

Minutes of the General Membership Meeting of February 10, 2002

12-19-11

Call to Order: The meeting was called to order at 3:20 p.m. by President Dan Payne.

Quorum: A quorum was established with one-hundred twenty-four (124) members present representing one-hundred forty-one (141) lots and votes. To be a voting member they must be an owner of record with road maintenance fees current.

Introduction of Board of Directors: President Payne introduced the new Board by District - 1-Robert Daley; 2-Floyd Lundquist; 3-Walter Moé; 4-Dan Payne; 5-Wayne Graber; 6-Don Tinker; 7-resigned; 8-Frank Wooten; 9-Jesse Crawford.

Minutes of Membership Meeting of July 15, 2001: The minutes were mailed to all lot owners. Walter Moé moved to approve the minutes of July 15, 2001, seconded, and carried.

Financial Statement as of June 30, 2001: The statements were mailed to all lot owners in January 2002. Alice Kennedy moved to approve the financial statement as of June 30, 2001, seconded, and carried. As of January 30, 2002 the General Fund has \$45,336 and the Road Fund has \$265,234.

Unfinished Business:

Results of October 2001 Election - As mandated by the Bylaws the results of the 2001 election were announced by the temporary Property Manager (PM) Nancy Cabral. The ballots were counted by the League of Women Voters.

Status of Receivership - The Court dismissed the Temporary Master Receiver (TMR) on November 30, 2001. A Motion to dismiss the *Lerro vs. Paradise Hui Hanalike* lawsuit, which brought in the TMR, will be heard on March 1, 2002. A Motion has also been filed to dismiss another lawsuit Civil #65-95, which will also be heard at that time.

Ron Phillips asked the cost of the four and one-half years under the TMR, the PM did not have that information with her, however, it has been shown in all the financial reports as costs were incurred.

New Business:

Announcement of Board District Terms - Districts 5, 7, and 8 have one year terms that expire on June 30, 2002. Districts 2, 3, and 4 have two year terms that expire on June 30, 2003. Districts 1, 6, and 9 have three year terms that expire on June 30, 2004.

Selection of Nominating Committee - Nominees are needed for Districts 5, 7, and 8. The following members volunteered to be on the Nominating Committee. Ron Phillips, Don Tinker, Jesse Crawford, (*Don and Jesse both resigned in the Committee meeting, as they are now on the Board and did not want any thoughts of impropriety*) Arlene Watanabe, Cindy Carroll, Ruth Mizuba, Pauline Brault, and Ahmed Rifi. **Marlene Lundquist moved to close the nomination, seconded, carried.** This group will be the Nominating Committee and will meet immediately following this meeting.

In answer to what is the difference between the Hui and HPPOA, the PM explained the name was changed and the bylaws were revised to include all property owners without a membership fee, and the elimination of the Road Maintenance Committee. Road funds are still restricted to road work and associated costs. The Directors are volunteers, with no compensation.

Small Business Administration Loan - After the November 2001 flood, HPPOA applied for an SBA loan of \$1.2 M at 4% interest. SBA now advises that with subdivisions, they require a special assessment from all lot owners of \$25.00 monthly, which would pay off the loan in about six months, therefore, we dropped pursuing the loan.

Day and Time of Board Meetings - President Payne reported some owners are opposed to the current time of Board meetings. The Bylaws require that all members are notified of when the Board meets. The next mailing will announce the new day and time of Board meetings.

Complaints of Noise - There are many complaints about roosters and barking dogs. There appears little the Board can do, as the property is zoned agriculture land. HPPOA has no Conditions, Conventions & Restrictions. The County does have a noise ordinance. The Board will check with the attorney to see what residents can do about noise problems. One member suggested *Bark-Stop*, a CD found on e-Bay that can help control barking dogs.

Committee Reports:

Policies & Procedures - Chair Daley reported the committee is searching for a permanent Property Manager. HPPOA has contracted with Nancy Cabral as a temporary PM. A *Letter of Interest* was distributed across the state and advertisements are being placed in the newspaper. As requested the Letter of Interest, and job requirements will be placed on the website.

One member asked why the Association "was shutting down the repair shop." The Board has taken no action on the repair shop at Paradise and 19th that applied for a variance from the County.

Budget & Finance - Chair Graber reported negotiations are underway with a collection agency in order to reduce unpaid road fees. Liens are filed when lots owners owe more than \$300. The financial books have been audited by a CPA, with no exceptions noted. All tax returns have been filed. A 2002-2003 budget will be presented at the next meeting.

Legal & Government - Chair Moé reported the hiring of an Association attorney, Ted Hong. HPPOA does not receive funding from taxes paid to the County as they will not fund private subdivision. He is working on identifying HPP as a Financial Improvement District.

Road Advisory - Chair Lundquist reported the committee recommends to obtain a loan to pave all roads in HPP at one time. Until that can be done, to pave all fire roads across the park putting 4-way stop signs at those intersections, and to fix the worst areas first. President Payne advised the Association would need to borrow about \$9M, which could be underwritten by the U.S. Dept. of Agriculture. We are pursuing all options. Because of the thousands of dollars spent to repair the roads since the 2001 flood, road maintenance is minimal at this time. Ruth Mizuba objected to the 4-way stop signs on the main roads.

Activity Center - Chair Tinker reported the swap meet is doing poorly due to the many Farmers Markets springing up in the Puna area. It is a community service so it will continue.

Member Input:

Ron Phillips asked what do we get for the increase of our road fees, he asked to see a plan. President Payne advised a conceptual plan is in progress, details to follow. That there is no way at the current fees that we can ever do more than temporary repairs that disappears quickly due to weather and heavy usage.

Andrew Donaldson moved that the Board write a letter to the County, that the HPPOA Board supports George Curlee's variance for the repair shop at 19th and Paradise, as members of Paradise Park, and by the vote of the members present here today. **Richard Weber** seconded. Andrew advised that the repair shop at 19th and Paradise is now being landscaped and is a benefit to the people in the park, due to his reasonable prices. Several other people spoke in favor, no one spoke against it. **The vote was overwhelmingly in favor, with 7 opposed, and 1 abstained. The motion carried.** The Board will write a letter to the County.

A member asked that there be mailboxes for everyone. Dan advised the Board has no jurisdiction over the mailboxes. HPPOA can ask for more mailboxes, but everyone needs to let the Postal Service know that more mailboxes are needed. The Board will formally ask the Keaau Postmaster to address the problem.

Kathy Haugk moved to support variances of home businesses outside the 20 acre parcels, seconded. This was believed by several to be too broad of an allowance. It was suggested to be an agenda item at the next meeting. One member asked the Board to contact the owner of the 20 acre parcels about developing the sites, perhaps put in warehouses with roll-up doors that could be rented or leased so businesses could be away from homes. After more discussion, the motion was withdrawn.

Jean Rhodes advised at 24th and Kaloli there are several Coqui frogs and asked how they can be eradicated. Walter Moé advised the areas of infestation need to be identified to the Dept. of Agriculture who is developing an eradication program. The Board will check to see what else can be done. She also asked what to do about Miconia. *(If you think you've found Miconia, call the hotline at 961-3299, an expert will confirm if it is Miconia and tell you what to do next.)*

A member asked if road fees would be increased further, she believed \$105 per lot was enough to put base course on all the side roads. The PM explained the cost of base course is more than cinders. In addition to cinder repair and paving, the road fees pay for mowing, liability insurance, property taxes, and administrative costs. The Road Advisory Committee has recommended base course, and paving all roads by way of a loan, then repaying the loan from road fees.

Ruth Mizuba asked how lot owners can notify the Board that they don't want fees raised. Owners may write to the Administration Office, or send a message to the website.

Adjournment: Ron Phillips moved to adjourn, seconded, the meeting adjourned at 5:02 p.m.

Submitted by:

Lori Miner, Recording Secretary

Don Tinker, Corporate Secretary