

**Hawaiian Paradise Park Owners Association
Board of Directors
Meeting of August 19, 2009
Minutes**

I. Call to Order. Vice President Frank Annin called the meeting to order at 6:00 pm. Frank announced that President, Jeff Spaur, had tendered his resignation from the board effective the week prior to the meeting. Frank also noted that he intended to resign from the board this fall, but will act as President until a replacement for Jeff Spaur is elected.

II. Roll Call.

Board of Directors: Bob Rainie; Dale Watson, Secretary; Ron Vizzone, Ken McGilvray, Treasurer; Frank Annin, Vice President; Randy Dresselhaus; and Keone McAllister. General Manager, Kaniu Kinimaka-Stocksedale, was also in attendance.

Guests: Karen Annin; Erhard Atrata; Leilani Bronson-Crelly; June Conant; David Godoy; Tom Hema (U. S. Census); Michelle Higgins; Glenn Kahana; Barbara Kahn-Langer; Manny Mattos; Merrill R. McAlister; Alan Renaud; Barb Renaud; Ahmed Rifi; Mary Rifi; Sandra Strong; Rob Tucker; David M. Watters; Chuck Webb; Robin Wright.

III. Approval of Agenda.

Ron Vizzone moved to change the agenda so that the swearing in of newly-appointed member, Joan Galante, would be moved to the beginning of the meeting. Bob Rainie seconded the motion. The motion was approved unanimously.

Vice President Frank Annin swore in Joan Galante as a member of the board.

The following changes to the agenda were proposed:

- Add acceptance of the resignation of Jeff Spaur to New Business
- Add review of requests for relief from interest payments to New Business
- Add review of a Special Use Permit application to New Business
- Add the report of the Human Resources Committee to Committee Reports
- Add election of a president and vice president under New Business
- Add discussion of a progress review of the General Manager under New Business
- Add discussion of membership in Friends of Puna's Future to New Business

Ken McGilvray moved that the changes to the agenda be approved. Randy Dresselhaus seconded the motion. The motion was approved unanimously.

IV. Guest Speakers

- a. Friends of Puna's Future. Rob Tucker presented a report on the work of this group, explaining that they are working on a draft amendment to the Puna Community Development Plan. Among the changes proposed is that there be a steering committee for each proposed village center. They are also working on a proposal to ensure that some of the funds from the fuel tax be funneled back into Puna subdivisions with private roads that are open for public use, such as those in Hawaiian Paradise Park. He asked the board for its support for the group's activities and requested that the board join as a member.

- b. Puna Men's Chorus. David Godoy noted that the chorus was going to have a performance at the Activity Center, and requested that the time available to them be extended to 9:30 – 10:00 pm to allow them time to have a full performance and clean up afterwards.

Ken McGilvray moved that the Puna Men's Chorus be permitted to use the Activity Center until 10:00 pm for their concert. Randy Dresselhaus seconded the motion. The motion was approved unanimously.

- c. U. S. Census Bureau. Tom Hema of the Census Bureau explained how the 2010 Census was going to work. He said that those households with a mailing address that is a street address will receive their census forms in the mail. Those with a Post Office Box for a mailing address will have to obtain their forms from a "Be Counted" site. He noted that Hawaiian Paradise Park is a large enough subdivision without street addresses for mailing addresses that there could be a "Be Counted" site there. This will be discussed as planning continues.

- V. Minutes of the meeting of July 15, 2009. Frank Annin clarified a statement attributed to him related to the General Manager's authority to increase pay of employees. He said that his instructions to her were that she had the authority to do that within any budget constraints.

Ken McGilvray moved that the minutes of the meeting of July 15, 2009, be approved. Dale Watson seconded the motion. The motion was approved unanimously.

- VI. Owner Input. Prior to asking owners for the input, Frank Annin summarized the board's reply to Merrill McAlister's request of the previous month, noting that the information he requested, to the extent it could be provided, was available at the office.

Barbara Kahn-Langer noted that the Conch has not been published timely and asked for information about the size of the Conch, the information contained in it, and the schedule and method of delivery.

Karen Annin noted that June Conant has streamlined the Conch process.

Merrill McAlister distributed a questionnaire related to OSHA requirements and asked that board review it.

Chuck Webb asked for an update on the mowing. Kaniu Kinimaka-Stocksdale stated that the mower was still out of service, but that the boom arm had just arrived. Ken McGilvray also noted that the frame had been bent, but that everything was due to be on the property the next day. As Friday is a holiday, there would be no mowing until the following Monday.

Glenn Kahana asked that the board review the aprons that will be constructed for 19th at the Kaloli dead end. He said that there are some issues there that cannot be addressed by a 60' apron. The board agreed that this should be reviewed.

Dave Watters asked if the board was aware that Shipman was putting in a gravel parking lot at Kaloli Point. The board will look into this.

- VII. Treasurer's Report. Ken McGilvray presented this report, noting that we had made an interest payment on the bond during this period.

Total Bank Checking/Savings Balances:	\$1,054,411.33
Total Investments:	\$568,795.34
Total checking/savings and construction bond funds:	\$11,960,089.72

Monthly income for July was \$39,504.27 and expenses were \$102,106.19

Notable expenditures were for materials and office supplies. Ken noted that some of the expenses, for example those related to the Conch, were budgeted evenly over 12 months, when, in fact, the expenses were not expected to be that even.

VIII. General Manager's Report. Kaniu Kinimaka-Stocksdales had distributed the report earlier. Attached to the report was a series of e-mails from the paving engineer. The discussion of this revolved around how much base course has been used. At this point, it appears that the amount of base course used will be 10% more than estimated in the contract. This amount has been necessary to ensure that the roads are constructed properly.

IX. Committee Reports.

a. Bylaws Committee. June Conant asked for suggestions for members of a Review Committee. She said that the committee hopes to have a draft in the Review Committee's hands by the end of September.

b. The Conch. There was a discussion about who is to be responsible for publication of the Conch.

Bob Rainie moved that the board appoint June Conant to be the sole editor and person responsible for the Conch. Ken McGilvray seconded the motion. The motion was approved unanimously.

Frank Annin asked Kaniu Kinimaka-Stocksdales to write a letter to Walter Bell thanking him for his good work with the Conch, and advising him that, going forward, June Conant be responsible for supervising all work related to it.

c. ENET. Manny Mattos reviewed the work of ENET. The committee was to host a BBQ the following Saturday, with the CERT teams from Puna invited to participate. Ron Vizzone asked if the ENET could construct an elevation chart for lower HPP. Manny said that Civil Defense is preparing a revised tsunami inundation map of Hawai'i Island, and that we will have that information when it is available.

d. Neighborhood Watch. Ken McGilvray presented a report by the Neighborhood Watch committee, which is continuing to work on the block captain concept. The report noted that the Paradise Ala Kai group has stated that it has no interest in participating in the board-recognized Neighborhood Watch committee.

e. Human Resources Committee. Ken McGilvray noted that the committee has been working since June, and has been going through the Personnel Policy Manual very thoroughly. There is still some work to be done, but he expects that the draft policies will be in the board's hands by the September meeting. Once the policies have been reviewed and approved, the committee will work on reorganizing the book so that information flows better. The board said that it wanted to review the entire manual prior to its being sent to legal counsel for review.

Ken also said that the committee intended to have a plan for hiring a General Manager for presentation at the September meeting.

Robin Wright presented a series of forms that have been developed for use in the office, including some to guide new employee progress, a quarterly report by the General Manager, and an attendance card.

X. Unfinished Business.

- a. Motions Log. Kaniu Kinimaka-Stocksdale asked if there were any questions about the motions log. Joan Galante had a question about the item related to reviewing Special Use Permits. It was noted that, until our Master Plan has been adopted by the County Council, we have little clout when it comes to input to reviews and approvals of Special Use Permits.
- b. Owner Input Log. Kaniu Kinimaka-Stocksdale noted that they are still working on this log. Ken McGilvray asked if this was now being done in-house, and Kaniu Kinimaka-Stocksdale indicated that it was.

XI. New Business.

- a. Howling Howlidays. There is a request to close 16th Avenue for a period of time to allow this annual event to proceed. There was also a discussion of the Activity Center fee that is being charged to this group, which donates its proceeds to help animal care projects.

Ken McGilvray moved that the group, Howling Howlidays, be allowed to close 16th Avenue for the program this year and that the rent for the group to use the Activity Center be capped at \$100. Randy Dresselhaus seconded the motion. The motion was approved unanimously.

- b. Resignation of Board President.

Ken McGilvray moved to accept the resignation of Jeff Spaur from the Board of Directors/Presidency of the Board of Directors. Ron Vizzone seconded the motion. The motion was approved unanimously.

- c. Request for Interest Waivers. There were three requests for relief from payments of interest resulting from non-payment of roads fees.

- (1) A lot owner had sent checks for approximately \$3,000, with \$5,124.71 owed as of May 21, 2009.

Ken McGilvray moved that HPPOA not accept the checks submitted by the owner in partial payment for amount owed, and require that the entire amount due be paid. Dale Watson seconded the motion. The motion was approved unanimously.

- (2) A lot owner explained that there were multiple disabilities and illnesses involved with the family, and requested that HPPOA accept payments of \$100 per month from August to November 2009 and then \$250 per month from December 2009 until the amount in arrears was paid. The total amount due as of the records presented was \$3,768.98.

Ken McGilvray moved that HPPOA not accept the monthly payments proposed by the owner to satisfy the amount owed and required that the full amount be paid immediately. Randy Dresselhaus seconded the motion. The motion was approved unanimously.

- (3) An attorney for an owner wrote regarding 3 lots as well as a lot owned by the parents of the client. The client is in arrears for 9-1/2 years, and would agreed to \$200 per month payment with no further interest to accrue. The staff notes that there is yet another lot owned by the clients on which \$2,983 is owed.

Ken McGilvray moved that the offer by the attorney and owner for partial payments be declined. Randy Dresselhaus seconded the motion. The motion was approved unanimously.

- d. Special Use Permit Review. This special use permit is requested by Mr. Lum on 12th Avenue. He has been operating a facility and has recently been informed that he is doing so without the appropriate permit. This is a tutoring center and he states that there are 4 or 5 cars per week entering his property. There have been no complaints by neighbors in the time he has been operating this facility. There was extensive discussion about the number of parking spaces provided at this facility (20).

Bob Rainie moved that the board support the special use permit request by Mr. Lum. Ron Vizzone seconded the motion. The motion was approved, with Dale Watson and Ken McGilvray voting in opposition.

- e. Friends of Puna's Future.

Dale Watson moved that the board join the group, Friends of Puna's Future, as a paying member. Randy Dresselhaus seconded the motion. The motion was approved unanimously. Ken McGilvray noted that the fee for this membership would be posted in account 5770, Miscellaneous Professional Expenses.

XII. Announcements

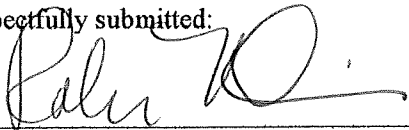
- a. Bylaw Article XIII, Road Policies, election results. Kaniu Kinimaka-Stocksdale reported that 1147 votes had been received by the League of Women Voters, and that 81.5% had voted, "Yes." There was a question about how this will be enforced. As the County Council has not approved the HPPOA Master Plan, this will be a difficulty.
- b. Next Board of Directors Meeting. The next meeting of the Board of Directors will be on Wednesday, September 16, 2009, at 6:00 pm in the Activity Center Library.

XIII. Adjournment

Ken McGilvray moved that the meeting be adjourned, with the board to meet immediately following in Executive Session. Ron Vizzone seconded the motion. The motion was approved unanimously.

The meeting was adjourned at 9:00 pm.

Respectfully submitted:



Robin Messenheimer, Recording Secretary



Dale Watson, Board Secretary

Motions Log

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