

LEILANI COMMUNITY ASSOCIATION  
MONTHLY BOARD OF DIRECTOR'S MEETING

Thursday, June 9, 2016

The meeting was called to order by Jay Turkovsky, at 6:34 p.m.

**ROLL CALL:**

Board members present are Jay Turkovsky; President, Emily Rivera, Secretary; Greg Armstrong, Treasurer, Kurt Kaminski, Rich Willing, Rich Robbins. Mark Hauanio, Vice President was not present (due to vacation).

Members comment: In regards to the cane grass the item that people are using to get rid of it is called Weed R 64.

**MINUTES:** A few things were emailed to LCA and changed.

A motion was made by Rich Willing and seconded by Greg Armstrong and the minutes were unanimously approved that the minutes will be accepted as is after corrections as outlined.

**TREASURER'S REPORT:**

\*Greg Armstrong reports that, as of May 31, 2016 a total of \$481,126.93 in the Checking and Savings, receivables \$193,526.36; Total Fixed Assets \$559,240.03, Total assets \$1,235,445.32.

No questions, motion to accept by Emily Rivera, and seconded by Rich Willing. Treasurers report was accepted unanimously.

In 2015 bad accounts were sent to collections, these were accounts that owed \$500 or more, or have gone more than 3 years without paying. \$106,000.00 was the total owed by these accounts. The collections agency was able to collect \$22,000.00, of which Leilani got \$14,000.00 of it.

**Roads and Maintenance:** Michael – as of Monday he had finished the side arm, it had been about five and a half months. Back to taking care of the cane grass spots. Finished mowing the shoulders. Has to finish the stop bars, once he is done on Kahukai he will be done with all stop bars. Coworker Ben is currently of Military Leave for three weeks. Old coworker is willing to step in while Ben is away and help pick up the slack. Ben was told about the full time position, and he stated that he would not be able to commit to it because of military schedule. When Ben returns in two weeks he will basically be putting in his two week notice. The previous employee that is helping currently said that he would accept the full time position if it was offered to him. As soon as Michael is done with the cane grass cutting he will change the blades and begin the

side arms once again. The worker that is coming back and currently helping knows how to run the current tractor they have. Ben refused to learn, or even bother trying, to now the tractor. The only reason the former employee left was due to the part time position, he needed a full time position. He was a great worker. When he was asked to come back he jumped on the opportunity. He loved working for Leilani. The full time position will open as soon as Ben puts in his two weeks notice and he leaves.

Motion was made by Greg to hire former employee Kyson to begin work as soon as Ben leaves for a full time position, upon Michaels approval, Emily Rivera seconded to motion.

Main highway (Leilani Blvd.) was brought to Leilani's attention, they take a long time to come out and cut the sides, and at some of the intersections it is very dangerous. Michael wanted to know if it was okay to take care of some of those spots.

Roadways are actually 40 feet wide 20 feet of paved. 5 feet is maintained 10 feet on each side is owned. The question is how much do they want to enforce this rule because there are a few properties that have plants in this area, sometimes within 8 inches of the pavement. Some properties have rock walls on these easements as well. The concern is mainly vegetation. All side streets are 40 feet wide, Leilani Blvd. is 60 feet. The county is not doing a very good job of keeping the sides cut on Leilani.

On Malama the pavement is ½ inch, in some places, from the property line, the paving company did not do a very good job of marking out the territory. There is an issue on Kapono with some palm trees, you cannot drive your pick up to the edge of the road without losing your cab. Those palm trees need to be cut down. At the end of Malam the vegetation is getting out of hand. It was stated that even if the vegetation starts on someone's property that they will mow it. A serious issue was taking place between Moku and Pomaikai with a Banyan tree, but the new people that bought the property took care of the tree and trimmed it. With all these issues the new hire will come in handy because more man hours have been allotted for the cleaning.

**CC & R's:** Received plans from Ian Rich, went on the property where the house was already built, the plans were rejected because no building permit was issued for the plans, the plans are not stamped with a engineer stamp, and he has a separate building behind the house and said building comes within 15 feet of the property line. Being 15 feet from the property line a county violation, and Mr. Ian Rich was told this information. He came back to the office upset and took the plans with him.

Three letters were sent to Hasegawa, requesting enforcement of the apron.

One was Neil and Pacheco on Leilani (property where there is a garage and two entrances to the property, one with a chain link fence). When third letter was received it looks as if someone dug some of the gravel out at each entrance, but they never poured

an apron, that was two months ago. Something was sent to Ray and nothing has been received by the office.

Douglas on Kahukai has been putting his apron in and living on the property (for years), he recently came into office and paid \$500.00, which he owed on back dues, and told secretary to tell Rich that he did not have any money to put an apron down. Meanwhile he has put a gate across his property, and put a fence up along the front of property.

Kenneth Ames – Leilani a little further by Hookupu, Leilani has been on this case since 2010. He submitted plans for a house on slab, he built a house on stilts, he had a carport and he enclosed it and made it into a room, so now there is no carport, all of these things he's done do not match the plans he submitted, as well as carport conversion was done without an additional building permit. Was also asked several times to put in an apron, and to install a carport, as well as to submit plans that match what he has built on the property. He has done none of the above requests.

Helen's Garden – Kahukai – owner of the property was sent a letter, as well as the believed occupants of the property, informing them that any signs must be professionally made. The sign has disappeared, it is no longer Helen's Garden. Currently there is no construction of a carport or garage on the property. While away he received a phone call from the owner requesting a return phone call.

Currently there is a house on Kahukai (Between Maili and Oneloa), that is being rented, this property was selling eggs. The eggs were placed in a cooler that was attached to a tree on the property. When went onto property there was a stench about halfway up the driveway,, there is a minimum of 50 animals different types of animals living on this property (goats, turkeys, rabbits, geese, ducks, almost anything you can imagine). These animals just roam the property. Garbage is in bags piled into the carport. There is only one person living next to her and that is an elderly lady. The same day they were on the property when they returned back to Leilani community center office there was a woman there from human society complaining about the stench, asking if there was something they could do about it (her grandmother is the elderly woman that lives next door to this property). The turkeys and the chickens are coming into her yard and leaving feces behind. The people living on the property were read the riot act and they informed Leilani that they would be leaving in about 3 months and they would not have to worry about it anymore. Was told they only had weeks to clean it. The Humane Society went out to see if there was abuse of the animals, Leilani Estates has not heard anything back from them. The owners of the property were called, but both numbers available were disconnected. A letter was sent to what was believed to be the post office box address in HPP, but they still have not heard anything back at this point. It was brought to Leilani's attention that the home of the owners, that is also owned in HPP as well, is empty, and that they may have moved to Oahu. It is believed that Leilani will be able to acquire the phone number. The property owners were told in the letter that there would be no resale value to their property, the house is in terrible condition, the destruction of the house is due to the animals (there were goats seen walking on the roof of the house, as well as chickens and geese on all railings of the

house), and due to the renters leaving garbage all over, and not be clean. Rubbish has not been taken to the dumps in a long period of time. It is believed that this person, renting the Leilani house, is still sealing eggs in Leilani, after she was informed that she could not, at the Bakery Box on Nohea and Malama, which is sealing baked goods. There is a cooler outside that may contain her eggs that are being sold.

Peters – Never received response from Ray. Ivan Van Leer notified Leilani Estates with a letter stating that they are using the same plans, the house is (or will be) more than 800 square feet, and that they will build a carport. Meanwhile, on Peters, there were about 6 complaints from Ken Deehr (who lives catty-corner from Peters), stating that a friend of his went onto property and that behind the house they are growing marijuana. Ken Deehr was told that the marijuana was a matter for the police and not Leilani Estates. Now that letter has been received by Ivan Van Leer, Leilani would like to go onto the property to physically see the home and compare the plans they have to what he has actually built. An inspection could be requested. If he is not following the plans he will be asked to submit new set of plans. Leilani will respond to Ray letting him know that they would like to inspect the property. Ken Deehr is the person that is reporting many of the properties in Leilani estates that are breaking the by-laws.

Pagaduan- According to the latest email from seventh generation, they are moving more vehicles onto the property, expanding their mode of operation, putting vehicles on the lot they were originally on. It is time to take care of this. In an email from the neighbors (Kirstan and her dad), one of them stated that they had been threatened by these neighbors. The only thing that they can do about the threatening is to call the cops; Leilani can only take care of any of the CC &R's. There was a suggestion to let the people being threatened know that they should contact police about the terroristic threatening.

Pagaduan – Leilani has to have the court order, get the police to come to the property, letting them know what is on property making it possible to get an estimate, so that the property may be cleared.

#### **Emily Rivera Report on Attorney Updates:**

Amendment of the by-laws pending, waiting for instructions from the board. A meeting is coming up.

Hopkins bankruptcy, review documents and determine how much LCA debt was charged.

Reinforcement of leash law, Magee and Kawaloa will be sent to collections.

County Taxes of notices, were taken care of.

Verizon Memorandum of lease, Verizon was satisfied with June 11, 2016 memorandum. Ray stated that if they look at the new tower management company memorandum and

feel comfortable with it, just to accept it. Emily will look at the memorandums and compare what they state.

Greggor Ilagan – Emily contacted Ilagan's office to invite him to June meeting, but he was unavailable. They were told that he would be able to meet with the board on June 22, 2016 if they would like. This meeting was in reference to the name change of Maili street. According to Ilagan Leilani estates made the mistake with the name of the street when the sign was first put up. Old maps, from 1980's sometime, state that the name of the street was spelled correctly by Leilani Estates. Suggested to look at the tax map key to see how it is spelled there, but the county has already changed it on the tax map key, supposedly. According to Rich Robbins, who lives on said street the name of the street has been changed back to the original name on all of the HELCO and Oceanic Time Warner Cable bills. Someone will still check on the tax map key, to see what it says. Ilagan will be invited to the July meeting. The foreclosure notices are under the original name of the street, that's an official notice from the planning department. Ilagan needs to be informed. The county still recognizes the street under its original name. Ilagan stated that Leilani received letters letting them know to change the name of the street to Maili or to change it to Limaile. Emily will do her best to get him to one of the meetings.

#### **Old Business:**

Speed bumps – Mark was not present, due to his scheduled vacation. In June the Hawaiian Shores policy on speed bumps was handed out to each person for review. This was to enable everyone to get a chance to decide what would be put in the Leilani speed bump policy. Mark was in the processes of acquiring more information on the speed bumps.

Window replacement suggested to be done in July. No building permit is needed to make renovations on the building. Pricing needs to be done on the floors.

Park equipment - \$35,000.00 dollars is in the Rec Fund. New toys with springs (almost like a teeter-totter) were suggested to be put in. One of those pieces of equipment are \$803.00 delivered, the other \$655.00. Another idea was to put a plaque on each one in memory of the children that were murdered in Leilani this year. The spring toy that is shaped like a car would be dedicated to the little boy. There is also a toy that is a bull, it spins and is cocked at an angel that is being suggested. This bull that spins is a very popular toy amongst kids. This piece of park equipment is about \$1500.00. There were a few older people that suggested a bench halfway through the walk to rest at, through Home Depot as well this bench would run \$565.00 delivered. Through Home Depot there is no delivery charge because they are able to ship it on their containers to Hawaii, but there is the requirement that California Taxes be paid. Taxes in California are 9%. The cost will be about \$2000.00 for the two toys that will have the plaques placed on the side in honor of the two children and an additional park bench. A motion was made to approve this by Greg and was seconded by Willing. It was approved unanimously.

In addition Greg was looking for a seat replacement for exercise equipment; they do not make that piece of equipment any longer, or sell replacement parts. A quote was also obtained to replace one of the wheels on another piece of equipment in the park, and it is \$450.00. In addition there are three new machines that could be added; one is an air strider, elliptical cross trainer, and a rowing machine. The total for all this would be \$9,595.00 delivered. Shipping cost is about \$4,108.00. A second quote was given for another brand of equipment. It is better quality and has a ten year warranty, rather than a five year, but the cost is three times the cost. Another motion was made by Greg, to spend about \$10,000.00 on said exercise equipment, the motion was seconded by Emily, the motion passed unanimously.

### **New Business**

There will be fire ant control training on the coming Tuesday night from this meeting at 6:00 P.M. There will be a \$5 gift certificate to True Value given at the training when a survey is filled out. Big Island Invasive Species Committee might be out surveying checking for fire ants.

On Saturday June 25, 2016 at Kea'au High School, there will be a Puna Homeowner's Association Conference, to get the Associations together. Registration is to be done by the 15<sup>th</sup> of June. It is from 8:30 am – 4:00 pm. This is an opportunity to hear what the other associations are doing in certain circumstances.

Committees:

There are two members on each committee.

The following are the committees and the members representing them.

Architectural/CC&	Rich Robbins and Richard Willing
Recreational	Mark Hauanio
Environmental	Mark Hauanio and Kurt Kaminski
Contact with Attorney	Emily Rivera
Roads/Maintenance	Michael Hauanio (Self Directed)

ANNOUNCEMENT - The next Board of Directors Meeting is scheduled for July 14, 2016, at 6:30 p.m.

ADJOURNMENT-- Mr. Turkovsky adjourned at approximately 7:46 P.M.

Respectfully Submitted By:

Emily Rivera  
LCA. Secretary

APPROVED