

MINUTES OF THE BOARD OF DIRECTORS' MEETING  
OF MAKAHA VALLEY PLANTATION  
TUESDAY, March 25, 2003  
7:00 P.M., MAKAHA RESORT & GOLF CLUB

CALL TO ORDER

The regularly, scheduled meeting of the Board of Directors of Makaha Valley Plantation was called to order at 8:55 PM by President Deleconio.

ESTABLISH A QUORUM A quorum was established.

Members Present: President Al Deleconio, Vice president Monty Glover, Secretary Hugh Conroy, Treasurer Michael Babineck and Director Greg Sokolowski.

By Invitation. Star Protection staff, Shiley Landford Office Manager, Rich Wolter, Hawaiiana Management Co.

Reading of the MINUTES

A. Minutes of the February 25, 2003 Board meeting. Secretary Conroy moved and Vice president Glover seconded the motion to approve the February 25, 2003, minutes. The motion was approved by unanimous consent.

B. Annual meeting minutes of March 8, 2003. Deferred

C. Organizational meeting minutes of March 8, 2003. Deferred

HOMEOWNER'S FORUM – Homeowner's Forum was held prior to the regular meeting

REPORTS

A. Security. Jon Tavares of Star Security provided an oral report.

B. Treasurer

1. Financial Statements for February 2003. Treasurer Babineck reported on the January 2003, Financial statements. President Deleconio moved to accept the Financial statements, subject to audit. The motion was approved by unanimous consent

2. Delinquency. Delinquency Report was distributed prior to the meeting by the Management Executive. Action tabled to Executive Session

C. Committee

1. Security-sub chair Monty Glover. No report.
2. Building/Grounds-Steve Deleconio. No Report
3. Compliance/House Rules- Hugh Conroy. No report
4. Personnel. Greg Sokolowski. No report
5. Budget & Finance. Michael Babineck. No Report
6. Web Site-Monty Glover. No report
7. Special Projects – Al Deleconio. No report.

D. Managers' Reports

1. Interim Site Manager's Report was distributed prior to the meeting. A copy of this report is on file in the Site Manager's Office and Hawaiiana Management Co.

2. Association Manager's

- a. Written Consent. Bylaw Amendment– Secretary Conroy reported that 65+% of owners have voted to approve it and therefore, the Bylaw Amendment to increase the size of the Board to seven but no larger than nine members was approved by the Association.
- b. Heat Pump installation-Water Storage tank isolation valves. HP install at 90% complete
- c. Parking/Driveway Renovation-deferred
- d. 72" drain pipe cleanout-deferred
- e. Maintenance Building- see unfinished business below

UNFINISHED BUSINESS

A. Maintenance Building. Vice President Glover moved and Secretary Conroy seconded the motion to

rescind a previous motion to retain ABM Family of Services to rewire the Maintenance Building in view of the building's status. The motion was approved by unanimous consent.

B. Pool Fencing. Deferred

C. Bylaw amendment & Director Appointments. Deferred

D. Amenity Opening-Basketball Court. Vice president Glover moved and Director Sokolowski seconded the motion to open the completed Basketball court subject to establishing the House rules for its use. The motion was approved with three (3) directors voting to approve the motion and two (2) directors, Al Deleconio and Hugh Conroy, who were opposed.

E. Basketball Court Rules for use. Treasurer Babineck moved and Director Sokolowski seconded the motion to require the Board to develop the basic rules for the use of the Court at the conclusion of this business meeting tonite. The motion was approved with three (3) directors voting to approve the motion and two (2) directors, Al Deleconio and Hugh Conroy, who were opposed.

#### NEW BUSINESS

A. Association Legal Counsel. Treasurer Conroy moved and Vice president Glover seconded the motion to end the agency agreement with John Morris of Ashford and Wriston. Vice president Glover moved and Secretary Conroy seconded the motion to retain Richard Thomason and Neeley and Anderson to represent the legal needs of the Association. Both motions were approved by unanimous consent.

B. Association Employee Appointments. Director Sokolowski moved and Vice president Glover seconded the motion to approve the appointment of Mr. Otis King to the position of General Manager of the Plantation. Vice president Glover moved and director Sokolowski seconded the motion to appointment Mr. Oram Strasser to the position of On site and Maintenance manager of the Plantation. Both motions were approved by unanimous consent. The motion was approved by unanimous consent.

C. Personnel Policy. Treasurer Babineck moved and Secretary Conroy seconded the motion to change the employee staffing structure wherein manpower needs for the management, upkeep and maintenance of Plantation property shall be personnel who are direct employees of the Association. The motion was approved by unanimous consent.

D. Declaration Amendment. Secretary Conroy moved and Treasurer Babineck seconded the motion to amend Section A paragraph 2f of the Declaration by deleting the following; "...volleyball/basketball courts, sand lots, horseshoe, shuffleboard and putting green and equipment;" and insert the following; "...Association office and associated buildings and a Maintenance building." The main motion was amended by Director Sokolowski and seconded by Vice president Glover to reinstate the language deleted by the main motion and retain the inserted language of the main motion. The first amendment to the main motion was approved with three (3) directors, voting to approve it and two (2) directors, Al Deleconio and Hugh Conroy, who were opposed. The main motion was amended by President Deleconio and seconded by Secretary Conroy by inserting the following; "the right of the Association to evict tenants that repeatedly violate Association rules or have received at least three violation citations, creating a nuisance." The second amendment to the main motion was approved by unanimous consent. The motion was not approved with one (1) director, Greg Sokolowski, voting to approve the motion, as amended, and four (4) directors who were opposed.

E. Declaration Amendment. Treasurer Babineck moved and Vice president Glover seconded the motion to develop a comprehensive plan to amend the bylaws and declarations. The motion was approved by unanimous consent

F. Pool Access & Registration Policy. Vice president Glover moved and Director Sokolowski seconded the motion to suspend the temporary pool access and registration policy that requires residents to obtain an access key from the office to gain entry to the pools prior to use. The motion was not approved with two (2) directors, Monty

Glover and Greg Sokolowski, voting to approve the motion, two (2) directors, Al Deleconio and Hugh Conroy, who opposed the motion and one (1) director, Michael Babineck who abstained.

G. Late Fees. Treasurer Babineck moved and Vice president Glover seconded the motion to amend the Bylaws by changing the grace period for maintenance fee payments to fifteen days without penalty in lieu of the ten days presently allowed and should the account be delinquent after the grace period add a penalty of \$5 per day until the maintenance fee amounts in arrears are paid in full. The motion was not approved with one (1) director, voting to approve the motion and three (3) directors, Greg Sokolowski, Al Deleconio, and Hugh Conroy, who opposed the motion and one (1) director, Monty Glover, who abstained.

H. New Resident Deposit. Treasurer Babineck moved and President Deleconio seconded the motion to require all new owners and tenants to deposit a \$500 security fee with the Association that shall be held in escrow for a two year period, bearing a 2% interest rate, and should the resident be in complete compliance with all the rules of the Association the full deposit will be returned with interest, but should the resident forfeit portions of the security deposit to pay imposed fines for non-compliance, the deposit shall be replenished and not returned until the two year period of full compliance is achieved, subject to a review by Association Legal counsel. The motion was approved with four (4) directors, voting to approve the motion and one (1) director, Greg Sokolowski, who opposed the motion.

I. Visitor Parking. Treasurer Babineck moved and Secretary Conroy seconded the motion to provide two visitor parking stalls that shall have a five (5) minute parking limitation at or near the mailboxes to facilitate mail retrieval. The motion was not approved with two (2) directors, Michael Babineck and Al Deleconio, voting to approve the motion and three (3) directors who opposed the motion.

J. Visitor Parking Limitation. Treasurer Babineck moved and Vice President Glover seconded the motion to limit Plantation visitor access to the common element areas, subject to the availability of visitor parking. The motion was not approved with two (2) directors, Michael Babineck and Al Deleconio, voting to approve the motion and three (3) directors who opposed the motion.

K. During the Executive session the Board approved various means to enable the Association to recover unpaid and delinquent maintenance fees.

#### EXECUTIVE SESSION

Hearing no objection and by consent, President Deleconio adjourned the regular meeting at 11:15 PM for an Executive Session to discuss legal issues. The regular meeting was reconvened at 11:20 PM

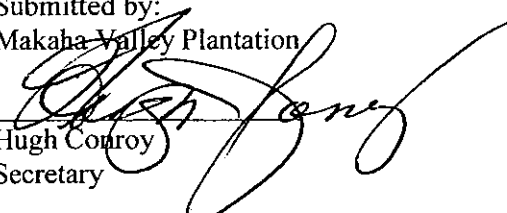
#### NEXT MEETING

The next regularly scheduled meeting of the Board of Directors will be held on Tuesday, April 22, 2003, at 7:00 PM, Makaha Resort & Golf Club.

#### ADJOURNMENT

Noting no other business on the agenda and hearing no objection, President Deleconio adjourned the meeting 11:24 PM.

Submitted by:  
Makaha Valley Plantation

  
Hugh Conroy  
Secretary

Hawaiiana Management Company  
Agent for Makaha Valley Plantation  
R. C. Wolter  
Management Executive  
Recording Secretary

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Owners Forum Issues

1. 126A pool entry; pool hours; common element privileges; basketball fencing; roots under asphalt
2. 159A bylaw amendment; refuse collection; expired safety tags; off site parking; termites
3. 061A prevent sewage blockage and damage; security response
4. 079C drug dealing; pool rules; car cleaning area
5. 133A security response; noise by residents of 128B & 129B
6. 192C rocks on property & in grass; painters
7. 153A pool rules; roosters & peacocks; adjacent 13.5 acres
8. 083A pool rules; security performance
9. 072A exterior lites; water staining; blowers
10. 064C pool rules & attendant; alcohol in common areas
11. 028B praised AOA
12. 042A wash sidewalks; ground cover; visitor parking; pool management & lighting
13. 111C child play ground
14. 022A rats in the walls
15. 055A update house rules
16. 122C tennis court
17. 039C wildlife on property; security response