

Hawaiian Shores Community Association

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ENFORCEMENT REVIEW COMMITTEE

MINUTES FOR MEETING #27

11/30/2021 @ 6 PM

The meeting was called to order at 6:00 PM.

In attendance: Steve Bailey, Eileen O'Hara, Tom Cumming, and Nikki Weingartner. Also in attendance: S'mon Gago, Office Manager.

A quorum was established, Steve Bailey presided.

Steve Bailey added that Leona Bicker had joined the meeting via GoTo Meeting to speak about the fine hearing for Lot 1353 on Nehu Street. Steve Bailey advised all that the committee could go through old Business first and then advance the agenda item for Lot 1353.

Approve October 26, 2021 Minutes

Eileen O'Hara moved to approve the October 26, 2021 meeting minutes. Tom Cumming seconded. The motion passed unanimously. There was no discussion.

Old Business

The first item of old business concerns Lots 82, 88, and 89 (Ahi) involving Albizia trees that could either be poisoned or cut down rather easily. Staff was instructed to write courtesy letters to both lot owners asking them to do this work before the trees get taller.

Action item: Staff to send courtesy letters to owners regarding poisoning the trees.

The next item of old business concerns Lot 115 which has many medium-sized Albizia trees. Steve Bailey advised the committee that it was unlikely that Hawaii County would be taking immediate action and that remedying this situation might require bulldozing the lot because the trees are so numerous. It was agreed that we would continue to hold this item on the agenda and give future consideration to a special assessment or the use of fining proceeds to address this issue.

The next item of old business concerns Lot 327 on Honu Street. The small Albizia trees have been removed resolving the concern.

Eileen O'Hara moved to waive the fine. Nikki Weingartner seconded. The motion passed unanimously.

The last order of Old Business concerned an encroaching but dead ohia tree on Lot 911 on Maiko Street. Staff reported that the first and second notices were marked undeliverable by the Post Office but were able to find an alternative address. Staff resent the first notice to the alternative address and will follow up with subsequent notices needed.

New Business

The first item of New Business was taken out of order concerning Lot 1354 because the owner, Leona Bicker, was in attendance. Leona indicated that they had cut down/removed the largest tree in 2020 but didn't immediately realize that other trees needed to be poisoned. Leona stated that they tried to get a quote to poison but that Backyard Monkey would only quote a full clearing of the lot as they do not poison. The committee advised that other companies would poison and that the office will contact the owner and put them in touch with a company that could poison most, if not all of the trees.

The committee decided to give the owner 60 days to resolve the concern.

The next item of New Business "Fining Procedure" Is it retroactive or going forward? It is not retroactive for properties already in the fining mill.

The next item of New Business concerns Lot 159, violation was addressed and closed in February; during a recent inspection, we noticed a large Albizia in the middle of the property. It looks like the tree trimmers only worked on the Encroachment violation 11.23.21; Per the phone call with the owner, they will be back on the island on December 7 and will take care of the Albizia. Owners are requesting to hold fines.

30-day extension given.

The next item of New Business concerns Lot 302, Last communication from the owner stated they would take care of Albizia's in September; nothing done- Fine Hearing Notice sent.

30-day extension given.

The next item of New Business concerns Lot 305, Fine Hearing Notice sent. No response from the owner; nothing was done.

Eileen O'Hara moved to fine the owner. Nikki Weingartner seconded. The motion passed unanimously.

The next item of New Business concerns Lot 505, Fine Hearing Notice sent. No response from the owner; nothing was done.

30-day extension given.

The next item of New Business concerns Lot 854, Received an email from Alfi Velasco to be passed on to ERC.

Eileen O'Hara moved to fine the owner. Nikki Weingartner seconded. The motion passed unanimously.

The next item of New Business concerns Lot 943, Fine Hearing Notice sent. No response from the owner; nothing was done.

Eileen O'Hara moved to fine the owner. Tom Cumming seconded. The motion passed unanimously.

The next item of New Business concerns Lot 1068, Fine Hearing Notice sent. No response from the owner; nothing was done.

Nikki Weingartner moved to fine the owner. Tom Cumming seconded. The motion passed unanimously.

The next item of New Business concerns Lot 1068, Fine Hearing Notice sent. No response from the owner; nothing was done.

Nikki Weingartner moved to fine the owner. Tom Cumming seconded. The motion passed unanimously.

The next item of New Business concerns Lot 1070, Fine Hearing Notice sent. No response from the owner; nothing was done.

Will send a new notice.

The next item of New Business concerns Lot 1220, 11.24.21 spoke to Mr. Foley & Lucas from Long Limbs. Trees have been poisoned again.

Recheck in 30 days.

The next item of New Business was taken out of order and discussed earlier.

The next item of New Business concerns Lot 1355, Fine Hearing Notice sent. No response from the owner; nothing was done.

The new owner will start the process with the new owner.

The next item of New Business concerns Lot 1378, the owner called, vehicles removed.

Case closed.

The next item of New Business concerns Lot 1380, Albizia's were cut in 2020, but not poisoned. Trees are growing back.

Eileen O'Hara moved to fine the owner. Nikki Weingartner seconded. The motion passed unanimously.

The next item of New Business concerns Lot 1382, Fine Hearing Notice sent. No response from the owner; nothing was done.

Tom Cumming moved to fine the owner. Eileen O'Hara seconded. The motion passed unanimously.

The next item of New Business concerns Lot 1384, Fine Hearing Notice sent. No response from the owner; nothing was done. New owner, sending letters to new owners in 30 days.

Eileen O'Hara moved to fine the owner. Nikki Weingartner seconded. The motion passed unanimously.

The last item of New Business concerns Lot 1487, Owner called in September saying she is contacting tree trimming companies.

Tom Cumming moved to fine the owner. Nikki Weingartner seconded. The motion passed unanimously.

Next ERC Meeting, January 25, 2022

Adjourned: 7:00 P.M.

Steven Gerald Bailey, Chairperson

Date