

Hawaiian Shores Community Association

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ENFORCEMENT REVIEW COMMITTEE

MINUTES FOR MEETING #20

11/23/2020 @ 6 PM

(A motion to elect Steve Bailey as Chair of ERC committee was put forward by Eileen O'Hara after a short discussion before the meeting began. Tom Cumming seconded. The motion passes unanimously)

The meeting was called to order at 6:08 PM.

In attendance: Steve Bailey, Eileen O'Hara, Tom Cumming, Niki Weingartner present via phone, Caroline Weber absent.

A quorum was established Steve Bailey presided.

Eileen O'Hara moved to approve the October 26, 2020 meeting minutes. Tom Cumming seconded. The motion passed unanimously. There was no discussion.

Old Business

The first order of old business involved Lot 88 on Ahi Street, where trees were poisoned, Steve reported there was no evidence of the trees being poisoned yet and recommended holding off for another 30 days and watch if the poison takes effect.

The next order of old business involved Lot(s) 115 & 129, Japanese owners with albizia. Steve Bailey spoke with HSCA attorney who recommends waiting until new County administration is in office to continue to seek resolution regarding trees on private streets.

The next order of old business involved Lot 209 on Au Street, albizia, action deferred 30 days, no response. Two trees have been cut down. *Eileen O'Hara motioned to send a letter to the owners reminding the owners to poison the stumps, and to waive the fines. Steve Bailey seconded. (no vote was taken).*

The next order of old business involved Lot 257 on He'e Street, big albizia in the back, owner says tree is not on his property, hasn't paid current assessment. Steve recommends HSCA crew poison the tree as there is nothing near it and it can easily be done. Steve will have crew do it. Owners still haven't paid assessment.

The next order of old business involved Lot 302 on He'epali Street, big albizia in back, new owner cut down tree, waived fine. *Eileen O'Hara motioned to waive the fine and send letter to owner requesting they treat the stumps with Garlon. Steve Bailey seconded.* The motion passed unanimously.

(The committee had a discussion on having bottles of Garlon available for purchase for lot owners to poison stumps, not to be confused with the Milestone, we can give information on a piece of paper explaining the differences along with bottles)

The next order of old business involved Lot 516 on Kaku Street, small albizia in back, work done, waived fines. Recommend waiving fine and a sending letter. *Eileen O'Hara motioned to waive the fine and send the owner a letter advising them to poison stumps. Steve Bailey seconded.* The motion passed unanimously.

The next order of old business involved Lot 521 on Ina Street, getting quotes for tree work. Board authorized use of fines to enter into agreement to do the work. Waiting for third bid.

The next order of old business involved Lot 858 on Maiko Street, big albizia, emailed owner, no response. Currently being fined, should have been under New Business, fine hearing tonight. Notice of (inaudible) hearing went out on October 16, 2020. *Eileen O'Hara motioned to issue a fine of \$500. Tom Cumming seconded.* The motion passed unanimously.

The next order of old business involved Lot 860 on Maiko Street, albizia, work done, can't tell if stumps have been poisoned. *Eileen O'Hara motioned to send letter waiving future fines and please be sure to poison stumps. Tom Cumming seconded.* The motion passed unanimously.

The next order of old business involved Lot 981 on Maikoiko Street, big albizia, letter sent stating although trees have been poisoned the large hazard over the neighbors' house has not been addressed. Past due assessments over \$3,000. Didn't poison sufficiently so we are fining on a recurring basis.

The next order of old business involved Lot 1556 on Ono Street and Lot 1557 O'opu Street, trees from both properties (adjacent in back) threaten water lines. Owner from 1557 was doing work but has stopped. 1556 almost \$8,000 due in assessments, 1557 paid on assessment. *Eileen O'Hara motioned to begin fines for Lot 1556 and Lot 1557. Tom Cumming seconded.* The motion passed unanimously.

The next order of old business involved Lot 1579 on Opae Street, currently being fined for encroachment. Japanese owner sent another fine payment of \$500. Currently paid on assessment. Owner has not mitigated hazard. Has paid (2) \$500 fines to date. Eileen O'Hara will draft letter to owners.

The last order of old business involved Lot 1856 on Papai Street, Lights, reported by Eileen on the situation. Niki reported neighbor has one motion activated spotlight shining on her (bedroom) house all the time. Niki will follow up with Eileen by phone.

New Business

The first order of new business involved Lot 250 on Awa Street, where a car is parked at the end of the street continuously, owner is hostile. *Eileen O'Hara motioned to fine the owner for the car. Tom Cumming seconded.* The motion passed unanimously.

The next order of new business involved Lot 263 on He'e Street, albizia in powerline, Japanese owner \$6,000 past due in assessment, non-responsive. Staff will mitigate with Milestone.

The next order of new business involved Lot 264 on Aweoweo Street, albizia, Japanese owner, \$3,000 past due in assessments, on-responsive. Recommendation to impose fines because they have to be cut down. *Eileen O'Hara motioned to impose fines on Lot 264. Tom Cumming seconded.* The motion passed unanimously.

The next order of new business involved Lot 268 Awewe Street, albizia, \$1,500 past due assessment, non-responsive. (Not taken up)

The next order of new business involved Lot 310 on He'epali Street, albizia, Japanese owners, paid on assessments, on-responsive since 2015. *Eileen O'Hara motioned to fine Lot 310. Tom Cumming seconded.* The motion passed unanimously.

The next order of new business involved Lot 1223 on Moano Street, Encroachment, assessment paid, has done some work in the past. *Eileen O'Hara motioned to initiate a fine hearing letter for Lot 1223 including description of encroachment. Tom Cumming seconded.* The motion passed unanimously.

The next order of new business involved Lot(s) 1232 & 1234 on Mano Street, Storage container and albizia, paying assessments, owner is building on another lot on the street. Call to ask owner for a timeline on removal of the container, then start imposing fines.

The next order of new business involved Lot 1338 on Nenu Street, illegal structure, stealing water, police report filed, county called again, past due assessment \$1,500, owner has stopped work in the past only to start again. Talked to Councilmember who will make some phone calls, to find out how to get burnt down structures condemned and what the county's responsibility to remove them are. Eileen O'Hara said she would check with county department. Steve submitted online complaint form. *Tom Cumming motioned to begin fining the owner of Lot 1388. Eileen O'Hara seconded.* The motion passed unanimously.

The final order of new business involved Lot 1630 on Opae Street, Encroachment, fallen tree, Japanese owner, paid assessments, non-responsive. *Eileen O'Hara motioned to begin fining Lot 1630. Tom Cumming seconded.* The motion passed unanimously.

Meeting adjourned at 6:56 PM.

Steven Bailey

Date