

Hawaiian Shores Community Association

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ENFORCEMENT REVIEW COMMITTEE

MINUTES FOR MEETING #32

10/18/2022 @ 6 PM

The meeting was called to order at 6:20 P.M.

In attendance: Steve Bailey, Tom Cumming, Lori Tetrault, Peter Quigley and Nikki Weingartner.

A quorum was established, Steve Bailey presided.

Approve the August 2, 2022 Minutes

Tom Cumming moved to approve the August 2, 2022 meeting minutes. Lori Tetrault seconded.

The motion passed unanimously.

Communications

- a) Email from Liz Fusco

Manager of property on Awa St. re: complaints about neighboring property. HSCA is unable to enter private property, further research on the property needs to be done to determine status of fines if any have been imposed. Steve Bailey will research further.

Old Business

The first item of old business concerns Lot 115; Aku St. – Vote to fine.

Tom Cumming moved to fine the owner of Lot 115. Nikki Weingartner seconded the motion.

The motion passed unanimously.

The next item of old business concerns Lot 239; Aweoweo St. – Work done, waive fine.

Tom Cumming moved to waive the fine on Lot 239. Peter Quigley seconded the motion. The

motion passed unanimously.

The next item of old business concerns Lot 1558; Ono St. – Given 60 day extension, nothing done.

Peter Quigley moved to fine the owner of Lot 1558. Nikki Weingartner seconded the motion. The motion passed unanimously.

The last item of old business concerns Lot 1630; Opae St. – Work done, waive fines.

Lori Tetrault moved to waive the \$5,000 fine on Lot 1630. Tom Cumming seconded the motion. The motion passed unanimously.

New Business

The first item of new business concerns Lot 116; Aholehole St. – Tree fell onto neighboring property, no response, nothing done.

Peter Quigley moved to start the fining process on Lot 116. Tom Cumming seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 313; Hinalea St – Albizias, no response, nothing done.

Tom Cumming moved to start fining Lot 313. Nikki Weingartner seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 329; Honu St.- Held to the next meeting.

The next item of new business concerns Lot 452; Hou St. – Albiza and Encroachment letter sent, talked with owner in April, nothing done.

Tom Cumming moved to start fining Lot 452 and to explain in the letter that if the work is done, the fine will be waived. Peter Quigley seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 994; Malolo St. – Albizia and Encroachment, no response, nothing done.

Lori Tetrault moved to start fining Lot 994. Nikki Weingartner seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 1145; Manalo St. – Albizia, no response from the owner, noting done.

Peter Quigley moved to start fining Lot 1145. Tom Cumming seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 1169; Manini St. – Albizia and Encroachment, no communication since April, nothing done.

Tom Cumming moved to start fining Lot 1169. Peter Quigley seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 1236; Mano St. –Albizia, no communication since May.

Peter Quigley moved to start fining Lot 1236. Lori Tetrault seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 1342; Nenu St.- Albizia, talked to new owner who is working on it. Will hold for 60 days.

The next item of new business concerns Lot 1391; Niuhi St.- Albizia and Encroachment, no communication since July.

The owner was present via zoom, 60 day extension given.

The next item of new business concerns Lot 1472; Ohiki St. – Albizia, no communication since May.

Nikki Weingartner moved to start fining Lot 1472. Lori Tetrault seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 1512; Ono St. – Encroachment, no communication since July.

Lori Tetrault moved to start fining Lot 1512. Tom Cumming seconded the motion. The motion passed unanimously.

The next item of new business concerns Lot 1557; Ono St. – Albizia on water line, no communication since March.

Tom Cumming moved to start fining Lot 1557. Peter Quigley seconded the motion. The motion passed unanimously.

The last item of new business concerns Lot 1751; Palani St. – Encroachment, no response, nothing done.

Lori Tetrault moved to start fining Lot 1751. Nikki Weingartner seconded the motion. The motion passed unanimously.

Review of Maximum Fined Lots & Existing Fine Fund Balance

Steve Bailey reported that a yearly inspection of the subdivision is conducted looking for significant hazards, homes that look to be completely abandoned, properties that have reached max fines that have not paid or remedied violations because there may be times when the HSCA BOD must take action to mitigate extreme hazards on private property. A spread sheet has been created to track hazards and to prioritize extreme hazards the board may need to act on in the future. This committee makes recommendations to the board relating to violations and hazards in the subdivision. The board can use fine proceeds to remedy some of the worst problems in the subdivision. Costs can be recovered through a foreclosure process, imposing special assessments and/or by other means to be determined.

Tom Cumming moved to recommend the HSCA BOD use fine proceeds for cost estimates to clean up Lot 1471 and Lot 1032, in conformance with HSCA CC&R's. Eileen O'Hara seconded the motion. The motion passed unanimously.

Action item: Staff to investigate how best to handle recovering fine funds used to mitigate extreme hazards.

Adjourn: 7:05 P.M.

Steven Gerald Bailey, Chairperson

Date