

**Hawaiian Paradise Park Owners' Association
APPROVED Board of Directors Meeting Minutes
Wednesday, May 17, 2023**

1. Call to order

Board of Directors meeting called to order by Kari Hoffman President District 5 at 6:05 pm. Taken place at the HPPOA Activity Center.

2. Roll call

Board Members Present: Jason Schillewaert District 1, Lanell Lua District 2, Patricia Egan District 3, Jon Loehndorf – Interim General Manager District 4, Kari Hoffman – President District 5, Brendan Freitas District 6, Richard Solie District 7, Jim Marquez – Secretary District 8, Jeff Finley District 9.

No board member absent.

3. Approve agenda for May 17, 2023

Edits: Remove review of 2023 budget under Finance Committee.

Jon Loehndorf District 4 moved to approve the May 17, 2023 meeting agenda with edits. Jeff Finley District 9 seconded the motion. Vote: Yes – 9, No – 0. Unanimous. Motion carried.

4. Approval of minutes

Correction for minutes: Page 8 Remove District 7 abstain replace with District 4 Jon Loehndorf abstained with motion log on page 13 reflecting same. Page 2 second to last paragraph on CIP discussion budget is \$757,00 not \$575,000. Page 7 remove unanimously passed in motion.

Jon Loehndorf District 4 moved to approve the April 19, 2023 meeting minutes with edits. Patricia Egan District 3 seconded the motion. Vote: Yes – 9, No – 0. Unanimous. Motion carried.

5. Special Presentation from Brittany Zimmerman from Yummet.com regarding concrete product

Brittany Zimmerman addressed the board and audience. Background in aerospace engineer. Worked for NASA as outer space engineer. Worked on keeping people alive in space conditions and bio-regenerative life support systems in space; questioned how to apply technology in space for humans on Earth. Full circularity in methods and tech. Built a team for terrestrial development. Left NASA.

Founded Yummet.com with team of other NASA scientist from around world. Build system level solutions. Chose Big Island to set up on commercial scale. Abstract chemicals from environmental waste by coping mother nature in break down. Company makes four different commodities from waste; concrete, hydrogen, water, and biochar. Concrete is 3-5x stronger than traditional concrete, tested by

the Minnesota Department of Transportation. As cures gets stronger with permeable and non permeable versions. Concrete does not need re-bar support. Makes potable water as output. Working on building facility in Hilo and using slug water from Keaukaha as input. Looking to see if HPP is potential fit for concrete product on roads. Concrete has been tested for roads by Minnesota Dpt of Transportation. Open to have conversations and questions about potential. Possibility of HPP being a testing site.

6. President's report

Kari Hoffman President District 5 addressed the board. President's report attached (1).

7. Vice President's report

Jeff Finley Vice President District 9 addressed the board. Continued effort to find solutions for mass mailing being done three times a year. Send committee minutes and any reports to Secretary Jim Marquez district8@hppo.net.

8. Treasurer's report

Jon Loehndorf Treasurer District 4 addressed the board. Treasurer's report attached (2).

Enter discussion on check register; doesn't have names they are written to. Need to run the proper report. Payment on credit card for \$14,000 and \$11,000 of that is for new garage door.

9. General Manager's report

Larry Torres Jr. General Manager addressed the board. GM report attached (3).

10. Committee reports

A. Finance Committee

Jon Loehndorf Treasurer District 4 addressed the board. Meeting regularly to work on 2023-24 budget; finished pass through and capital improvement plan budget. Expect next week will finalize and forward to board.

B. Bylaws Committee

Alissa Hanshew addressed the board. Started working on Article 10 on committees expect it will take a few months to work through all sections. Committee has been actively discussing 421J and if statute applies to HPP; no consensus within committee. Request to read the legal opinion as to definition of planned community, if that implies and how affects bylaws.

Next meeting is Wed. May 31 at 4 pm in library.

Enter discussion. Meeting with legal counsel with committee on May 1st. Still unanswered questions. Unable to read legal opinion to show how 421J applies. Received some documents right before meeting

and unable to read before meeting.

C. Nominating Committee

Jeannette Baysa addressed the board. Committee stuffed all ballots into envelope, took all ballots to post office. Thanked everyone that helped to stuff, stamp, and label. Ballots mailed out on time.

League of Women Voters will receive ballots and count. Board needs volunteers to observe counting on June 3 at 10 am in library. Larry Torres Jr. will be one observer with Leslie Blyth and Mayelin Stillwell volunteer to silently observe. Ballots need to be received on June 1. LWV need to have their letterhead on their written report and no one is allowed to touch ballots but them per contract.

D. Land Use Committee

Jim Marquez District 8 addressed the board. Meeting held 2nd Tuesday of each month. Meeting discussed difference of association and corporation and legal authority of each. Question of authority to develop 40 acres of land and to its uses. Next meeting 2nd Tuesday of June at noon.

E. Human Resource Committee

Patricia Egan District 3 addressed the board. Meetings via Zoom. Working on making sure have proper human resource form so GM can do his job with personnel. Went over forms and any changes needed. Forms given to GM. Next meeting is canceled because several will be out. Looking for another committee member. Meetings are 4th Monday of the month at 1 pm in library.

F. Members Meeting Committee

No report. Any items would like to be on the next General Membership meeting reach out to Katherine Patton.

G. Cultural Preservation Committee

Lanell Lua District 2 addressed the board. Meeting past Saturday, over 20 people came to meeting. Discussed living in HPP and 31 acres looking to preserve.

H. Road Safety and Pathways Committee

No report.

11. Community resource report

Judi Houle addressed the board. Report on volunteers and what they are doing in community. Neighborhood Watch meets 1st Saturday of every month. Police officer attend and discuss crime in community. Crime has gone up. Crimes committed when cars have keys and windows down. Report suspicious activity.

Swap Meet is 2nd Saturday of month from 7 – 11 am. Past month was busy and expectation to be busy for summer.

3rd Saturday of month is a free class at 9 – 11 am. Next class is plant identification and invasive pest. Cultural Preservation Committee invited. Bring any unidentified bugs or plants.

4th Tuesday of the month is food pantry; give away free clothes and food to needy. Qualify by income.

Hurricane Season coming. Will be in El Nino by end of summer. Prepare with a to-go kit and to be without power. Emergency response plan is on website. There is CERT and radio team to help in a natural disaster. Encourages to volunteer.

12. Owner Input

Jennifer Myers addressed the board. Written statement attached (4).

Bonnie McCoy addressed the board.

Kipa Maly addressed the board.

Patricia Ruppert addressed the board. Written statement attached (5).

Lisa McNamara addressed the board. Written statement attached (6).

Luna addressed the board.

Brian Ogawa addressed the board. Written statement attached (7).

Brad Beckum addressed the board.

Oland Rosehill addressed the board.

Kathy Hollingsworth addressed the board. Written statement as follows “My name is Kathy Hollingsworth. I am a member of the Cultural Preservation Committee. I am vehemently opposed to commercial development in the 31 acre property known as Waikahekahe. This is a precious historical area.

I am also opposed to trying to alter our contract with Malamalama School in order to put mailboxes there. We made an agreement. There is a rule called Jessica's law that forbids sex offenders from being within 1,000ft of schools, parks and playgrounds.

I realize HPP does need postal service but please keep this issue in mind as membership somehow makes room for over 8,800 postal deliveries.

Also, the other morning, 7:48 am, I was getting my newspaper. I had just walked up the driveway by the road. I heard a noise in the bushes, across the street. All of a sudden, a huge pink pig with black spots – a female, jumped out of the bushes and ran on the road right by me! She ran up the road and

into my neighbor's front yard.”

Hooluluhui Perry addressed the board. Written statement attached (8).

13. Old Business

A. Update on mailbox project

Enter discussion. Packet of all information within files on mailbox project including discussions with Watumull being receptive to mailboxes on 20 acre parcels, prior work and research done over last 10 years, and other legal opinions stating can use non road money for mailboxes.

USPS gave deadline of June 30, 2023 to have mailboxes in place or they will pick up mailboxes. Negotiated as long as grading and permits pulled by June 30 then won't pick up boxes. USPS letter attached (9). “Centralized delivery is the preferred mode for new or extended business or residential delivery points...as it applies to HPP, we will approve mail delivery to Cluster Box Units (CBUs) at the 4-5 mutually agreed upon centralized locations within your community. We will not approve delivery to individual homes in HPP.

Maintaining or expanding delivery to CBUs and parcel lockers at their currently scattered roadside locations is also not an option, due to concerns about accessibility and the safety of our postal delivery personnel.”

USPS has approved 4 locations board submitted; 4th and Kaloli, 14th and Kaloli, 6th and Makuu, and 16th and Makuu.

Met with Malamalama School and they are willing to share land on 27th side on opposite end of 20 acre parcel. Not a good place for mailboxes, no further pursuit to amend lease.

Postal service will install boxes which helps budget on installation. Every address will change, will be street address but delivered to cluster. Once address is changed, get mail for free. Road side mail expansion is not an option.

Revised budget numbers. Approximately \$14,000 in cost to pour pad and roof structure per cluster. Need 24 clusters with 6 clusters at each site. Clearing of property, adding material to level, and road around boxes budgeted \$75,000 per property. Finance committee budgeted \$650,000 toward project and funds are in non-roads account. \$827,000 currently in non roads account. Discussion of budget and improvements.

B. Mailbox resolution as amended

Resolution was brought before the board last month. It has been amended acknowledging deed restrictions. Enter discussion. Structures will be last thing to be built.

Jeff Finley District 9 moved to adopt Resolution 2023-02 HAWAIIAN PARADISE PARK OWNERS ASSOCIATION RE: Installation of the Postal Mailboxes. Adopted: May 17, 2023. At a

meeting of the Board of Directors (the "Board") of HAWAIIAN PARADISE PARK OWNERS ASSOCIATION (HPPOA), a Hawaii non-profit corporation, held on May 17, 2023 pursuant to due call and notice, with quorum present, the following resolution was duly moved, seconded, and passed with 7 directors voting to approve and 2 directors opposing the resolution.

WHEREAS, the requirements of HRS Chapters 421J and 414D apply to HPPOA and its owners; and

WHEREAS, HPPOA as the exclusive representative of the collective homeowners of the Hawaiian Paradise Park (HPP) community under HRS Chapters 421J strives for the betterment of the HPP community; and

WHEREAS, currently mail service by the U.S. Postal Service is sporadic throughout the HPP community and often limited to delivery to post office boxes located miles away from a homeowner's residence; and

WHEREAS, locating postal facilities nearby to homeowner residences improve access to an essential service for almost all residences in HPP; and

WHEREAS, under HRS Chapter 421J, the duly elected Board of HPPOA has the power to govern in the best interest of the homeowners of HPPOA; and

WHEREAS, HPPOA is the owner of various 20-acre parcels identified for the postal facility through deeds through which the conveyance from Hawaiian Paradise Park Corp contain restrictions limiting the use of the property to specific uses.

NOW, THEREFORE, BE IT RESOLVED, that HPPOA shall commence development of suitable postal facilities; and

BE IT FURTHER RESOLVED, the Board may in its discretion undertake to establish funding for such postal facilities and employ appropriate professionals to plan and commence construction; and

BE IT FURTHER RESOLVED, the Board may appoint appropriate individuals to represent HPPOA's interest with the U.S. Postal Service.

BE IT FURTHER RESOLVED, the Board shall use best efforts to satisfy applicable deed restrictions by initiating contact with Hawaiian Paradise Park Corp. and any other relevant parties who has standing to enforce the deed restrictions.

Accepted and agreed as of May 17, 2023.

Jim Marquez District 8 seconded the motion. Vote: Yes – 7 , No – 2 Jason Schillewaert District 1 and Lanell Lua District 2. Motion carried.

C. Possible alternative mailbox location

Enter discussion. No roadside CBUs per post office. Concerns over safety brought up because of cluster being so far from the main road, visibility. Question of moving cluster within parcel to make it closer to road. 6th ave has two ingress and egress point. Moving site closer to main road would not be able to have two ingress and egress but only one. One way road around facility.

Discussion of mailbox being closer to main roads and square footage of footprint. Discuss removing vegetation. Barriers around area to direct traffic flow. 16th mailbox location entrance would be pass the maintenance facility.

Jon Loehndorf District 4 moved to move clusters sites of 14th, 4th and 6th as close as feasible to main roads. Jim Marquez District 8 seconded the motion.

Discussion regarding traffic and best placement of mailboxes within site. Motion rescinded. Siren towers are on 4th and Kaloli and 6th and Makuu. Tower is not an obstruction.

Jon Loehndorf District 4 moved to move post office CBU parks within no less than 100ft from main road of Makuu and Kaloli on 14th, 4th and 6th and clear additional 100ft. Patricia Egan District 3 seconded the motion. Vote: Yes – 8, No – 1 Lanell Lua District 2. Motion carried.

Drawing will be revised. Grading and building permit needed.

D. Pohaku Drive paving update

Larry Torres Jr. General Manager addressed the board. Pohaku Drive about to get paved from intersection to 1,058ft. Proposal to pave additional road at Pohaku Drive and Pohaku Circle where there is some degraded road.

Question of road radius on corners being included into contract. Bid is for 20ft wide and not 27ft. Enter discussion. GM contacted contractor and received word that turn radius is included in bid price.

Kari Hoffman District 5 moved to accept quote from Civil Construction to amend paving bid to include additional area with radius on turn. Jon Loehndorf District 4 seconded the motion. Vote: Yes – 9, No – 0. Unanimous. Motion carried.

E. 50th Luau celebration

May 25th at 1:30 pm planning meeting in library.

14. New Business

A. Review bids for annual audit 2022-23

Enter discussion. Searched for auditors. Carbonaro CPAs and Management Group specializes in non-profits. Only one proposal. Prior auditor will not do audit. No other companies unless go off island

which may include additional travel cost.

Jim Marquez District 8 moved to accept proposal of Carbonaro CPAs and Management Group. Jeff Finley District 9 seconded the motion. Vote: Yes – 9, No – 0. Unanimous. Motion carried.

B. Survey results

Survey results sent out with all of billings. Received back approximately 25 percent of surveys. On question of use of 20 acre parcels, top item was mailboxes, then nature paths, then bike paths and exercise paths. Mailboxes on 20 acre parcels 50 percent of surveyed agreed.

C. Discussion on archaeological study for 31 acre site

Enter discussion on possibility of survey for 31 acre site. Petition filled out for support of surveying 31 acres with over 50 names. Last survey only 5 acres of 31 acres surveyed. More detailed survey needed; an archaeological reconnaissance survey. Received quote and need more quotes.

Lanell Lua District 2 moved for money to be set aside in budget for archaeological reconnaissance survey for 31 acre parcel. Jon Loehndorf District 4 seconded the motion. Vote: Yes – 7, No – 1 Jim Marquez District 8, Abstain – 1 Kari Hoffman District 5. Motion carried.

15. Announcements

Next Board meeting is June 21, 2023 at 6 pm.

Next General Membership meeting is June 25, 2023 at 3 pm. 2 pm check in.

16. Adjourn

Jon Loehndorf District 4 moved to adjourn to Executive Session. Richard Solie District 7 seconded the motion. Vote: Yes – 9, No – 0. Unanimous. Motion carried. Meeting adjourned at 8:40 pm.

Attached:

- (1) President's report pg. 12
- (2) Treasurer's report pg. 13
- (3) GM report pg. 14
- (4) Jennifer Myers written statement pg. 15
- (5) Patricia Ruppert written statement pg. 16
- (6) Lisa McNamara written statement pg. 17
- (7) Brian Ogawa written statement pg. 18
- (8) Hooluluhui Perry written statement pg. 19


I, Al-Qawi Lebarre, undersigned as an independent neutral third-party, present this report as a summary of these events to the best of my ability.



Al-Qawi Lebarre, Recording Secretary

7/13/23
Date

Upon acceptance,



HPPOA Board Secretary

7/18/23
Date

**HPPOA Board of Directors Meeting
Motions Log
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