

***Hawaiian Paradise Park Owners' Association
Approved HPPOA BOD Meeting Minutes
Wednesday August 20, 2025***

1. *Call To Order*

BOD meeting called to order by Jon Loehndorf District 9 at 6:02pm. Taken place at HPPOA activity center.

2. *Roll Call*

Board Members present: Teresa Bayne District 2, Jon Loehndorf District 9, Sandra Ackerman District 6, Jason Schillewaert District 1, Robert Paul Derbyshire District 3.

Board Members Absent: Karin Hoffman District 5, Mimi Hafele District 8, Molly Suarez District 4, Naomi Hirayasu District 7.

In Attendance: Christopher Nichol GM of HPPOA

3. *Approve agenda for August 20, 2025 HPPOA Board of Directors Meeting*

Teresa Bayne District 2 with motion to approve the agenda for August 20, 2025 HPPOA Board of Directors Meeting as amended. Jason Schillewaert District 1 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

4. *Approve July 16, 2025 minutes*

Teresa Bayne District 2 with motion to accept the July 16, 2025 minutes as amended. Jason Schillewaert District 1 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

5. *President's Report*

Presented and read by Jon Loehndorf District 9 President.

6. *Treasurer Report*

Presented and read by Jon Loehndorf District 9.

7. *GM's Report*

Presented and read by Christopher Nichol GM

8. Committee Reports

a). Human Resources Committee

Report read by Teresa Bayne District 2

Naomi Hirayasu District 7 has resigned from the Human Resources Committee.
Karin Hoffman District 5 is willing to fill the seat.

Teresa Bayne District 2 with a motion to accept the assignment of Karin Hoffman District 5. Robert Paul Derbyshire District 3 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

b). Bylaws Committee

Presented and read by Patti Szot Chair

c). Cultural Preservation Committee

Report read by Ihilani Buffett acting chair for the next 2 months.

d). Mail Park Beautification Committee

Presented and read by Jeanette Baysa

Also with a proposal to install a bulletin board for the community at mail parks.

9. Community Resource report - Judi Houle

Judi Houle not in attendance

10. Owner Input (limited to 3 minutes) Please submit your question/statement in writing if you wish them to be included in the minutes.

Ray Holybee with statement and submission.

Leslie Rosehill with statement and submission.

Ihilani Buffett with statement and submission.

Julie Rice with statement and submission.

11. Unfinished Business

a). Update on Yellow Reflector adhesive testing

Jon Loehndorf District 9 with direction to Christopher Nichol to test 2 sample adhesives that are on hand now while waiting for the third adhesive.

Teresa Bayne District 2 with call for a 10min recess

Meeting back to order at 7:28pm.

b). Malamalama School zone update

Okuhara and associates to check on compliances.

c). Update on Side Arm mower repairs

Update given by Christopher Nichol GM

Christopher to get second mechanic diagnostic

d). Well update (State agency contact update)

Christopher Nichol GM with update
Audience with questions and concerns

e). Update of engineering companies for traffic/safety study

Teresa Bayne with update that Judi Houle will contact the previous company that did the study and we may be able to get the same study done at no cost.
Christopher Nichol GM to follow up on time line.

f). Update on stop signs on mains

Christopher Nichol GM to follow up on time line.

g). Report from Road working group

Christopher Nichol GM and working group to get to BOD when RFPs are available.

h). Report from office expansion working group

Teresa Bayne District 2 with report and findings on inspection and conversations.
Better idea in September.

i). Update on "Speed Humps in HPPOA" Policy

Discussion between BOD and members

Jason Schillewaert District 1 with motion to table this until next month meeting. Teresa Bayne with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

j). Update on HPPOA Facebook Page

Jon Loehndorf District 9 with update. Hopefully, up and running by the next meeting.

Jason Schillewaert with additional comments.

k). Update on playground repair

Christopher Nichol GM with updates on ordering, arrival and installation.

12. New Business

a). Establish committee to formalize adoption of HPPOA policies

Teresa Bayne District 2 with explanation on compliance with 414D and written resolution. Introduction of the "Policies and Procedures Committee" and its duties.

Teresa Bayne District 2 with motion to adopt this resolution. Robert Paul Derbyshire District 3 with second.

Amendment to motion, with addition to #1 to review existing association policies for compliance with HRS421J, HRS414D, the association bylaws and charter.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

b). Rescind the placement of stop signs on the main roads.

Jason Schillewaert District 1 with motion to rescind the motion that the board adopted at the April meeting regarding placing stop signs on Makuu, Paradise and Kaoli. Jon Loehndorf District 9 with second.

Vote: Yes - 4, No - 1 Teresa Bayne District 2, Abstain - 0

Motion carried

c). Removing the speed limit signs from the speed humps ahead sign.

Teresa Bayne District 2 to remove the need to remove signs.

Will wait for Karin Hoffman District 5 with her findings

d). Ballot results

#1 1122 Yes, 149 No, 17 blanks/spoiled ballots (passed)

#2 1082 Yes, 198 No, 8 blank/spoiled ballots (passed)

#3 900 Yes, 368 No, 20 blank/spoiled ballots (passed)

All ballot questions for the Bylaws passed

Teresa Bayne District 2 with motion to accept the official results from the League of Women voters for the recent ballot questions. Jon Loehndorf District 9 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

e). Office Printer Discussion Buy or Lease

Discussion amongst BOD and members.

Teresa Bayne District 2 with motion to purchase RICO machine. Robert Paul Derbyshire District 3 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

f). Emergency Preparedness discussion

Discussion amongst BOD and members.

g). Policy for illegal "monster" houses

Jon Loehndorf District 9 to give update and future actions.

Discussion amongst BOD and members.

h). Discussion about preparing the old road grader for sale

Discussion amongst BOD, members and Christopher Nichol GM.

Christopher Nichol GM to follow up

i). Webpage review

Teresa Bayne District 2 with report on Shelli's updates and additional work done.

j). Admin office electrical system upgrade

Jon Loehndorf District 9 with review and update on the admin office electrical situation. Estimated cost no less than \$5k.

Teresa Bayne District 2 to make a motion that Christopher Nichol GM request quotes from 3 (2 local and 1 from District 3 director) to add surface mount conduit, 6 electrical outlets and breakers to make admin office electrical non dangerous. Robert Paul Derbyshire with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Teresa Bayne District 2 to set deadline to next BOD meeting

k). Reserve Study

Never heard back

l). Follow up traffic Study

Teresa Bayne District 2 already spoke about this.

13. *Announcements*

a). Next Board meeting September 17, 2025, 6pm

***b). Next General Membership Meeting is October 26, 2025, 3pm
check-in starts at 2pm.***

14. *Adjourn to executive session to discuss Legal and personnel matters.*

Teresa Bayne District 2 with motion to adjourn to executive session to discuss legal and personnel matters. Jason Schillewaert District 1 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Meeting adjourned at 8:50pm

**HPPOA Board Of Directors Session
Approved Meeting Motions Log
Wednesday, August 20, 2025**

Teresa Bayne District 2 with motion to approve the agenda for August 20, 2025 HPPOA Board of Directors Meeting as amended. Jason Schillewaert District 1 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Teresa Bayne District 2 with motion to accept the July 16, 2025 minutes as amended. Jason Schillewaert District 1 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Teresa Bayne District 2 with a motion to accept the assignment of Karin Hoffman District 5. Robert Paul Derbyshire District 3 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Jason Schillewaert District 1 with motion to table this until next month meeting. Teresa Bayne with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Teresa Bayne District 2 with motion to adopt this resolution. Robert Paul Derbyshire District 3 with second.

Amendment to motion, with addition to #1 to review existing association policies for compliance with HRS421J, HRS414D, the association bylaws and charter.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Jason Schillewaert District 1 with motion to rescind the motion that the board adopted at the April meeting regarding placing stop signs on Makuu, Paradise and Kaoli. Jon Loehndorf District 9 with second.

Vote: Yes - 4, No - 1 Teresa Bayne District 2, Abstain - 0

Motion carried

Teresa Bayne District 2 with motion to accept the official results from the League of Women voters for the recent ballot questions. Jon Loehndorf District 9 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Teresa Bayne District 2 with motion to purchase RICO machine. Robert Paul Derbyshire District 3 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Teresa Bayne District 2 to make a motion that Christopher Nichol GM request quotes from 3 (2 local and 1 from District 3 director) to add surface mount conduit, 6 electrical outlets and breakers to make admin office electrical non dangerous. Robert Paul Derbyshire with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

Teresa Bayne District 2 with motion to adjourn to executive session to discuss legal and personnel matters. Jason Schillewaert District 1 with second.

Vote: Yes - 5, No - 0, Abstain - 0

Motion carried

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

Nichol Nishiyama, Recording Secretary

Date:



Nov 18, 25

Upon acceptance,



HPPOA Board Secretary

11-12-25

Date:

Aloha,

My name is Jon Loehndorf, President of HPPOA Board of Directors.

WEB:

1. Working on the Facebook Page design and procedures.
2. Beginning to work on cleaning up the Website and increase usability

Litigation: At this time, we have 1 active case.

Speed Bumps: The Contractor is installing the signs at each Bump. Hope to have it completed soon.

HPP Double Duplexes: As was pointed out at the last Board meeting and at the June General membership meeting once a unit is occupied, please start submitting your complaints to the County Planning Department. Have had a few local representatives for folks to talk to and ask questions and more coming. Thank you to Mary Marvin Porter and Judy Houle.

Illegal dumping: The road crew and other individuals are finding more Green Waste dumping and trash dumping on HPP property. This is illegal and if you see it, please take a picture, call the police, or give the information to the office. Dumping of any type should not be tolerated.

Facilities:

1. The Activity Center Bathrooms have been repaired and new hardware installed. Thank you to our GM Christopher for working this project.
2. We are looking at getting the Activity Center Room and Gutter as well as the Office Roof and Gutter power washed and cleaned out.

Communication is one of our top priorities. Please check the Web Page periodically and join our Facebook Page once it is set up. Please bring your district representative your ideas, concerns, etc. and your Dist. Rep and/or Board will discuss it and get back to you as timely as we can.

Remember that if you see speeding, fireworks, or other illegal activities contact the police. Also, for loose animals, barking dogs, etc. contact Animal Control.

Mahalo,

Jon Loehndorf
HPPOA President

HPPOA Treasurer's Report
August 20, 2025

Bank Balances as of the end of July 2025:

TOTAL Checking, Savings, Investments and Bond Reserve: \$7,910,023.88

TOTAL Accounts Receivables: \$3,520,149.85

This account balance represents unpaid road maintenance fees, lien fees, finance charges, legal fees, collection expenses and bounced check charges as well as a few transfer fees that have been billed but not paid. The Accounts Receivable balance at 7/2024 was \$3,340,987.89. The annual billing for this year was \$3,792,112.50. As of July 2025, we had a total of 6814 owners paid in full or 77%. We took in \$170,923.22 in fees in January, \$843,822.21 in February, \$1,244,752.00 in March, \$713,941.22 in April, \$132,976.07 in May, \$166,459.29 in June and \$207,511.11 in July for a total of \$3,480,385.12.

Allowance for Doubtful Accounts balance is: \$375,607.40. (This is a contra-asset account required by Generally Accepted Accounting Principles (GAAP) that records the estimated dollar amount of receivables which may not be collectible.)

There were approximately 55 property transfers during the month of July.

Statement Regarding Unaudited Financial Information

The unaudited financial information set forth above is preliminary and subject to adjustments and modifications. The audited financial statements and related notes are to be included in our annual report for the year ending June 30th, 2024. Adjustments and modifications to the financial statements may be identified during the course of the audit work, which could result in significant differences from this preliminary unaudited financial information.

GM Report for August 20th, 2025

Non-Paved Roads Graded/Rocked/Rolled:

<u>Date</u>	<u>Location With #</u>	<u>Cost</u>
07/08/2025	8 Loads, 139.57 Tons, RR P-K	\$2,338.34
07/08/2025	8 Loads, 157.54 Tons, RR P-K	\$2,639.41
07/08/2025	5 Loads, 87.15 Tons, RR P-K	\$1,460.10
07/08/2025	8 Loads, 164.79 Tons, RR P-K	\$2,760.88
07/09/2025	6 Loads, 111.12 Tons, RR KDE	\$1,861.70
07/09/2025	6 Loads, 104.91 Tons, RR KDE	\$1,757.65
07/09/2025	6 Loads, 122.91 Tons, RR KDE	\$2,059.22
07/09/2025	6 Loads, 126.42 Tons, RR P-K	\$2,118.03
07/15/2025	5 Loads, 86.39 Tons, 5th M-P	\$1,447.37
07/15/2025	5 Loads, 87.75 Tons, 5th M-P	\$1,470.16
07/15/2025	5 Loads, 98.19 Tons, 5th M-P	\$1,645.07
07/15/2025	5 Loads, 101.21 Tons, 5th M-P	\$1,695.66
07/15/2025	5 Loads, 113.84 Tons, 5th M-P	\$1,907.27
07/15/2025	5 Loads, 101.51 Tons, 5th M-P	\$1,700.69
07/16/2025	5 Loads, 89.95 Tons, 5th P-K	\$1,507.02
07/16/2025	5 Loads, 93.10 Tons, 5th P-K	\$1,559.79
07/16/2025	5 Loads, 95.30 Tons, 5th P-K	\$1,596.65
07/16/2025	5 Loads, 90.50 Tons, 5th P-K	\$1,516.23
07/16/2025	5 Loads, 100.69 Tons, 5th P-K	\$1,686.95
07/16/2025	5 Loads, 103.95 Tons, 5th P-K	\$1,741.57
07/22/2025	6 Loads, 121.48 Tons, 6th M-P	\$2,035.27
07/22/2025	6 Loads, 111.70 Tons, 6th M-P	\$1,871.41
07/22/2025	6 Loads, 124.56 Tons, 6th M-P	\$2,086.87
07/22/2025	6 Loads, 113.79 Tons, 6th M-P	\$1,906.43
07/23/2025	5 Loads, 102.60 Tons, 6th P-K	\$1,718.95
07/23/2025	5 Loads, 90.83 Tons, 6th P-K	\$1,521.76
07/23/2025	5 Loads, 97.55 Tons, 6th P-K	\$1,634.34
07/23/2025	5 Loads, 100.84 Tons, 6th P-K	\$1,689.47
07/23/2025	4 Loads, 80.02 Tons, 6th P-K	\$1,340.65
07/23/2025	5 Loads, 73.67 Tons, 6th P-K	\$1,234.26
		\$53,509.17

- **Materials:** 3,193.83 Tons

- **Total Cost:** \$53,509.17

GM Report for August 20th, 2025

Trash: Dead Animals Removed

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Cost</u>
07/03/2025	County of Hawaii - Solid Waste Division	0.28 Tons HILO Mixed Rubbish	\$43.12
07/10/2025	Big Island Scrap Metal LLC County of Hawaii - Solid Waste Division	3.41 Tons Scrap Steel & Tire Disposal, Scale Fees	\$2,509.95
07/11/2025	County of Hawaii - Solid Waste Division	0.14 Tons HILO Mixed Rubbish	\$21.56
07/18/2025	County of Hawaii - Solid Waste Division	0.35 Tons HILO Mixed Rubbish	\$53.90
07/25/2025	County of Hawaii - Solid Waste Division	0.18 Tons HILO Mixed Rubbish	\$27.72
			\$2,656.25

- 4.35 Tons of Rubbish, scrap metal, and tires disposed of.
- **Cost: \$2,656.25**

Roads Watered

<u>DATE</u>	<u>MILES</u>	<u>WATER TRUCK MONTHLY REPORT</u>
07/01/25	0.5	20 KDE REGRADE
07/11/25	1	B. ROAD M-P
07/15/25	5	5 M-P, 13, 17 M-P
07/16/25	6	R .DROP 5 M-P 17, B. RD M-P 13 KDE 15 MDE
07/17/25	2	PREP 6 M-P-K, 15 MDE
07/18/25	5	B. RD M-P, 17 M-P, RR P-K, RD PREP 6 P-K
07/21/25	1	B. RD M-P 17 M-P
07/22/25	4	6 M-P 17 M-P
07/22/25	7	6 P-K, B. ROAD, 17 M-P
07/24/25	2	M-P B. ROAD 17 M-P
07/25/25	2	M-P B. ROAD 17 M-P
07/28/25	3	B. RD, 8 M-P, 1 MDE, 17 M-P
07/29/25	6	B. RD, 17 M-P, 11 MDE, 2 M-K-P GRADE/ROLL
07/30/25	12	B. RD M-P, P-M, 8 P-K RE/ROLL, 8, 13, 15, 17, 21 M-P, 13 KDE

- 56.5 Miles of road watered
- Much less rain Month of June.

Dead Animals Removed

<u>DATE</u>	<u>DEAD ANIMALS MONTHLY REPORT</u>
8/05/2025	P/U DEAD PIG&GOAT 26 M-P, 14 P-K, 20 KDE REMOVE DEAD CAT 1 M-P
8/14/2025	REMOVE DEAD ANIMAL 6 MDE
8/15/2025	REMOVE DEAD ANIMAL 11- 12 KALOLI

GM Report for August 20th, 2025

General Maintenance

<u>DATE</u>	<u>MONTHLY MAINTENANCE REPORT</u>
08/07/2025	REPLACE BELT ON JOHN DEERE MOWER MAINTANCE ALL EQUIPMENTS GREASE, WASH, CHECK OIL CLEAN/ORGANIZE SHOP MACHANIC CAME FOR GRADER. GRADER GOOD TO GO
08/11/2025	REPLACE HOSE ON BACKHOE
08/14/2025	CHANGE HYDRALIC FILTER & OIL ON ROLLER CHECK BRAKE PRESSURE ON GRADER (FAULTY SENSOR)
08/15/2025	MAINTANCE ZERO TURN, BACKHOE, GATOR, FORD, CHEVY

Kubota Zero Turn Mower

<u>DATE</u>	<u>KUBOTA ZERO TURN MOWER MONTHLY REPORT</u>
7/01/2025	SIDE STREETS, M-P 31,30,29,28,27,26,25,24,23,19,
7/02/2025	SIDE STREETS, M-P 12,7,4,1 MDE 6
7/09/2025	MAKUU MAIN TOP-ALA HEAU
7/10/2025	PARADISE MAIN TOP-BEACH RD
7/11/2025	MAINS KALOLI TOP-BEACH, SHOWER TOP-22TH, POHAKU CIR
7/16/2025	16 M-P-K, 16 DOWN M. MAIN, 6 MDE, 1 M-P-K 4 M-P-K
7/17/2025	16 DOWN P. MAIN 16 K. MAIN DOWN ALPHABETS 14,7 KDE 12 M-P-K
7/18/2025	16 UP MAKUU PARADISE KALOLI SHOWER MAIN FINISHED
7/21/2025	SIDE STREETS M-K 7,12, RR MDE, M-S 19,22,23,24,25,
7/22/2025	SIDE STREETS M-S,26,27,28, M-K,29,30,31, M-P32
7/23/2025	CUT MAINS POHAKU CIR, SHOWER, KALOLI
7/28/2025	TRAINING NALU M. MAIN 16 DOWN 16 M-P-K
7/29/2025	MAIN PARADISE, TOP-BEACH, ALAHEAU, MAKUU, 16-TOP
7/30/2025	MAIN KALOLI TOP-BEACH, SHOWER TOP 22, BEACH RD, P-K
7/31/2025	SIDE STREETS M-K 1,4,7DE,12DE,19, M-S,22

Scag Zero Turn Mower

<u>DATE</u>	<u>SCAG MOWER MONTHLY REPORT</u>
7/28/2025	TRAINING NALU M. MAIN 16 DOWN
7/29/2025	MAIN PARADISE, TOP-BEACH, ALAHEAU, MAKUU, 16-TOP
7/30/2025	MAIN KALOLI TOP-BEACH, SHOWER TOP 22 BEACH RD P-K
7/31/2025	SIDE STREETS M-K 1,4,7DE,12,19 M-S 22

Aloha Board and more importantly HPP members here and on Zoom,

The Bylaws committee had its first official meeting on July 23, 2025 after its formation at the June 2025 General Membership meeting. All Bylaws were followed in its formation as a Members committee with 5 members signing up to be on the committee (a minimum of 5 people is required). However, at the start of the new committee on July 23 there was confusion and concern over the appointment of a Board member to a Member's committee by the Board of Directors with no clarification as to the reason. Of course members of the bylaws committee were very concerned and emails were sent to the Board of directors explaining why this action is in violation of the bylaws. The Board did supply a reason; however, it is not a valid one and we stated that in emails. We have not heard from the Board since. I can only assume the Board has contacted their legal council and are waiting for a reply. If they haven't contacted legal council, its unclear why they haven't and I urge them to do so, it is what legal council is for.

There was an election during the month of July concerning changes made to the bylaws by the previous bylaws committee and I want to thank the HPP community for stepping up to vote for these important changes. There was some concern if we would get the necessary 600 ballots returned to make the process valid. According to League of Women Voter, who did the nonpartial counting in August, they received **approximately** 1200 envelopes. Watching the procedure, it was apparent the majority of the votes were in favor of the changes, the board later on in this meeting will provide the exact number. Thank you everyone for taking the time to vote on this important matter!

The Bylaws Committee is working on the next set of changes that were discussed at the June General Membership meeting. There were 3 areas of Article 12- Administration, Section 3 that were put forward to changing at the June General membership meeting. Two of these changes will give HPP the ability to send BILLS to members via email; if that is what the members indicate as a preference. The third change will give HPP the ability to email the fiscal statement to members; again, depending upon their preference. Discussion of these 3 changes will be had at the next bylaws meeting on August 27th. These are the ONLY points to be changed as outlined by the bylaws, nothing else can be altered.

The next bylaws meeting is August 27th at 4pm in the library. Guests are always welcome.

MPBC BOD Report 8/20/25

Aloha!

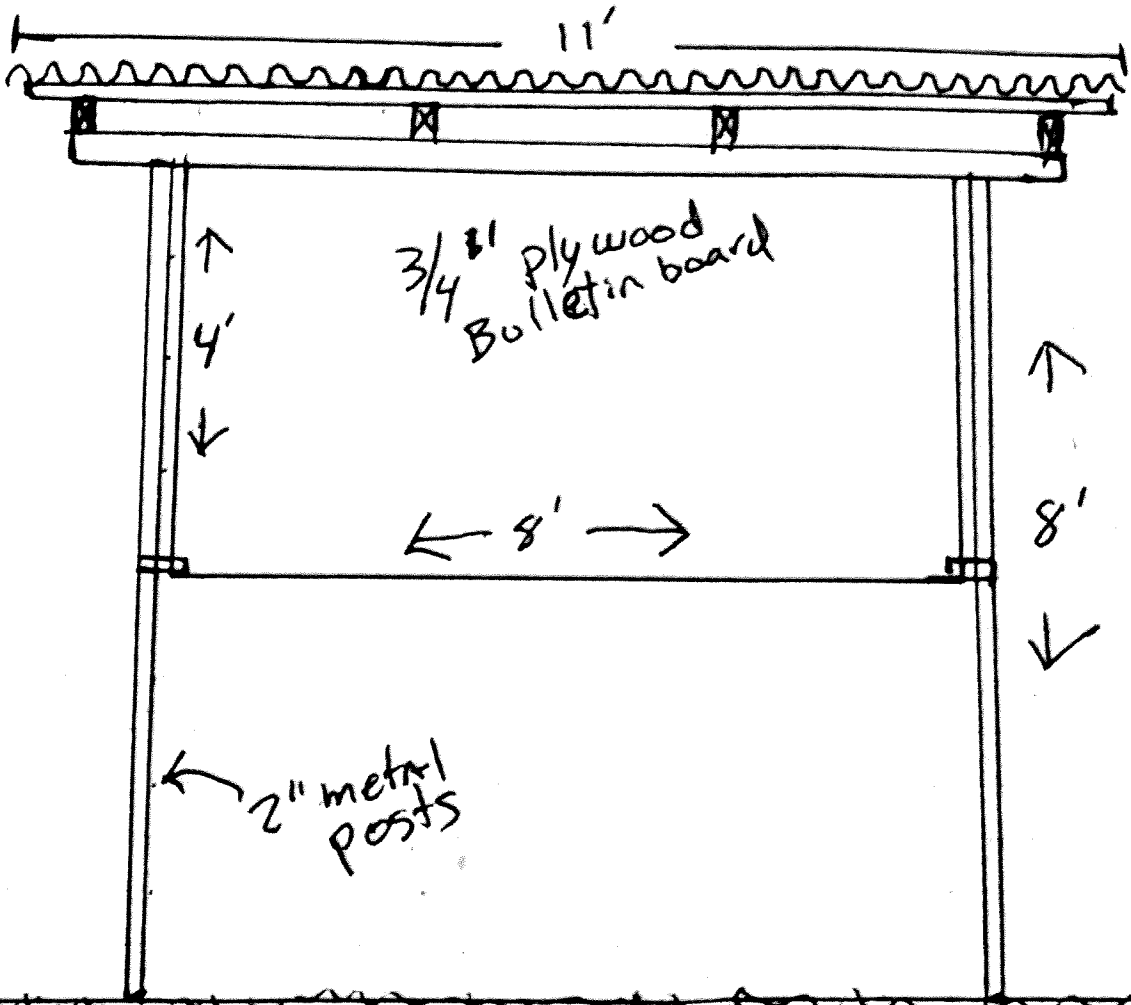
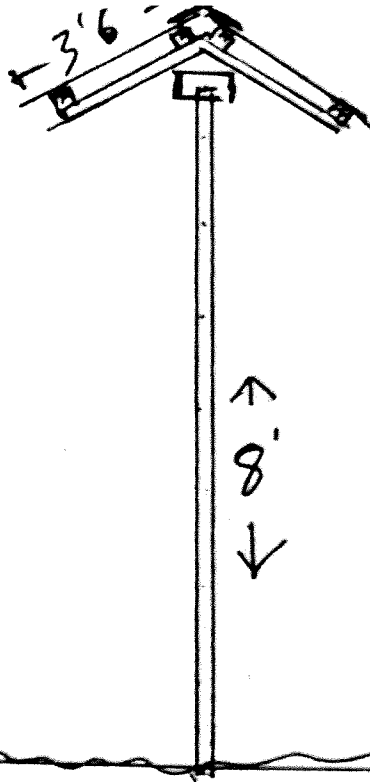
The Mail Park Beautification Committee meets once a month. We've organized 'work parties' to focus on cleaning, clearing, and enhancing the mail park locations at 4th and Kaloli, as well as 6th and Maku'u. Both sites continue to make progress. Work has also begun at the 14th and Kaloli site to gain site visibility from Kaloli and cane grass mitigation has begun at the 16th/Maku'u site.

At the beginning of this project, one of our goals was to place a community bulletin board at each mail park. This had been suggested by many members and given to the Board in our first proposal, to which the Board agreed, as well as the membership when the committee was proposed . We are ready to install the one for 4th/Kaloli. Most materials and labor are being donated so actual cost will be around \$100. Placement is proposed to be at the corner of the mailboxes in front of the entrance on 4th Ave.

Work parties scheduled for the remainder of this month include August 23rd at 4th & Kaloli and for September 21st at 6th /Maku'u, and September 27th at 4th/Kaloli. However, volunteers are showing up whenever they have the time and opportunity to continue to maintain the parks. And some are picking up bits of rubbish and pulling a weed or two when getting their mail too!

We encourage the entire community to join us in making the mail parks a beautiful space for all.

Committee meetings are usually held monthly via Zoom on the second Monday at 11:00 am however the next meeting is on September 22, 2025.



Re: Great concern about appointment to bylaws committee

From: Teresa Bayne, Sec HPPOA District 2 (district2@hppo.net)

To: [REDACTED]

Cc: district5@hppo.net; district8@hppo.net; district9@hppo.net; district4@hppo.net; district6@hppo.net; district1@hppo.net; district3@hppo.net; district7@hppo.net

Date: Monday, July 28, 2025 at 10:17 AM HST

Mr. President,

Ms. Szot fails to provide the relevant section of HRS 421J-5 which states:

" (f) The board may appoint committees or subcommittees to review and consider any specific matters, and may alter or eliminate the committees or subcommittees; provided that the board in the minutes of the meeting at which the action was taken to appoint the committee or subcommittee shall:

- (1) Report that the committee or subcommittee was appointed;
- (2) Identify the members of the committee or subcommittee; and
- (3) Describe the matter that the committee or subcommittee is to review and consider.

She further fails to provide the relevant section of HRS 414D, which states:

(b) Except as provided in this chapter or subsection (c), all corporate powers shall be exercised by or under the authority of its board including the management of the corporation's affairs.

The BOD has the authority, indeed the obligation, to appoint members to ALL committees, to ensure that committees are acting within the law and their mandate.

I understand that Ms. Szot does not want me, in particular, on this committee. I am not sure why she objects to a Director being on the committee, unless she has intentions of "going off the rails" and not adhering to the committee mandate (which she objected to at the meeting), and believes that having a Director on the committee would prevent that from happening.

Ms. Szot referring to actions that the BOD has legally voted and acted upon as "illegal" and "rogue" calls into question her ability to separate her personal feelings from the business of the Association and the committee, namely, proposing amendments to Article XII Section 3 for vote by the Membership. If she is unable to perform the duties of the Chair in a fair and impartial manner, without personal animus, she may not be the best person for the job.

Mahalo,

Teresa Bayne
D2/Sec

On Mon, Jul 28, 2025 at 9:08 AM Patricia szot <[REDACTED]> wrote:

To:
7/28/25
President and HPPOA Board of Directors

Aloha Jon and other Board members,
I am writing to you as Chair of the HPPOA Bylaws Committee, created by the members pursuant to

the updated Bylaws at the General Membership meeting on June 29, 2025. At that General Membership meeting, the Members voted to elect five people to the Bylaws Committee, myself, Jon Loenhndorf, Alvin Yax, Jeanette Baysa, Michael Burke, and Ray Holybee. Thereafter, at the Board Meeting on July 18, 2025, the Board inexplicitly took action and appointed Teresa Bayne as a Board member to the Bylaws Committee.

It was only at our first Bylaws Committee on July 23, 2025, I and several other members of the committee learned that the Board had appointed another person, and a Board member at that, to this committee at the July 18, 2025 meeting and are extremely uncomfortable with that appointment. The Bylaws Committee has at its core a duty to uphold the Bylaws and the integrity of the Bylaws Committee is put in serious jeopardy if we were to allow this rogue appointment to stand. This action is unjustifiable under any circumstances as the current Bylaws Committee was duly elected by the members and fully satisfied all of the terms specified in the current Bylaws.

As you know, the updated Bylaws specifically state the Bylaws Committee is a Members Committee. Accordingly, the Bylaws Committee being duly elected by the Members at a General Membership meeting, and which was in full compliance with the current Bylaws, had no need for any additional members, furthermore, there is no provision in the current Bylaws for the Board of Directors to appoint a Board member to the Committee in any circumstance. There is no emergency, there is no NEW statue, or regulation, there is no justification for the Board to take *any* action.

The Bylaws in pertinent parts, reads as follows:

Article X-Committees

Page 17

Section 1.

(b) Committees of the Membership. Committees of the Membership are elected by the membership and include, but not limited to, a bylaws committee, a finance committee, and a nominating committee. Committees of the membership are advisory. Actions of these committees are subject to review and approval of the Board. Committees cannot obligate HPPOA to financial expenditures without Board approval.

(1) Bylaw Committee. When the membership decides that the Bylaws need to be reviewed or specific changes to the Bylaws need to be considered, it shall at that time elect a committee consisting of not fewer than five (5) members.

(Page 19)

Section 5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments. In the case of Committees of the Membership the remaining committee members shall select a replacement to serve the remaining term.

Myself and others on the Bylaws Committee view the act of appointing a Board member to a Members Committee as an egregious violation of the Bylaws. Inasmuch as this appointment is seriously beyond the authority of the Board, as Chair of the Bylaws Committee, I am requesting that the Board rescind its illegal appointment of Teresa Bayne to the Bylaws Committee. You as President can attend all meetings as an ex officio and there are the monthly updates at Board meetings, for President and Board members to oversee the actions of the committee. If the issue of the Bylaws

Committee having less than the mandatory 5 members occurs, of course that will have to be addressed by the Bylaws Committee.

I hope you will consider our request!

Mahalo

Patti Szot

Chair Bylaws committee

Members of the Bylaws : Alvin Yax and Ray Holybee

Re: Great concern about appointment to bylaws committee

From: Raymond Holybee (ray.holybee@yahoo.com)

To: [REDACTED]

Cc: district5@hppoa.net; district8@hppoa.net; district9@hppoa.net; district4@hppoa.net; district6@hppoa.net; district1@hppoa.net; district3@hppoa.net; district7@hppoa.net

Date: Monday, July 28, 2025 at 01:21 PM HST

Good afternoon:

I am writing in response to Ms. Bayne's email for two reasons. First, it appears Ms. Bayne has taken this personally. Her response is clearly an assault on Ms. Szot. It needn't be. While this is not a meeting and Robert's Rules don't apply, there is no room for such in the HPP community. Then, I am frankly surprised that the Board would go to such lengths to appoint an "extra" member to a committee, especially when the Bylaws are totally clear and unambiguous about the Bylaws Committee being a Membership Committee and what that means.

Why is it important?

The Board of Directors has been attacked by certain members of the community, who allege many different things, but one of the most often repeated is that the Board usurps powers that it does not have. These people have in the not so distant past specifically criticized the Board for taking control of the Bylaws Committee. I implore this board: Don't open the board to another lawsuit. A lawsuit on this issue and especially at this time, would explode and reopen the same complaints as the association has just resolved.

Please read the attached in conjunction with the prior email. I included some formatting which would not transfer into the email format, so I had to add it as an attachment.

In conclusion, if you know me, you know that I invite and encourage other perspectives. If you provide proper legal analysis and support your arguments with statute or case law on this issue, I most welcome your viewpoint.

If there is no legal basis for the association taking an action, but it has been earnestly and completely analyzed, even without the support of an attorney's opinion, it's defensible. If it's not defensible, don't do it.

Raymond D. Holybee

On Monday, July 28, 2025 at 10:17:14 AM HST, Teresa Bayne, Sec HPPOA District 2 <district2@hppoa.net> wrote:

Mr. President,

Ms. Szot fails to provide the relevant section of HRS 421J-5 which states:

" (f) The board may appoint committees or subcommittees to review and consider any specific matters, and may alter or eliminate the committees or subcommittees; provided that the board in the minutes of the meeting at which the action was taken to appoint the committee or subcommittee shall:

- (1) Report that the committee or subcommittee was appointed;
- (2) Identify the members of the committee or subcommittee; and
- (3) Describe the matter that the committee or subcommittee is to review and consider.

She further fails to provide the relevant section of HRS 414D, which states:



(b) Except as provided in this chapter or subsection (c), all corporate powers shall be exercised by or under the authority of its board including the management of the corporation's affairs.

The BOD has the authority, indeed the obligation, to appoint members to ALL committees, to ensure that committees are acting within the law and their mandate.

I understand that Ms. Szot does not want me, in particular, on this committee. I am not sure why she objects to a Director being on the committee, unless she has intentions of "going off the rails" and not adhering to the committee mandate (which she objected to at the meeting), and believes that having a Director on the committee would prevent that from happening.

Ms. Szot referring to actions that the BOD has legally voted and acted upon as "illegal" and "rogue" calls into question her ability to separate her personal feelings from the business of the Association and the committee, namely, proposing amendments to Article XII Section 3 for vote by the Membership. If she is unable to perform the duties of the Chair in a fair and impartial manner, without personal animus, she may not be the best person for the job.

Mahalo,

Teresa Bayne
D2/Sec

On Mon, Jul 28, 2025 at 9:08 AM Patricia szot <[REDACTED]> wrote:

To:
7/28/25
President and HPPOA Board of Directors

Aloha Jon and other Board members,

I am writing to you as Chair of the HPPOA Bylaws Committee, created by the members pursuant to the updated Bylaws at the General Membership meeting on June 29, 2025. At that General Membership meeting, the Members voted to elect five people to the Bylaws Committee, myself, Jon Loenhndorf, Alvin Yax, Jeanette Baysa, Michael Burke, and Ray Holybee. Thereafter, at the Board Meeting on July 18, 2025, the Board inexplicitly took action and appointed Teresa Bayne as a Board member to the Bylaws Committee.

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Myself and others on the Bylaws Committee view the act of appointing a Board member to a Members Committee as an egregious violation of the Bylaws. Inasmuch as this appointment is seriously beyond the authority of the Board, as Chair of the Bylaws Committee, I am requesting that the Board rescind its illegal appointment of Teresa Bayne to the Bylaws Committee. You as President can attend all meetings as an ex officio and there are the monthly updates at Board meetings, for President and Board members to oversee the actions of the committee. If the issue of the Bylaws Committee having less than the mandatory 5 members occurs, of course that will have to be addressed by the Bylaws Committee.

I hope you will consider our request!

Mahalo

Patti Szot

Chair Bylaws committee

Members of the Bylaws : Alvin Yax and Ray Holybee



If it pleases the Board.wpd

7.3 kB

If it pleases the Board, Ms Bayne's analysis is completely incorrect. Under the law, the association must have governing documents, which include the corporate charter and the bylaws. These governing documents must be in compliance with the law. The section of the Bylaws, Ms. Bayne is referencing and the section she is attempting to void, were recently reviewed and updated by the Association's attorneys. If you disagree with my analysis, I would suggest you consult a qualified attorney, or even the Association's attorneys. To argue back and forth from a layman's point of view is pointless and an extreme waste of time.

The bylaws of the association clearly state:

“When *the membership* decides that the Bylaws need to be reviewed or specific changes to the Bylaws need to be considered, it *shall at that time elect a committee* consisting of not fewer than five (5) members.” *My Emphasis.*

The Membership Elects the Bylaws Committee, not the Board of Directors.

Ms. Bayne's argument is completely wrong. Under the law, and the rules of contract law would apply in resolving any disputes. Under Contract Law every word of a contract has meaning, the Bylaws are essentially a contract between the members and the association. Ms. Bayne is wrong because, if you follow her logic, there is really no reason for writing bylaws, since the Board can simply do whatever it wants. A correct conclusion also requires a complete review and understanding of ALL of the pertinent Bylaws and all of the pertinent parts, not just a selective reading of hand picked segments which support Ms. Bayne's agenda.

I have below, included some, but perhaps not all of the pertinent Bylaws. I have limited this section to the powers of the Board of Directors. I am doing this, because I have already informed you of the Bylaws provisions regarding Committees, which also applies. I am therefore specifically including my prior arguments also apply. In the Bylaws posted below, I have added Emphases in the form of **BOLD** text and *ITALICS*, as to add focus in your reading and analysis.

ARTICLE VIII – BOARD OF DIRECTORS

Section 9. Powers and Authority. Except for the limitations set by the Hawaii Nonprofit Corporations Act and the law on Planned Community Associations (Hawaii Revised Statutes, Chapters 414D, and 421J, as amended), the Charter, *and by these Bylaws*, all corporate powers and affairs of the Association shall be exercised by or under the direction of the Board. The directors shall have such power and duties as may be necessary or proper including, but not limited to the following:

(b) Conduct, manage, and control affairs and business of the Association, and *make policies and procedures not inconsistent with law, the Articles of Incorporation, or the bylaws.*

(h) ***Delegate authority*** to or limit the authority of the president or other officers ***except where such actions would conflict with provisions of these bylaws.***

(l) Designate or appoint committees, which shall report and make recommendations to the board.

In the above section, the proper reading means, the Board may appoint “committee,” not individual members, and those committees must be committees which report to the Board, that is Board Committees. Under the current Bylaws, the Bylaws Committee is specifically designated as a Membership Committee. Thus, the Board has No Authority over this Committee, or its members.

(t) ***The board shall have additional powers as necessary*** for the administration of the affairs of the Association and may act accordingly ***[except] as prohibited by law, the Charter, or these Bylaws.***

Unfortunately, there is a typo in the above section, the word “except” has been left out. If you were to read the sentence without the word except, it doesn’t make sense and is illogical. So, I have added it in this analysis. This is now a court of law would examine this. It would either add the logical word to complete the sentence, or it would rule the sentence ambiguous, and void it (remove it from the bylaws entirely). In either case, Ms. Bayne’s argument fails.

From: Leslie Enriquez Rosehill <leslie.lihaunani@gmail.com>
Sent: Thursday, July 31, 2025 10:09 AM
To: district4@hppo.net; Larry Torres (gm@hppo.net); Brian Ogawa; ihilani niles; hppneighborhoodwatch@aol.com
Subject: Questions for GM and District 4 : Tsunami Warning

Aloha kākou

My name is Leslie Rosehill, and I was born and raised in Puna. I now own a home in District 4, Waikahekahe.

I am writing to express a few concerns and ask some questions regarding the recent Tsunami Warning on July 29th. As my husband is a first responder and I am well-connected within our community, I often receive calls from community members seeking information and resources during natural disasters and weather events.

During the recent Tsunami Warning, the HPPOA office received numerous calls as the watch turned into a warning. The highway was heavily congested, and the water spigot, stores, and gas stations were inundated. One of the primary questions was whether the community center would be open to families living in the tsunami zone. Unfortunately, there was no clear response, leaving many residents in a state of panic, heading to shelters in Pahoā or Keaau. It was a safety concern for me to discover the next day that the community center had, in fact, been open, but there was no clear communication to relay this information to our families. Additionally, everyone in the office had left after their workday, leaving no one to advise our community.

As hurricane season approaches, I am greatly concerned that without an organized protocol for managing natural disasters, it will continue to be challenging to provide adequate information and support to our community.

I also learned that information about the community center being open was posted on a Facebook page, but I, along with other `kanaka` in our community, discovered we were blocked from the group. This is neither an inclusive nor a productive way to communicate vital information.

I understand there is a CERT Team properly trained for emergencies, but they operate under the direction of Civil Defense. I would like to propose that our district representatives and office staff receive emergency training to enhance communication with their constituents and the community they serve. It is common practice for the people of Hawaii to `kōkua` our community as these emergencies are occurring, rather than days later after destruction has already occurred. Even a voice recording at the office directing callers to government resources would have been helpful.

Please add me to the agenda for the next HPPOA Board meeting. I appreciate your time and consideration of this important matter, especially as we head into hurricane season.

Mahalo nui,
Leslie Enriquez Rosehill

My name is Leslie Rosehill, and I was born and raised here in Puna. I now own a home in District 4, Waikahahekahe. *I sent an email to the GM and district 4 rep, that went ignored. so I'm here to document in minutes.*

~~I am here to express~~ a few concerns ~~and ask some questions~~ regarding the recent Tsunami Warning on July 29th. As my husband is a first responder and I am well-connected within our community, I often receive calls from community members seeking information and resources during natural disasters and extreme weather events.

During the recent Tsunami Warning, the HPPOA office received numerous calls as the watch turned into a warning: The highway was heavily congested, and the water spigot, stores, and gas stations were inundated. One of the primary questions was whether the community center would be open to families living in the tsunami zone. Unfortunately, there was no clear response. It was a safety concern for me to discover the next day that the community center was indeed open, yet no clear, focused, efforts were made to relay this information to families in the tsunami zone. Additionally, everyone in the office had left after their workday, which, in the future, might stand to produce confusion and misunderstanding rather than efficiency and vigilance.

As hurricane season approaches, and as we move further into the future, I am greatly concerned that without an organized protocol for managing natural disasters, or clear acknowledgement of responsibilities, as established by precedent, jurisdiction, and collective care for our community, we will continue find it challenging to find, communicate, and disseminate adequate information and support to our community in times of need.

I also learned that information about the community center being open was posted on a Facebook page, but a singular social media platform is not an inclusive or productive way to communicate vital information to as many community members at once.

I understand there is a CERT Team trained for emergency situations, but they operate under the direction of Civil Defense. I propose that our district representatives and office staff receive emergency training to enhance communication with their constituents and the community they serve. It is common courtesy to assist our community as these emergencies occur. Something as simple as a poster, or a recorded voice message, directing callers to government resources would have been helpful.

~~Mahalo nui,~~

~~Leslie Enriquez Rosehill~~

Our community sits on land with cultural and historical significance yet the board currently has No Native Hawaiian representation. Ignoring our emails and conversation, you have no voices rooted in generational stewardship, values or lived experience of this place. Representation isn't optional, its foundational.

That's what I mean, the fact is that I don't
know what I'm doing, but I'm trying to do it.

...and I'm not sure if I'm doing it right or not.
I'm not sure if I'm doing it right or not.
I'm not sure if I'm doing it right or not.
I'm not sure if I'm doing it right or not.
I'm not sure if I'm doing it right or not.

gm@hppo.net

From: ihilani nils <ihilani96720@yahoo.com>
Sent: Thursday, July 31, 2025 12:19 PM
To: Larry Torres
Subject: Questions Concerning Emergency Tsunami Watch

Aloha,
This is 'Ihilani P Buffett I am a resident in District 8. I have several questions concerning HPP staff and the emergency protocols. I am not sure if you would like communication to be via email or phone call. Either works for me. If a phone call is more convenient you can reach me at (808) 989-6890.

Mahalo Nui,
'Ihilani

Ihikani

Testimony no ka Halawai

I am submitting this testimony to share my personal experiences with the HPPOA regarding a severe lack of timely response and accountability from both board members and management during an important matter related to community safety and emergency response.

I have reached out by email to start a conversation about emergency preparedness and communications protocols. I did not reach out about casual concerns or inquiries. It was to start a conversation about the safety and well-being of our residents and how emergencies directly affect the residents. What I personally experienced during the Tsunami Watch is evidence that changes need to be made.

Instead of receiving timely responses, I was met with silence. In some cases my emails went completely unanswered. When I later saw my board representative in person (2days after I sent my email) and reminded her that I had emailed- her response was to ask me to explain my email to her in that moment. This also happened on August 5 with the GM. Both of these people in leadership roles failed to even read my email. This left me questioning If the board directs us to email HPPOA, but those emails are never read, then what is the purpose? I felt as though my time and effort in putting my concerns in writing was disregarded entirely. My own board representative even told me it nwas not her responsibilty to handle my concerns, and rather than fowarding those board members that I should email them seperately. This is not what I would expect from a representative whose duty is to advocate for and assist residents.

The lack of accountability extended to the general manager of HPPOA as well. When I questioned him directly about why my email was being ignored, his response was not professional, helpful, or respectful. Instead, he was defensive dismissive and ~~combative~~^{condescending}. Such behavior from someone in a leadership position is deeply concerning and inappropriate. On August 5th, after the GM responded in such a negative manner, I responded back with that same energy. However, what followed was far more concerning. The GM ~~secretly~~^{privately} emailed the HPPOA board with his own account of the incident portraying me in an extremely negative light. In his message he accused me of being racist, claimed that I had unleashed an “unprovoked wrath” on him and that he didn’t appreciate my derogatory use of the word foreigner. This private communication to the board was not only an exaggeration of what happened, but also an attempt to discredit me personally rather than address the very real issues I had raised on behalf of us residents. I want it noted that after receiving the GMs accounts not one board member reached out to me to hear my side of the story, to clarify what happened, or to offer me an opportunity to respond. Their silence not only allowed his mischaracterization to stand unchallenged, but also signaled to me that the residents’ voices and reputations can be disregarded without accountability or fairness.

My experiences reflect a troubling pattern: a culture of avoidance , blame shifting, and hostility toward residents who ask legitimate questions. Even worse, leadership has resorted to mischaracterizing and personally attackinmg residents instead of engaging constructively. This is unaccptable in a community organization whose leaders have a responsibilty to ensure safety, communication, and transparency.

I share this testimony not only to document my personal experiences but to call for real accountability and change. Residents deserve timely responses, respectful communication, and leadership that does not retaliate against them for speaking up. Anything less puts our community at risk and undermines trust in HPPOA leadership.

August 20, 2025

My name is Julie Rice. I live in District 9.

I just wanted to add my voice to the request to move the mailboxes planned at 16th Avenue. I believe that if Hawaiians are talking, we should be listening. They are the host culture here and deserve our respect and consideration, not this "okay, thanks, bye," attitude that I've seen at nearly every board meeting.

Personally, I cannot imagine having a parking lot and something like 2,000 mailboxes built within just a couple of yards from the resting place of my family. It's honestly really disturbing that so many are more concerned about money and U.S mail than the desecration of a burial site.

Please move the mailbox site planned for 16th Avenue, and take care to do the proper cultural assessment before breaking ground.

Mahalo.