

**Hawaiian Paradise Park Owners Association**  
**Approved Minutes of the Board of Directors Meeting**  
**March 9, 2005**

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

**Members Present:** Frank Annin, President; Gerard Silva, Vice President; Mark Cook, Secretary; Allan Deehr, Treasurer; Erhard Atrata, Barbara Kahn-Langer, and Barney Sheffield. Bobbi Stutsman, General Manager, was also present.

**Guests:** Lewis Sinclair, John Schinnerer, Richard Stutsman, Louise Wischild, Shepherd Bliss, Ben Mead, Sean Stehura, Bobbie Alicen, Cynthia Hathaway, Allana Gay and Linda Pense.

**Owner Input:** Ben Mead asked the Board to clarify the term "County standards" used in reference to paving.

Sean Stehura stated that the proposal for a high-speed access road on 15<sup>th</sup> would "destroy everything I've worked for." He recommended widening Highway 130 to four lanes with turn lanes instead, and informed the Board that he has established a website called [nohppfreeway.com](http://nohppfreeway.com).

Louise Wischild stated that the process of road-building is noisy and prolonged; the community can expect ten years of construction if the plan for the alternate highway is approved.

John Schinnerer said that he is a whole systems designer and advocate of good design. He feels that the proposed access road is a commuter-oriented design, not a community-oriented design, which would turn lower Puna into commuter suburbs. He suggested reducing the need to commute instead.

Bobbie Alicen said that the original proposal of the planning group in 1997 was for three "friendly, accessible" paved routes across the Park, at 5<sup>th</sup>, 15<sup>th</sup>, and 25<sup>th</sup> Avenues. She asked the Board to find a process for owner input on the issue, and offered to help.

Shepherd Bliss introduced himself as an investigative journalist and member of the Community Advisory Group. He suggested widening and improving Highway 130 and considering alternatives to condemning private property, including widening Shower, improving Kaloli, paving three crossroads without widening them, and creating a road through Shipman property. He informed those present of the scheduled meetings with Townscape on Tuesday, April 5, at 1 p.m. in Aupuni Center (the old Kaiko`o Mall), on Tuesday, April 5, at 6 p.m. at the Nanawale Longhouse, 14-855 Kehau St., on Wednesday, April 6, at 6 p.m. at the Cooper Center on Wright Rd. in Volcano, and on Thursday, April 7, at 6 p.m. at the Kea`au Community Center.

Linda Pense asked why the rush on this issue. She suggested adding right-turn lanes to Paradise and Maku`u to immediately improve the traffic situation in the Park, and to "talk to the people here" about what they want.

Allana Gay said to "look at the past to judge the future"—more roads is never enough. Cynthia Hathaway advocated increased availability and use of mass transit. She asked who was behind the push to pave all the roads, and stated that paving distracts from road

maintenance. She also requested that the Board set restrictions on indiscriminate dozing of the ohia forest.

Lewis Sinclair said that as a firefighter, he recognizes the need for an emergency bypass in case Highway 130 is closed. He suggested using five paved crossroads to connect to one paved road on the Hilo side of the subdivision is preferable to a 100-foot highway.

**Board Response:** Gerard said that with the rising cost of cinder, paving becomes more cost-effective, especially as it reduces the continuing need for maintenance. He stated that a survey has indicated that the owners who want paving outnumber those who do not twenty to one. The Board's plan is to borrow paving monies from the County, to be repaid with the regular road fees at no additional cost to lot owners.

The County standards will apply to the main roads only. If the County takes over the main roads, they will put in waterlines and infrastructure for businesses in the Park. Allan Deehr added that the Board is intending to pave those roads that have the highest maintenance costs.

Gerard stated that right-hand turns require the State widening the access to 130 first. He talked to Helene Hale about this a year ago, with no response, so recently he asked the Governor's Liaison office to take action on this. Frank said everyone agrees that turn lanes are needed.

Frank explained that additional personnel have recently been hired in David Day's absence; they are working six days a week to catch up on road maintenance.

**Approval of Minutes:** Allan Deehr moved to approve the minutes of February 9, 2005, as corrected; Barbara Kahn-Langer seconded. The motion passed unanimously.

**Treasurer's Report:** Allan Deehr reported that as of February 28, the account balances were:

Road Savings	\$945,710
Roads Checking	\$362,234
Non-Roads Checking	\$ 30,875
Activity Center Reserve	\$ 36,271
Restricted Reserve	\$ 20,484
Coqui Eradication	<u>\$ 22,704</u>
TOTAL	\$1,418,861

The monthly income was \$570,255; monthly expenses totaled \$38,815. \$699,424 in '05 road assessments have been collected, and \$165,870 in delinquent fees and interest. By the end of February, 36% of the current fiscal year's roads budget and 25% of the non-roads budget had been spent.

**General Manager's Report:** Bobbi Stutsman reported that she has hired Susan Collier to answer the phone and perform general office tasks. She is hopeful that the final inspection of the safe room will be completed and files can be moved in this week.

The temporary road maintenance employees have graded and rolled 33<sup>rd</sup> through 25<sup>th</sup> and half of 24<sup>th</sup>. When they have completed all of the roads, they will begin adding cinder,

then grade and roll again. Lot owners can call 966-4988 to notify Clyde of downed signs and other road-related problems.

Barbara asked Bobbi to please post the road work report as presented to the Board on the website.

Bobbi said she needs specific guidelines for County standards in order to obtain bids for paving on Paradise Dr.

The Bot's Dots will be laid out according to County specifications on 28<sup>th</sup>, at the end of Kaloli, and on Pohaku Circle.

**Coqui Squad:** No report

### **Unfinished Business**

**District Improvement Project:** Gerard reported that Gary Safarik has gone to Washington, D.C., to seek federal funding for improvements such as waterlines on the main roads to accompany the paving.

Cynthia Hathaway asked whether the Board has asked the residents if they support the paving project.

Gerard said that residents will be informed of the plan and polled after the Board has completed the process and is certain that the County will accept the proposal.

Frank added that the proposal will be published in the paper and letters and sent to all lot owners at the appropriate time, which he estimated to be about eighteen months from now.

### **New Business**

**General Meeting Input:** JoAnne Backman requested that at future general membership meetings, the business session be conducted before the owner input, since 75 percent of the members left after the discussion of the alternate route.

**Barbara Kahn-Langer moved to reverse the order of business at the next general membership meeting, placing the business session before the owner input. Allan Deehr seconded; the motion passed unanimously.**

Another suggestion at the meeting was that the Board establish a bulletin board for public notices. Frank said that the Association already has a bulletin board, which is in need of repair. He also said that notices of public meetings could be posted at the mailboxes.

**Barbara Kahn-Langer moved to refurbish the existing bulletin board, to be used for Association business only. Barney Sheffield seconded; the motion passed unanimously.**

Gerard said he had spoken to the Postmaster in Kea'au about increasing the number of mailboxes in the Park. He was informed that other communities are required to purchase their own boxes, and that eventually a mini-post office may have to be set up to deal with the increased demand. Bobbi said she spoke to a post office representative nine months ago, who informed her that they already had the extra boxes, but no manpower to install them, as they are too busy cleaning and repairing existing boxes.

Another request at the general meeting was for the installation of a sound system in the Activity Center. Allan said there are monies available in the Activity Center fund. Bobbi said she has set up a meeting for March 16 with a theater group which has offered to install a sound system in trade for use of the center for performances.

**Human Resource Committee:** Mark Cook reported that the group is awaiting the arrival of human resource materials from the Hawaii Employer's Council. Once the committee has reviewed these materials it will act upon them. The purpose of the committee is to provide employees knowledge and protection by spelling out benefits, performance review policies, etc.

**Alternate Road Proposal:** Frank said the first question is how the Board should involve itself in this process.

Allan quoted the applicable objects and purposes of the Association: "to ascertain needs and desires of lot owners" which he said implies a survey, and "to serve as a representative of the lot owners of Hawaiian Paradise Park to government agencies, officials, and community organizations on all issues affecting and/or arising from Hawaiian Paradise Park." He commented that the problem with formulating a committee is in determining its role and powers, since the Board "is not a fact-finding body." Mark said he sees the Board's role as communication of information to the community. Allan agreed that it is more appropriate for the Board to pass on information than to research and make recommendations.

Gerard said any proposed project will take years to implement.

Erhard said a secondary road is needed in case Highway 130 is closed due to disaster.

Barbara asked whether the Board needs a committee to be active. However, she said that many of the things it is being asked to do are not permitted by the Bylaws.

Mark said he sees the responsibility of the Board to be disseminating accurate information to dispel the distress of lot owners.

Barney said there is a need for an informational outlet.

Mark suggested using existing resources, including the Tribune-Herald and possibly Time-Warner's public information channel to dispense information. The committee could decide which information to publish.

Gerard said the Board should limit itself to information impacting HPPOA.

Mark said the Tribune-Herald has a column for the subdivisions; the Board could take advantage of this.

**Barney Sheffield moved to table the topic of the Board's involvement in the alternate road proposal until the April Board meeting. Barbara Kahn-Langer seconded; the motion passed unanimously.**

Barbara asked whether the County has ever considered the Association's Master Plan. Frank said the 1997 Master Plan was accepted as a resolution, but was never adopted.

The County now wants the Board to review and modify it within ninety days.

Gerard said what they want is where to locate industrial areas, commercial areas, etc.

Erhard suggested having numerous crossroads connecting to Shower all the way to the ocean, then from Railroad to Panaewa. This would prevent the need for a big road through the Park.

Allan suggested rather than accepting the ninety-day deadline, present the issue to the general membership for comments at the June meeting.

Barbara suggested involving community members before modifying the Plan.

**Mark Cook moved that the Board form a committee to determine how to communicate with the membership and respond to the members' wishes. Allan Deehr seconded; the motion passed unanimously.**

**Mark Cook moved that this committee be a "committee of the whole," including the entire Board of Directors. Barbara Kahn-Langer seconded; the motion passed unanimously.**

Mark offered to chair the committee, whose first meeting was set for 6 p.m. Thursday, March 17. The meeting will be open to the public, but allow for input from the Board only.

**Other:** Allan stated that foreign payments are often received late because they are being postmarked by the due date. To prevent charging interest on these accounts and simplify the calculation of interest, he asked the Board to allow a grace period.

**Allan Deehr moved to change the due date for road assessments to April 1 of each year, or sixty days after the Association office mails the annual billing. Barney Sheffield seconded; the motion passed unanimously.**

Gerard asked if a warning letter is mailed before properties are liened. Allan answered that letters are sent first, 220 properties have been liened since last summer, and 440 in total. Liens are placed on properties which owe more than \$350, or are three years delinquent.

**Gutters:** Erhard stated that before the gutter on the Activity Center is reinstalled, damaged or rusted sections and beams should be removed, replaced and painted. Allan said the repairman is scheduled to replace the gutter on March 17; he will work with Erhard to have the roof repaired first.

**Adjournment:** The meeting was adjourned at 8:53 p.m.

Respectfully submitted by:

Kirstie Goin, Recording Secretary

Mark Cook, Corporate Secretary

**Motions Log 3-9-05**

**Approval of Minutes: Allan Deehr moved to approve the minutes of February 9, 2005, as corrected; Barbara Kahn-Langer seconded. The motion passed unanimously.**

**Barbara Kahn-Langer moved to reverse the order of business at the next general membership meeting, placing the business session before the owner input. Allan Deehr seconded; the motion passed unanimously.**

**Barbara Kahn-Langer moved to refurbish the existing bulletin board, to be used for Association business only. Barney Sheffield seconded; the motion passed unanimously.**

**Barney Sheffield moved to table the topic of the Board's involvement in the alternate road proposal until the April Board meeting. Barbara Kahn-Langer seconded; the motion passed unanimously.**

**Mark Cook moved that the Board form a committee to determine how to communicate with the membership and respond to the members' wishes. Allan Deehr seconded; the motion passed unanimously.**

**Mark Cook moved that this committee be a "committee of the whole," including the entire Board of Directors. Barbara Kahn-Langer seconded; the motion passed unanimously.**

**Allan Deehr moved to change the due date for road assessments to April 1 of each year, or sixty days after the Association office mails the annual billing. Barney Sheffield seconded; the motion passed unanimously.**

# ***DELINQUENT ROAD FEES***

## ***RESOLUTION # 2***

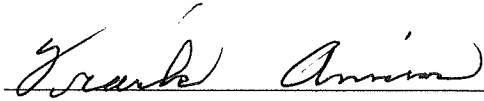
***WHEREAS, many of the annual road assessment payments are mailed from other States and Countries and while timely mailed before the due date of March 15<sup>th</sup>, actual mail delivery is not made until after the due date; and***

***WHEREAS, the Hawaiian Paradise Park Owners Association may from time to time delay mailing individual members their annual road assessments because of special calculations needed for that member, thereby shortening or exceeding the due date payment time;***

**THEREFORE, BE IT RESOLVED THAT:**

The Treasurer of the Hawaiian Paradise Park Owners Association is authorized to deem road assessments delinquent for purposes of accrual of interest if the payment is not received in the office of the Association by April 1<sup>st</sup> of each year, or 60 days after the Association mails its annual road assessment to its members, whichever is later.

DATED: March 9, 2005



Frank Annin, President

---

Mark Cook, Secretary