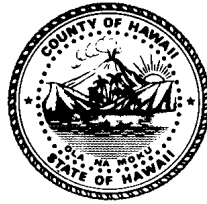


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Mayor



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Director

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**PLANNING DEPARTMENT**

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**LATE**

February 15, 2018

Testimony by  
**MICHAEL YEE**  
**Director, County of Hawai'i Planning Department**  
before the  
**COMMITTEE ON HOUSING**  
**COMMITTEE ON WATER & LAND**  
**Thursday, February 15, 2018, 10:00 AM**  
**State Capitol, Conference Room 423**  
in consideration of  
**HB 2570**  
**Relating to Road Repair and Maintenance in Housing Subdivisions**

The County of Hawai'i Planning Department would like to express **OPPOSITION of H.B. 2570** that places requirements on counties regarding road repair and maintenance in subdivisions.

I applaud Representative Buenaventura for trying to tackle this problem. Fifty years in the making, substandard subdivisions in Puna and Ocean View have hundreds of miles of substandard and deteriorating roads. Bill HB 2570 would place an unfair burden on the County of Hawai'i to implement the legislation. I agree that we must determine viable solutions for substandard subdivisions, but I find it impossible to accomplish this under a timeline dictated by the current legislative session. Moreover, determining viable options demands collaborative discussions and decision making between departments and across jurisdictions which is a time intensive process.

To move this issue forward in the County of Hawai'i, a feasibility study is needed that would include financing and implementation options. No doubt that lack of staff capacity, funding and competing priorities have prevented the county from conducting a feasibility study to date. Therefore, I suggest the State provide \$300,000 to the County of Hawai'i to fund a feasibility study on roads and repairs in substandard subdivisions conducted by a consultant and contract management by a county department.

Thank you for consideration of my testimony.

**LATE**

**HB-2570**

Submitted on: 2/14/2018 7:51:47 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
linnette quade	hawaiian acres road corp	Support	No

Comments:

Hawaiian Acres in a 4009 lot subdivision in the Puna District that was established before Hawaii became a state and our roads have been deteriorating ever since. Less than 10% of lot owners pay their road dues which are only \$60 per year. I am on the Board of Directors and we have run out of options to repair our roads as our pleas fall on deaf ears. The lot owners wont help with either their monies or their volunteer labor, the county seems to feel no responsibility even though they approved a subdivision with uncompleted roads many years ago. Mandatory dues would enable us to at least make our roads passable although i do not see a mechanism for enforcement in the bill. Please support this bill and help us help ourselves. thank you linnette quade

**HB-2570**

Submitted on: 2/12/2018 9:01:46 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
sheldon lehman	Individual	Support	No

Comments:

I've lived in Hawaiian Acres Rock for over 30 years I'm the captain of the Fire Dept the roads are atrocious we really really need mandatory Road dues to improve the roadways out here but it's not just sure why knickers all subdivisions should really be responsible for the roadways and hopefully you will pass this bill and get this done

**HB-2570**

Submitted on: 2/12/2018 10:07:04 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Peter Epperson	Individual	Support	No

Comments:

I'm writing in support of HB2570. I have lived in Hawaiian Acres since 1975. The original developers of the subdivision were not required to provide infrastructure back then. A road corporation was formed in the 1960's that operated solely on voluntary contributions from lot owners. Road maintenance has always been seriously underfunded despite the best efforts of many committee members. In the past few years contributions have become almost nonexistent and the road committee is now essentially dysfunctional.

We need help. The land prices in this subdivision are very low, primarily because of the terrible roads. Consequently we are seeing a dramatic surge in people moving out here because of the affordability. The new residents are, by and large, even less able or inclined to contribute money to infrastructure. I see no alternative to mandatory road fees. Because of a legal quagmire our local road committee is prohibited from suing to gain mandatory road fees as most of the neighboring subdivisions have done. Please help us. Morning traffic is becoming intolerable and local school bus company's have threatened to cut our service if the roads don't improve. Please support HB2570.

**HB-2570**

Submitted on: 2/13/2018 7:36:44 AM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Libuw Pongliyab	Individual	Support	No

Comments:

I am in full support of HB2570. There are a lot of these situations within the State. If HB2570 passes, it can expand the life of emergency response vehicles, (among many other vehicles), and minimize the costs of maintenance of those vehicles. The lot owners can experience a comfortable drive and enjoy a well maintained road. It should instill a sense of community and responsibility amongst all. We are all users and therefore we should contribute so we can move towards having a less hazardous and more effective road system.

**HB-2570**

Submitted on: 2/13/2018 8:42:06 AM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
iris park	Individual	Support	No

Comments:

We would like this bill to be passed as it directly impacts our ability to quickly receive emergency services as well as safely drive in the Hawaiian Acres subdivision, located in Puna. After heavy rains, the roads first are flooded with some major ponding, then potholes form. Our association's road corporation does not repair the roads, probably due to of lack of funding, since participation is not required. If everyone had to contribute to road maintenance, there might be enough to professionally repave the main roads and perhaps even the current dirt roads. Potholes are repaired by neighbors, not professionals, and thus the roads are extremely uneven and prone to potholes the next time it rains.

**HB-2570**

Submitted on: 2/13/2018 9:09:02 AM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Saarinen	Individual	Support	No

Comments:

I am in favor of rural subdivision lot owners paying mandatory road maintenance fees. As a 30-year lot owner in Hawaiian Acres on the Big Island I have seen firsthand how needed this measure is. It will improve the quality of life for most owners & raise our property values in a meaningful way. Please pass this bill!

Aloha,

Laurie Saarinen

PO Box 163

Kurtistown, HI 96760

808-937-5442

**HB-2570**

Submitted on: 2/13/2018 4:20:07 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Francisco E Arellano	Individual	Support	No

Comments:

Myself and my Family support this bill,

We are a residents of HPP and would like to see our road maint fees managed by the County rather that our current HPPOA,

I belive the county should be resposable on organizing the collection of fees, and mantainng our roads, we pay the same share of taxes as any other community in Hilo.

Thank you for brining this issue forward.

Francisco Arellano and Family.



**HB-2570**

Submitted on: 2/14/2018 8:08:05 AM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Meyers	Individual	Support	No

Comments:

I support HB2570

This issue is for our own public safety!!

Every property owner need to be accountable and do our part to repair and maintain our private roads in our Private Subdivision Communities.

As a lot owner in Orchidland Estates and as the current president for Orchidland Community Association, I support HB 2570. We have been in litigation because of misuse of our mandatory road maintenance assessment by certain previous Board members. We need a legitimate mechanism to determine, collect, and appropriately use the MRMA. The current litigation has been going on for almost 3 years and the attorney expenses on the part of the Plaintiff has been horrendous. Help!! Thank you for considering this testimony.

Barbara Arthurs

**HB-2570**

Submitted on: 2/13/2018 10:58:44 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diana B. Miller	Individual	Oppose	No

Comments:

I strongly oppose this bill. I currently reside in a subdivision that has voluntary road maintenance dues. I also own 3 vacant lots, 2 of which are in the County's Native Forest Dedication program. I also own 4 rental properties in subdivisions that have private roads and mandatory roads maintenance dues that have been performing road repair and maintenance without the need for County oversight. I believe that it should be up to the property owners in the subdivisions whether they have mandatory fees of any kind. Having oversight of the private roads by government officials has not been a requirement in the past and should not be one in the future. Adding another requirement like this will likely require additional personnel and increased budget and eventually higher taxes to cover the requirements. The subdivisions have been functioning without this "assistance" from our government agencies. I cannot see why it is needed now. Private roads are owned and maintained by the private property owners.

Thank you for considering my testimony.

**HB-2570**

Submitted on: 2/14/2018 12:44:41 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alan Takumi	Individual	Oppose	No

Comments:

I appreciate the intent of this bill, but I don't think the counties are equipped to educate/train associations on their responsibilities. The counties does not educate/train current associations (condominiums, planned communities, cooperatives) now, so where will their expertise come from to do this educating/training?

**LATE**

**HB-2570**

Submitted on: 2/14/2018 4:26:59 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Geoffrey Wells	Individual	Support	No

Comments:

The roads in Hawaiian Acres continue to deteriorate. Safety and accessibility are both becoming major issues. Participation by property owners has been voluntary from the outset and continues to be so. Slightly more than 10% participate by residents paying \$60/month/lot - well under \$30,000/year for over 300 miles of sun-standard roads - does not come close to addressing the issues. Currently the Road Corporation can not find enough volunteers to represent each of the six "major" arteries (B through G). I sat on the board of HARC (the road corporation) for three years and every effort was made by a motivated and talented group to increase participation - all for naught. I believe state/county intervention is needed to mitigate this situation.

**LATE**

**HB-2570**

Submitted on: 2/14/2018 8:12:54 PM

Testimony for HSG on 2/15/2018 10:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacqueline Perreira Apigo	Individual	Support	No

Comments:

Master Receivership needs to come back! Nine VOLUNTEERS with NO experience managing anything is in charge of 8835 property owners and our monies! That's ridiculous! Some have paved roads, some are getting POORLY chip-sealed roads, many have DUSTY roads. We pay our road maintenance fees that is forever increasing yet our roads are a disgrace! The public uses our PRIVATE roads yet the county does nothing! These ridiculosly high road maintenance fees are driving owners out of HPP! Just over 4000 property owners DO NOT pay their fees so the board takes it out on the ones that do follow the rules and keeps raising our fees! FORCLOSE on the idiots that do not pay! Attach our fees to property taxes!! Get rid of this board! We need MASTER RECEIVERSHIP BACK!!!! Thank You!!