

**Hawaiian Paradise Park Owners Association
Approved Minutes of Board of Directors Meeting
November 10, 2004**

Call to Order: The meeting was called to order at 7:00 p.m. by Frank Annin, President.

Members Present: Frank Annin, President; Mark Cook, Secretary; Allan Deehr, Treasurer; Erhard Autrata, Rick Frazier, Barney Sheffield, and Bill Carlson. Bobbi Stutsman, General Manager, was also present. (Gerard Silva was off-island; Barbara Kahn-Langer was also absent.)

Lot Owners Present: Bobbie Alicen, Frank Wooten, Joan Jobst, Russell Jobst, and Ben Mead.

Owner Input: Russell Jobst thanked the Board for its action concerning 28th Avenue, including the warning sign and the survey. He stated that two speed bumps, one on each side of utility pole 7, are required to alleviate the traffic hazard.

Approval of Minutes: Mark Cook moved to approve the minutes of October 13, 2004, as corrected. Bill Carlson seconded; the motion passed unanimously.

Treasurer's Report: Allen stated that the primary account totals are:

Road Savings	\$858,641
Roads Checking	\$ 28,675
Non-Roads Checking	\$ 4,816
Coqui Frog	\$ 33,026
Activity Center Reserve	\$ 33,251
Credit Union Savings	\$ 20,341

October expenses totaled \$43,228; the greatest expense was for cinders at \$7,306. The waterline and power line accounts were deposited in a savings account at 2 ½ % interest. Allen said this interest can be used for non-roads purposes. Interest on delinquent road assessments are being recalculated, and will be completed by the end of the calendar year. Mark asked whether available capital is being moved into certificates of deposit. Allen said this is under consideration.

Barney Sheffield moved to approve the Treasurer's Report as presented; Rick Frazier seconded. The motion passed unanimously.

General Manager's Report: Bobbi said that in response to an earlier Board question, liquor liability coverage is excluded only if the Association is in the business of manufacturing, distributing, filling or serving alcoholic beverages. Therefore, the Association is covered at events where the renter serves alcohol.

She gave the Directors a synopsis of the Malamalama lease, Leilani Estates' CC& R's, and a list of recommended test sites for the Bot's Dots.

Surveys were sent to 119 residents on 28th Avenue; 21 were returned. The choices presented were: raised ceramic markers (Bot's Dots), speed bumps, speed humps, and signs. Bot's Dots and signs received 7 votes each; speed bumps received 14 votes; speed humps received 16 votes. (Some respondents chose multiple methods.)

David Day installed signs on 28th and marked tentative locations for speed bumps.

Bobbi said that Barbara informed her that the County Prosecutor is open to speaking at the February General Meeting, if the Board wishes to extend the invitation.

Erhard has suggested hiring an operator to cut big trees on the easements with a chainsaw, then leasing or hiring a D-6 to widen the easements to facilitate mowing.

Thanks to Erhard's efforts, the safe room foundation was poured. The first course of cinder block has been laid.

David Day has graded 32 cinder loads and has ordered 92 more loads to be spread from Seventh Avenue to the ocean, hopefully to be finished by the end of the year.

Rick suggested ripping the top off the dangerous hill on 28th and leaving it unpaved to slow speeders. Erhard suggested hiring a D-9 operator for this.

Neighborhood Watch: Frank Annin was a judge at the Trunk or Treat; he said it was a success. Bobbi reported that the event attracted the same number of cars as the previous year, but twice as many children. Frank said he hopes the community will support this event.

Barney said there has been a rash of burglaries in the Park. Mark offered to attend meetings, which are held on the third Thursday of every month.

District Improvement Proposal: Frank said a meeting is scheduled for 11 o'clock on November 19 in the conference room of the Department of Public Works. All Board members are invited to attend.

Allen asked if the resolution has been drafted; Frank said it has been drafted but not presented.

Frank said it will be important to meet with Mayor Kim to enlist his support of the proposal.

Walter Moie has an older resolution drawn up by Ted Hong; Frank hopes to get a copy of this resolution to compare with the new draft.

Malamalama School Lease: The current lease has been \$1 per student per month since June, 1980. Tuition is \$4000 per student per year.

Frank said the lease negotiations must be completed by December 31. Bobbi said she believes the deadline is June 1, 2005; whatever agreement is in place at that time will stand for ten years before it can be renegotiated. Negotiations must begin sixty days prior to that date. Frank asked Bobbi to receive written clarification from the school on the date the current lease ends.

Barney and Allen offered to serve on the committee to discuss the lease with the school.

Rick suggested reducing the number of acres covered in the lease to five, since Malamalama is not using the entire 20-acre section.

Mark asked whether the lease revenues were classified as road or non-road funds. Allen responded that it is non-road monies which can be used to develop parks and other social improvements. Bobbi said that currently, the \$90 per month goes into the road funds. Bill asked how much the taxes on the parcel are; Bobbi said she will check. Malamalama is required to pay the property taxes.

Unfinished Business

Bot's Dots: Seven test sites were presented in order of priority. Mark asked how the results of the test would be monitored. He suggested surveying local residents.

Allan Deehr moved to test the Bot's Dots on the following sites: 1) 28th Avenue from Shower toward Hilo 175 feet 2) Pohaku Circle from the highway approaching the curve across the entire entry lane. 3) The end of Maku`u, makai direction approaching the stop sign for a minimum of 75-100 feet. Rick Frazier seconded the motion; it passed unanimously.

Barney said 28th Avenue is also having problems with ATV's. Mark said neighbors on his road have banded together to call the police concerning illegal vehicles; the police have been responding.

New Business

2005 Road Maintenance Fee:

Mark Cook moved to raise the road maintenance fee to \$135 for the 2005-2006 fiscal year. Rick Frazier seconded; the motion passed unanimously.

Human Resource Committee: Frank expressed a need for a personnel committee to decide personnel policies, position descriptions, benefits, etc. Mark volunteered to represent the Board on the committee. Bobbie Alicen also volunteered. Frank agreed to join at Mark's request.

Special Permit Application: John Vurich has applied to the County for a special use permit; he notified the Board of this action. Bobbi said if John had not notified her, HPPOA would be unaware of the application.

Barney asked whether the Board has a policy, rather than continuing to allow random exceptions all over the Park.

Mark suggested that the Board notify the County of its Master Plan zoning recommendations and request that the County comply with this policy. Bobbi said the County has already adopted the HPPOA Master Plan by resolution; however, the County's master plan has not been adopted. Mark asked whether persons seeking variances are required by the plan to appear before the Board for endorsement before taking their requests to the County.

Erhard suggested that the Board look at the Leilani Estates CC&R's and consider adopting similar restrictions in HPPOA. Bill Carlson said in the past, the Board has successfully stopped development.

Barney said that because of the influx of new residents and lot owners, it is important for the Board to take a stand on this issue soon. Erhard said the policy is in place; the Board should insist that light industrial development be allowed only within the designated area. Mark said that if the Board fosters an environment of considered discussion, prospective developers will be open to presenting their plans to the Board for input and support.

Mark said Vurich's existent development is presenting a traffic hazard; a driveway to allow safe ingress and egress would be helpful.

Bobbi said that developments even on main roads do impact the roads, and this impact will increase with increased population.

Frank suggested a meeting with Chris Yuen in the Planning Department to discuss the issue.

Rick said he disagrees with the Master Plan, and suggested that the Board needs to reconsider its provisions, meanwhile enforcing it to the County and prospective developers.

Mark suggested inviting the Vurichs to a Board meeting to discuss their planned development.

Allen Deehr moved that in response to the application for a special use permit that the Board of Directors open a line of communication with the County asking that HPPOA be timely notified of such requests and be given an opportunity to provide input, based primarily on the Master Plan, before the County makes a decision. Mark Cook seconded; the motion passed unanimously.

Frank asked Bobbi to arrange a meeting with Mr. Yuen which all of the Board members will be invited to attend.

Mark suggested that the Board hold a special meeting to discuss the Master Plan; Frank suggested waiting until Gerard returns, since he has some information on the issue.

Other: Erhard said he is concerned about the safety of the roads because of lack of visibility due to overhanging brush in the easements. He suggested having an operator cut the large trees and branches with a chainsaw; David would then remove them to the nearest undeveloped Association property. A loader could then be used to clear the easements to the full 30 feet (20 foot of roadway, with five feet of easement on each side), so Ryan can mow. Erhard stated that if vegetation hangs over the easement from private property, the lot owners are responsible for pruning the obstructing branches. Barney asked about liability; Erhard said the operator has insurance. Allen suggested HPPOA be named as an additional insured on his policy.

Bill asked whether this proposal is for main roads or all the roads. He questioned whether the plan would be less costly than hiring a contractor to do this regularly.

Mark suggested getting three professional bids, with estimates of the total cost.

Rick asked that the Board write specifications of what needs to be done. He said half the overhanging branches originate on private lots. Also, protruding rocks are a primary reason Ryan mows high.

Mark said in some places vegetation encroaching on the road prevents the passage of two vehicles; this is especially concerning on blind hills.

Frank asked Rick to work with Erhard to draw up specifications and solicit bids so the Board can decide the issue.

Announcements: A Solutions Task Force will meet in the East Hawaii meeting room of the Hilo Prosecutor's office November 15. The Traffic Task Force will meet from 10-11 a.m., Animal Control from 11:15-12:15, and Property Crimes from 12:30-1:30. The meetings are open to the public.

Adjournment: The meeting was adjourned at 8:23 p.m.

Respectfully submitted by:

Kirstie Goin

Kirstie Goin, Recording Secretary

Mark Cook

Mark Cook, Corporate Secretary



Motions Log BOD 11-10-04

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