

**Hawaiian Paradise Park Owners' Association
APPROVED Board of Director Meeting
Special Session
Friday, August 4, 2023**

1. Call to Order

Board of Directors meeting called to order by Kari Hoffman President District 5 at 4:03 pm. Taken place at the HPPOA Activity Center library.

2. Roll Call

Board members present: Alissa Hanshew - Treasurer District 3, Jon Loehndorf District 4, Kari Hoffman President – District 5, Brendan Freitas District 6, Naomi Hirayasu District 7, Patricia Egan – Secretary District 8, and Jeff Finley – Vice President District 9.

Board members absent: Jason Schillewaert District 1 (on phone), Daniel Harris District 2.

In attendance: Larry Torres Jr. General Manager.

3. Approval of the July 19, 2023 Meeting Minutes

Edits: Page 5 Section B, remove incomplete sentence, board members can pick up in office.

Jon Loehndorf District 4 moved to approve the July 19, 2023 meeting minutes with edits. Naomi Hirayasu District 7 seconded the motion. Vote: Yes – 7, No – 0. Unanimous. Motion carried.

4. Discussion regarding mailbox project

Enter discussion. Doug Kerr requested meeting with board to discuss mailbox project. Sent email to board. Kerr request a settlement. Discussion regarding lawyers and insurance carrier being involved with any type of settlement.

Argument from Kerr involves how 421J does not apply to HPPOA and bylaws need to be changed to allow for 5 percent of road fees to be allocated toward anything other than road expenses. Question of alternative to mailbox park and disbelief that Post Office will not allow roadside boxes.

Question of how road fees can be used for a mailbox park alternative but not the mailbox park. Question of deed restrictions and membership voting for mailboxes. Question of whether HPPOA is a planned community and covenants within deeds, argument is that HPPOA is a road maintenance association.

Enter discussion of definition of planned community within 421J; argument that ownership of common parcels, payment of assessments and providing services to community brings HPPOA under planned community definition within 421J. Discussed case law that allows road fees to be assessed.

Discussed how any homeowner can sue to enforce restrictions and if HPPOA would have to pay attorney fees. Argument is bylaws already reflect that 5 percent of road fees can be allocated to other uses besides road fees. Non-roads account is for activities other than roads. Argument that main purpose of Activity Center is not for the board or roads. Board has guidance from Hawaii attorneys and proceed because they think they are within the law.

Discussed mailbox being knocked down in 2019 and post office came to look at boxes on roads. Post office communication stating no roadside boxes posted on website but not sufficient for some members. Post office set criteria for mailbox installment.

Discussed efforts to contact Watumull. Board goal is to get exception to deed restriction and record within land court. Board has been working on mailbox project for at least 6 years. Money allocated for mailboxes is not enough to pave a road but enough to do mailbox project.

Discussed board sending several options for mailboxes including roadside mailbox plan. Post office disapproved of roadside mailboxes. Post office approved 4 sites. Discussed roadside boxes would be in front of residents and 4 sites are across from commercial lots and not in front of residents. Question of traffic increasing and safety of children playing in streets. Sites are 100 ft off of main roads.

Discussed difficulty, time and money it takes to change bylaws. Bylaw changes must go to membership meeting, then attorney and board, then must be sent out to all members. 600 members must reply with 2/3 majority to change. Bylaw Committee has tried for 5 years to change bylaws. Membership voted to change bylaws to allow for 5 percent of assessments to be used for community issues. There is a backlog of bylaw changes.

5. Discussion and approval of the purchase of a GM vehicle

Enter discussion. Two truck bids within budget given to board, out the door pricing; Chevy Colorado and Chevy Silverado. Discussed mileage and comparison of each truck. Registration and insurance are the same.

Brendan Freitas District 5 stepped out of meeting at 5:05 pm.

Jon Loehndorf District 4 moved to purchase for GM use a 2022 Chevy Colorado for \$31,000. Jeff Finley District 9 seconded the motion. Vote: Yes – 6, No – 0. Unanimous. Motion carried.

Brendan Freitas District 5 reenters meeting at 5:10 pm.


Enter discussion of purchasing a magnetic decals or vinyl lettering for Colorado and Ford truck. Cost and quality comparison needed.

6. Adjourn

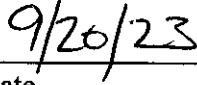
Jon Loehndorf District 4 moved to adjourn the special board meeting. Alissa Hanshew District 3 seconded the motion. Vote: Yes – 7, No – 0. Unanimous. Motion carried. Meeting adjourned at 5:16 pm.

August 4, 2023

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.

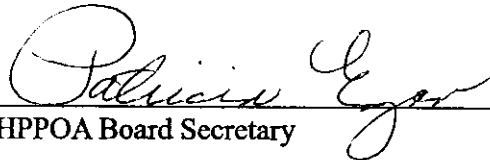


Al-Qawi Lebarre, Recording Secretary

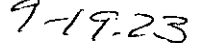


Date

Upon acceptance,



HPPOA Board Secretary



Date

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Special Session
Motions Log
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