Finance Committee to attend on Monday afternoon, and failed to communicate with the Board's own elected Treasurer, prior to making that announcement of the scheduled meeting. You, Madame President, also didn't allow for any other Finance Committee Members to respond timely, two of which, we were on the mainland, so we did not get your communication on Friday afternoon telling us we had to be here on Monday. We were on the mainland! What, you, Madame President, fail to recognize is that some of us Finance Committee members may have other plans and commitments, such as myself, and including your own Treasurer.

I must ask, per your own report, did you, Madame President, verify that Facebook posting that you read out loud? It doesn't appear so, but had you, Madame President, said it out loud, you only accepted the excerpt as gospels, what about the rest of the string? I don't know what it says. You're taking it out of context as far as I am concerned. If Mr. Anderson wrote it, he wrote it. He owns it, but I don't know what the rest of the thread was in regards to his response, so therefore, you did not say that you even verified the response. How do you know that he even wrote that? So, if the board has an issue, which apparently it does, with an active board member that needs to be addressed, it needs to be addressed in Executive Session and not aired in this public forum.

So, in summary, back off, Madame President, and let your duly elected Treasurer do his job.

Peter Frost: Thank you for coming out to look at concrete strip on 14th – it's almost clean now, the water's washed almost all that sand off. I don't know how to request, but maybe you could do a little bit more for his road because that would stop the dust now, and that would probably stop the dust complaints to the DOH and that would probably help you guys out and for the amount that I pay for road fees, I could do the whole mile and I would do it myself if I didn't have to pay next year's road fees. The apron for the mailboxes, the main one, on Paradise drive, near the fire station, it's all messed up, but the one on 12th and Kaloli is nice. I would think the main most central mailbox cluster; by the fire station on Paradise drive would be served with a better apron. For the same road fees next year, I'll take care of that, as well, with cement.

VIII. Committee Reports:

Bylaws committee Report -- A written report was submitted.

Equity Road fees – Alexa Von Alemann – Has been posting minutes as Secretary for the Equity Committee since the inception of last February, but when she goes to the HPPOA.NET, she sees the Directors that are no longer with us and her committee minutes aren't posted nor does there seem to be any mention that the committee actually exists. We are driving down the roads touted to be the solution to the dust abatement and problem. We drove down 7th to look at the dust control efforts, and it doesn't seem to do anything for washboard or potholes, and it smells. It just does not pass the smell test, even after many days of being there. What we found were these curious termite-like mounds on sides of road, which stuck together and were a clumpy smelly mess. Thinking of people with wells, we spent a good chunk of money having a drinking water well dug and they have this deposited on the sides of the road. And the crew left these huge clumps and boulders on 7th end of Maku'u. Are these people trained to do anything here? Is our road manager taking them aside and teaching them the basic method of applying this. I don't remember voting for it. At the last meeting, we were told that a new material is being tested as a dust abatement solution, which we were not told that it was the cheapest thing they could find. It's like asphalt petroleum. It's very polluting stuff. It's not acceptable. I'm an owner 25 years and I put in enough money to have a transparency of the process here from our road manager. I don't know how he chose this material, but I don't like the way it's put out. Many would ask how this would pertain to equity committee, because everybody is charged one road fee and the those who reap the luxury of a new road have little to complain about, even though they say they didn't vote to have their road paved, but you don't have to think about what you're going to do about your car because it's going to be covered in dust and look like crap before you reach the pavement and you have no place to wash it. There's damage to cars, we can't walk on road because of the dust. We are working on this and we would like to make a motion to complete the test on 14th between Paradise and Maku'u, where it was started twice already and you can see the results. I would like to see it finished. We can all work together. I would like that atmosphere returned like it was years ago when I first came here to this community. When we built the house adjacent to the fire station, we brought food to the men who were working. We were a community. Let us return to that. We are still working on this. We have a Facebook page for the Equity fee committee and the report has been submitted to Bridget.

PMAR – Christian Anderson – New Chairperson of PMAR – A written report was submitted and Christian Anderson (not to be confused with Chris Anderson, the Treasurer) introduced himself as the new PMAR Chairperson. He gave a Summary report about the 1500 surveys they put out. To date, 263 surveys have been returned for you to review the questions and what each response was - there were a couple that were not surprising and a couple that were pretty surprising. I think all of us, as community members here, need to become better educated about these topics, one of which was the question of anticipating increased road fees due to traffic impacts – this is something someone needs to study to figure out what kind of road impacts we would have. Feel free to contact him or anyone on the committee. Noted that the percentages at bottom of the survey were rounded. They worked off the CDP of the original discussion so the roads between 5th and 17th were polled.

IX. Community Resource Report. Judi Houle – Lives in District 9 and has volunteered in the community for 30 years.

We have an **Albizia Workshop** on the third Saturday of every month. At our last workshop, and at our future albizia meetings we are adding the Rapid Ohia Death (ROD) information to educate our community. The Big Island Invasive Species Committee puts this on, so we're very grateful to them for that. Our next workshop is on Saturday, October 21 at 9 a.m.

Our **Food Pantry** is the fourth Saturday of every month. We could use volunteers if you like to come. The recipients come from 2:00 to 3:30 and we have served almost 1200 people since we started in February. There's a great need for this. She gave thanks to all, including those in the room who have helped them with this service. It only costs about \$70 per month to feed almost 200 people. Volunteers are asked to arrive at 11:30 a.m.

CERT Team – Community Emergency Rescue Team - If you'd like to join their upcoming training, it will begin on the 24th and be an all day training at the Keauu Community Center from 8:30 to 4:30, for four Saturdays in a row.

Emergency Action Team – Combines the CERT Team, Neighborhood Watch, and Radio support team. We all come together to get better trained and to be ready if we get hit by a hurricane or other disaster. This is what we work on and practice for preparedness every month.

Fire Ant Workshop next coming on October 7th at the HPOA Pavilion. Meets at 2pm with Frannie Brewer, who will tell us about the biology, behavior and effective treatment of fire ants. Anyone is invited to all of our meetings.

Lori Laucik (District 5) moved to move special Guest Eileen O'hara up on the Agenda to before Old Business. David Roe (District 9) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.

X. Road Forum Summary – safety and the important priority of having the dots on the road is a county priority and it was suggested that HPOA also consider that a priority. **Lori Laucik (District 5) moved that the board get three bids for the Finance Committee to review for road striping. Kathleen Shaw (District 3) seconded the motion.** A discussion occurred. It is worth looking into and the Finance Committee can do the research for that. **Vote: Yes-8. Unanimous. Motion carried.**

Eileen O'hara – District 4 Council Representative came and introduced Julie Mitchell of Ku'ikahi Mediation Center. Ms. O'hara was offering HPOA the opportunity, paid through the Councilperson's Contingency funds, in order to help Home Owner's Associations to function more healthfully and thrive through better communication because this issue has been identified as very needed in our community and HPP is her largest Association within her district. It was noted that a couple years ago, when Ku'ikahi offered a Conference for all regarding this issue, and including Parliamentary Procedure information, it was a well-attended and appreciated in the community of Puna.

The Contract for the Master Plan is moving along and SSFM has been hired to do that Master Plan. I am hoping that the money that is there can include the Environmental Assessment as well.

Julie Mitchell – Executive Director with Ku'ikahi Mediation Center – Non-profit Community Mediation Center located in East Hawaii, one of 5 of the Non-profit Mediation Centers in the State. We have worked with the county in various capacities, so we get non-profit grants from the county to provide mediation, hear mediation in the schools – we've worked with some schools down here including one near here. In June of 2016, we worked with [the District 4 and 5 Council Representatives] to put on a Conference for Puna Homeowners Association's. We had 80 different Homeowner's Associations from Volcano to Seaview. The reason why we did this conference was because we get called in to mediate a lot of conflicts involving the homeowner's associations, prior to court cases, or the Judges will actually refer to our center. We have a contract with the Judiciary to handle Court referrals and, **we've been called out a lot to help facilitate meetings for different Homeowner's Associations.** We saw a trend that the Homeowner's Associations could use extra support in training because you folks are all volunteers. You're dealing with large Homeowner's Associations, and yours is the largest, by far, and with Community members, for some reason, perhaps because it's involving your homes and that, we, as people, can get very territorial by nature, but for some reason people get very adamant about things. So, we created this conference, we had such a good response to it. We saw how effective it was; boards came and took the trainings; we had a "Board Best Practices" Track and a "Meeting Facilitation" Track. They had such a good response; the attendees took back what they learned and saw that it really worked, so when Eileen and Jen were elected, I went and met with them and asked if they saw any further way that we could support the associations. They said, yes, we do, but, instead of doing another conference, what if you worked with some specific associations to do one on one type training and coaching with them. I saw tonight that like many associations you have many disagreements and conflict, and communication issues, like we all do, it's human to have these things, and so, what Eileen has generously offered is to put some of her contingency money funds to bring us in and support your association. This would be a gift, you can accept or not accept. I'm not invested in it either way. We have some great experts who I think could help you folks quite a bit and we have some expertise in meeting facilitation that we could help you folks with, so if that's something that you want to discuss or ask about, we're here to answer you now.

The Board asked questions to clarify how it would work and she explained as follows: This is how we conceive of it working, but you also would have to give us some input, but how Eileen and I spoke about it would be that we would work with the board. We could provide some training, we could evaluate and help on how you're functioning, for instance, I took some notes on tonight's meeting with the thought that maybe we will be working with you and maybe we can also work with doing some meeting facilitation for you. One way to do it would be to facilitate the meeting, you watch; Co-facilitate the meeting, and then you facilitate the meeting and we give you feedback on it; so, that would be like a coaching type of track. Depending on what your board wanted to look at. You have a lot of meetings with three General Membership Meetings, Monthly Board Meetings, Committee Meetings, so there's a lot that we can work with you on during those various things and we can help you up your abilities in these meetings. She stated that they could help the membership with their General Membership Meetings. There's a lot of different ways that we can work with you, depending on what your needs are, so I am working with Jen Ruggles and a couple subdivisions in her district, as well. If you are interested, I would put together a proposal, Eileen's staff would make a resolution, so then the monies would be released and then we could start working together. If you think this sounds interesting to you, let me know. The Board would be able to design the facilitation program to suit the needs of the Board and the Members. They can facilitate the upcoming Membership meeting, but board must approve this in order for Julie to create a proposal so that the councilperson and get a resolution to release the funds.

***7:45 PM Larry Kawaahau (District 1) left for work...**

Questions from the Board were asked and answered about the process and how it would work. Julie explained the many possible ways available to the Board for this process which could include actual meeting facilitation or a coaching track, but noted that it would be dependent on what the board wants and what they think would be best way that Ku'ikahi could work with them. A discussion ensued of how the center could work with the board.

Good people leave boards or lots of dissention happens. The idea would be how would we support you best through our process and teaching. A discussion on interacting versus supervising the employees occurred. The board can design the training and coaching, as they would like and they get to identify what they need to help figure out a better interaction. Julie noted that if people are heard and feel they respect the leaders, it's easier to get people on the same page. How you handle the conflict sets the

tone for the organization. There are board meetings and General membership meetings, so the board has more places for people to have a voice, so the idea is how the board can empower members and assist them because the board of directors are members too. How you have those meetings with the members impacts what gets done or not. Eileen suggested that Julie and the Ku'ikahi staff could help facilitate a general membership meeting because, by her observation at them, they aren't functioning or getting things done. If you had that facilitated. It would help change the mind of your public. A discussion of how it could work with Julie ensued further with the Board. We are not experts in Robert's rules but we are experts in Facilitation, Communication, Conflict resolution, listening, and other important soft skills for building better community participation and civil functionality. Part of the training would or could include On-boarding new members to keep the continuity going because what we see is a high turnover of the Board members because of the level of contentiousness that we see with dealing with the public, so good people are leaving boards, instead of staying or there's a lot of dissension happening around the elections and things like that. A discussion occurred.

David Roe (District 9) moved that pending the email example training to be reviewed by the board and, if approved via email, then the board will agree to move forward with having the grant proposal offered by Ku'ikahi Mediation Center. Chris Anderson (District 8) seconded the motion. Discussion: They need to answer by Monday, if they'd like to join the upcoming Mediation Training and Ku'ikahi will work with them to design the appropriate package for the board, as was done with another association with whom they've worked in the recent past. The board stated that they will get back to Julie by Monday and it will be voted on via email. **Vote: Yes-7. Unanimous. Motion carried.**

FIVE MINUTE BREAK@8:10 p.m.

X. Sept 9 2017 Road Forum Summary – Committee – County has to finish Highway 130 at least down to Ainaloa because they cut through our park. There's a video on Big Island News, and it has the whole forum on video. The road ends at the boundaries of HPP and no one is going through HPP. Discussion of what PMAR and Leilani Bronson-Crelly brought up that the county is making a road to you, not through HPP. Discussion occurred. Three ways of how the county can be made to take over the roads. Fifty percent of people in Paradise Park tell the park that they want a special improvement project and that's all they need, they come in, fix the roads and bill you monthly or quarterly, so you'll pay your taxes, plus whatever we have to pay back for the improvements.

XI. OLD BUSINESS:

- a. *Status of Parks, Community Action, and Paths Committees* – letter is ready to be mailed
- b. *Fee Discussion: Associate Member, Activity Center Use, etc.* – Last year fees were increased for activity center for all but neighborhood watch. Starts at finance committee and they come to board with recommendations. There has to be a decision within the next few month/as soon as possible. FC Meeting should be Oct 3rd.
- c. *Road Fee Increase Discussion for January 2018* – large discussion occurred. – Will go through Finance Committee for evaluation
- d. *Non-Assessed Lot's Status* – they face the highway, number hasn't changed and they don't pay road fees because of where they are located.
- e. *Lot zoning near 20th on Paradise* – Leslie Blyth – Base yard on Paradise – she was asked to look into it by members in her constituency and she reported the following: A Cease and desist was given because it was not legal to have a base yard, so cease and desist or get a special permits. In July, the owner put in a request for an extension. She checked it, and asked if HPPOA had any connection to the lot. She went to planning department for a status report in August and told him the main issues. The big equipment on our roads, and base yards popping up everywhere is a problem. They need to have commercial stuff in commercial areas. There's oil for pavement being stored on it and it's bad for the aquifer if it leaks from these big containers –it's against EPA rules. There is a base yard on Paradise Drive storing Birchmont, which is toxic, illegal and against EPA Regulations. The planning department person wondered why she was there because he stated that, "your board president has signed off on this --isn't this the company you signed off on to pave all of your roads?" When told of the well worries, he gave her a page of instructions with commissioner's name, and said that he can be contacted because once a permit is filed and it's been complied with we bump it up to the commission. He said that a hearing is set-up once it gets to commissioner's office. All will be given notice to fight it. It's not a done deal. On September 12th, a month later, she went in for an update; the owner hired a consultant to help them file for a special permit but asked for more time because consultant needs to speak to a board members to discuss. She stated that when she went down there, she was told that this board member that was out on leave. The person at that office told her that enough time had passed since the May 22 letter, and reported that the owner has done nothing to file for a special permit. I gave them two weeks. They have a week left and then fines will begin to be assessed. According to HPPOA, it is involved with this illegal contract. The Triple K contract does have a contract that includes having access to a base yard. HPPOA supported it according to them. The GM is involved because the consultant is of the impression that he is a board member and he's the only person out on leave. The GM is an employee was what she said she replied, going on to say they were kind of shocked. Questioned how it was arranged. Antonio Trust, not Triple K owns it. It's either their impressions are true or someone is fudging the story. I don't know and I'm not accusing anyone.

Chris Anderson (District 8) moved that he, Patrick Murdoch (District 6) and Leslie Blyth (District 7) further investigate this issue of the lot zoning near 20th on Paradise, and get back to the board as soon as possible, about this, via email. David Roe (District 9) seconded the motion. Discussion: One of the board members stated that there wasn't a problem until you came to them with a complaint. A discussion about contracts ensued. The board will continue. They will find the contract. **Vote: Yes-7. Unanimous. Motion carried.**

- f. *June P&L Statement Review* – Chris Anderson – the lien releases are in the back of the packet showing the specific numbers. There was something budgeted called skip trace, a computer program that finds people. We spend \$800 for the one we have gotten. In July, we took in \$38,000 in past due. Once we got the Skip-Trace Program, we took in \$51,000.

We are taking in a lot of money in transfer fees, more in this year than last year, because of the economy. Housing is going up right now. Payment plans are happening. He saw five payments come through, either full payment or payment plans, just yesterday while doing the reconciliation. The Skip -Trace is really working. We are well under budget this year and we did well last year, too. The amount of money being spent discussed. Budget discussed in regards to how GM can use his discretion when within his budget.

XII. New Business

- a. *Response to owner's questions from previous BOD Meeting* – answers were available, but all the members who asked the questions weren't present – tabled. **Patrick Murdoch (District 6) moved to table the Response to Owner's Questions from Previous BOD Meeting. Lori Laucik (District 5) seconded the motion.** Discussion: None who asked were there to hear the answers. **Vote: Yes-7. Unanimous. Motion carried.**
- b. *Eileen O'Hara Training from Ku'ikahi Mediation Center Offer* – **See Above**
- c. *Lien/Foreclosure Report* – **See Above**

- d. **September 2017 Newsletter Discussion** – Must be mailed by September. Usually done with Financials in summer and in January, there's a second one sent. A discussion occurred. **Lori Laucik (District 5) moved to have David Roe put together a newsletter to go with the other mailing being prepped to send. David Roe (District 9) seconded the motion.** Discussion: A quick newsletter. Notices: Page 25 of 34 was read in regard to the website being okay for posting newsletter. **Motion died to rephrase it with better detail.**
Lori Laucik (District 5) moved to have David Roe work on the newsletter with the Board via email, and then have it mailed with the Financial Statement to the membership. Chris Anderson (District 8) seconded the motion. Discussion: It's always been mailed.
--Chris Anderson left the room at 9:13 p.m. Vote: Yes-6. Motion carried.
- e. *Chip seal update* – one mile to go and they were waiting for the GM to return from a health leave-of-absence before they lay it. He is back a couple days a week, but still in a lot of pain.

XIII. Announcements:

1. Next scheduled BOD Regular Meeting is October 18, 2017 at 6 p.m.
2. Next Membership Meeting is October 29, 2017 at 3 p.m.

XIV. Adjournment to Executive Session

Leslie Blyth (District 7) moved to adjourn to Executive Session. David Roe (District 9) seconded the motion. Vote: Yes-6. Unanimous. Motion carried. Meeting adjourned at 9:15 p.m.

Respectfully Submitted and Approved:

Susan Bambara, Recording Secretary

David Roe, Secretary

Date

Date

BOD Meeting Motions Log 9-20-17

Kathleen Shaw (District 3) moved to approve the Agenda of the 9-20-17 BOD Meeting. Lori Laucik (District 5) seconded the motion. Discussion: Some changes made to agenda. . **Kathleen Shaw (District 3) moved to approve the Agenda as amended for the 9-20-17 BOD Meeting. Lori Laucik (District 5) seconded the motion. Vote: Yes-7, No-0, Abstain-1 (Larry Kawaaui/District 1). Motion carried.**

Lori Laucik (District 5) moved to approve the 8-16-17 BOD Meeting Minutes. Leslie Blyth (District 7) seconded the motion. Discussion: Company Name change correction of an Owner's input workplace past. Vote Yes-8. Unanimous. Motion carried.

Lori Laucik (District 5) moved to approve the 8-24-17 Special BOD Meeting Minutes. David Roe (District 9) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.

Lori Laucik (District 5) moved to move special Guest Eileen O'hara up on the Agenda to before Old Business. David Roe (District 9) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.

Lori Laucik (District 5) moved that the board get three bids for the Finance Committee to review for road striping. Kathleen Shaw (District 3) seconded the motion. Vote: Yes-8. Unanimous. Motion carried.

David Roe (District 9) moved that pending the email example training to be reviewed by the board and, if approved via email, then the board will agree to move forward with having the grant proposal offered by Ku'ikahi Mediation Center. Chris Anderson (District 8) seconded the motion. Vote: Yes-7. Unanimous. Motion carried.

Chris Anderson (District 8) moved that he, Patrick Murdoch (District 6) and Leslie Blyth (District 7) further investigate this issue of the lot zoning near 20th on Paradise, and get back to the board as soon as possible, about this, via email. David Roe (District 9) seconded the motion. Vote: Yes-7. Unanimous. Motion carried.

Patrick Murdoch (District 6) moved to table the Response to Owner's Questions from Previous BOD Meeting. Lori Laucik (District 5) seconded the motion. Vote: Yes-7. Unanimous. Motion carried.

Lori Laucik (District 5) moved to have David Roe work on the newsletter with the Board via email, and then have it mailed with the Financial Statement to the membership. Chris Anderson (District 8) seconded the motion. --Chris Anderson (District 8) left the room at 9:13 p.m. Vote: Yes-6. Motion carried.

Leslie Blyth (District 7) moved to adjourn to Executive Session. David Roe (District 9) seconded the motion. Vote: Yes-6. Unanimous. Motion carried.