

MINUTES OF THE BOARD OF DIRECTORS' MEETING  
OF MAKAHA VALLEY PLANTATION  
TUESDAY, April 22, 2003  
MAKAHA RESORT & GOLF CLUB

CALL TO ORDER

Regularly scheduled meeting of the Board of Directors of Makaha Valley Plantation was called to order at 8:20 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. Jon Tavares Star Protection, Otis King GM, Oram Strauser SM, Shirley Landford OM, Rich Wolter, Hawaiiana Management Co.

Reading of the MINUTES

- A. Minutes of the March 25, 2003 Board meeting.
- B. Annual meeting minutes of March 8, 2003.
- C. Organizational meeting minutes of March 8, 2003.

Vice president Glover moved to approve the Board meeting minutes of March 25, 2003, the Organizational meeting minutes of March 8, 2003, and to approve the Annual meeting minutes of March 8, 2003, for form and content. The motion was approved by unanimous consent.

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 March 2003. Treasurer Babineck reported on the March 2003, Financial statements. Vice president Glover moved to accept the Financial statements, subject to audit. The motion was approved by unanimous consent

2. Delinquency. Tabled for the Executive session

C. General Manager. GM King provided an oral and written (on file at the management office) report

D. Association Manager's

1. Heat Pump installation-Water Storage tank isolation valves. HP installation complete.

2. Parking/Driveway Renovation-deferred

3. 72" drain pipe cleanout-deferred

E. Committee

1. Security-sub chair Monty Glover. Oral report.

2. Building/Grounds-Steve Deleconio. Oral Report

3. Compliance/House Rules- Hugh Conroy. No report

4. Personnel. Greg Sokolowski. No report

5. Budget & Finance. See Treasurer's report above. Treasurer Babineck moved to accept the proposed interest rate modification from American Savings for the Association's business loan. The motion was approved by unanimous consent. Vice president Glover moved to repay the loan with the new interest rate decrease offer by American Savings at the present payment rate in order to repay the loan quicker. The motion was approved with four (4) directors, voting to approve the motion and one (1), Babineck, who was opposed

6. Web Site-Monty Glover. No report

UNFINISHED BUSINESS

A. Director Appointment: Vice president Glover moved to send a mail notification to all owners to solicit resumes to fill the new Board positions approved by a Bylaw amendment. The motion was approved by unanimous consent.

B. Rescind motion to impose \$500 non-refundable deposit. Secretary Conroy moved to rescind the motion made during the Board meeting of March 25, 2003, that required all new owners and tenants to deposit a \$500 security fee with the Association that was to 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 would have been 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 by unanimous consent.

C. Establish \$300 refundable move in-out deposit. Vice president Glover moved to establish and require a \$300 move in-out deposit with \$50 to be retained and the remainder refunded should there be no damage to the common element during a move by residents. The motion was not approved with two (2) directors, Deleconio and Conroy, voting to approve the motion, two directors, Glover and Sokolowski, voting against the motion, and one (1) director Babineck, who abstained.

D. Pool Fencing. Deferred

E. Water Saver Toilets. Vice president Glover moved to approve an amount not to exceed \$80 for the installation of the Water Saver Toilets into units. The motion was approved by unanimous consent. (Owners will be notified to request the installation)

Recessed at 10:05 PM. Reconvened at 10:15 PM

NEW BUSINESS

A. Petty Cash Account. Secretary Conroy moved to establish a petty cash business checking account with an amount not to exceed \$1,000 under the direct control of the General Manager with signature policy consistent with other banking accounts that require two signatures. The motion was approved by unanimous consent.

B. Visitor Parking Fee Structure. Referred to Rules Committee

C. Establish Ala Mahiku and Kiana Pool Use Rules & Hours of Operation. Deferred.

D. Amenities Security Personnel. By unanimous consent the issue was deferred indefinitely.

E. Consumption of Alcohol Beverages on the Common element. President Deleconio moved to prohibit the consumption of alcoholic beverages on both the common and limited common elements, including the limited common elements appurtenant to individual elements. The motion was approved with three (3) directors, voting to approve the motion, one (1) director, Glover, was opposed and one (1) director, Sokolowski, abstained.

F. ALTRES personnel requirement in HMC contract. Vice president Glover moved to remove the requirement in the contract with Hawaiiana Management to provide personnel by ALTRES Staffing. The motion was approved with four (4) directors voting to approve the motion and one (1) director, Sokolowski, abstained.

G. HNL Ground Maintenance Contract. Secretary Conroy moved to conclude the grounds maintenance agreement with HNL within the next ninety (90) days. The motion was approved by unanimous consent.

H. ABM Maintenance Staffing Agreement. Vice president Glover moved to conclude the maintenance staffing agreement with ABM Maintenance at the end of the agreement term. The Motion was approved by unanimous consent.

I. Appeals by residents of Units 111C, 128A and 177B. Tabled for review during Executive session

J. Purchase 1989 Pick-up Truck from Oram Strauser. Vice president Glover moved to purchase a 1989 pick-up truck at a cost not to exceed \$800, subject to a qualifying inspection, which shall not exceed \$100 for the inspection, and subject to repairs to meet qualifying standards, which shall not exceed \$250 to make the repairs unless cost is more and the Board approves the additional repairs. The motion was approved by unanimous consent. Secretary Conroy amended the original motion to include the \$100 inspection requirement, which was approved with four (4) directors voting to approved the amendment and one (1) director, Deleconio, opposed. Vice president Glover amended the original motion to include the \$250 repair requirement and Board approval required to exceed the \$250 repair requirement, which was approved with four (4) directors voting to approve the amendment and one (1) director, Deleconio, opposed.

K. Late Fee. Treasurer Babineck moved to increase the late charge for unpaid assessments (delinquent accounts) to \$25 dollars with a 1% charge for any unpaid balance (delinquent amounts) at the end of any month, subject to bylaw verification and any requirement for a bylaw change to accommodate this change. The motion was approved unanimous consent.

L. New Resident Auto/vehicle Registration Fee Charge. Treasurer Babineck moved to increase the fee for new (move-in) residents to register moving vehicles with the Association in order to have access and a registration decal to an amount not to

exceed \$200. The motion as approved with three (3) directors voting to approve the motion and two (2) directors, Glover and Sokolowski, who were opposed.

M. Visitor Parking. Treasurer Babineck moved to limit visitor access to the Plantation property by the number of available visitor parking stalls and the number of visitor parking passes issued per day shall not exceed the number of available visitor parking stalls. The motion was approved with three (3) directors voting to approve the motion and two (2) directors, Glover and Sokolowski, who were opposed.

N. Visitor/vehicle Parking/passes Over night. Treasurer Babineck moved to limit visitor/vehicle access to any visitor/vehicle that obtains and uses a visitor/vehicle pass ten (10) times in a period of thirty days or per month for an overnight visit and once the limit has been met or exceeded in the period for an overnight visit use, the visitor/vehicle will be denied visitor/vehicle overnight visitor parking access. The motion was approved with four (4) directors, voting to approve the motion, and one (1) director, Sokolowski, who was opposed.

O. Personal Financial Payment Checks. Treasurer Babineck moved to charge an additional \$25 administrative charge over the present "Insufficient Funds" check charge of \$25, which is the amount charged the Association by the bank, unless the bank is determined to in error, and once a resident has had an "insufficient funds" charge, the resident will not be allowed to make payments to the Association by personal bank draft and will be required to pay all assessments and/or charges by money order, cashiers check, bank draft or cash.. The motion was approved with three (3) directors, voting to approve the motion and two (2) directors, Glover and Sokolowski, who were opposed. President Deleconio amended the motion to require payment by money order, cashiers check, bank draft or cash, once a resident has issued an "insufficient funds" bank check. The amendment was approved with three directors, voting to approve the amendment and two (2) directors. Glover and Sokolowski, who were opposed.

P. Visitor Restriction after 10 PM until 7 AM, except service persons or vehicles. President Deleconio moved to require all visitors that are admitted to the Plantation after 10 PM and until 7 AM to be personally escorted at all times from entry until exit by a registered resident [which is any individual that is an owner or signor on a lease or rental agreement and eighteen (18) years of age or older] from the gatehouse to the place of visit and the registered resident shall present a photo identification to the security officer at the time the visitor is identified by the registered resident, accept responsibility for the visitor, and escort the visitor at all times during the specified hours. The motion was approved with three (3) directors, voting to approve the motion and two (2) directors, Glover and Sokolowski, who were opposed.

Q. During the Executive session the Board approved various means to enable the Association to recover unpaid and delinquent maintenance fees. The Board denied the appeals submitted by residents of units 128A and 177A, and approved only the portions of the request that directly affect the owner of 111C.

#### EXECUTIVE SESSION

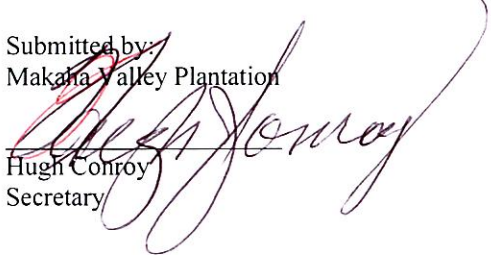
Hearing no objection and by consent, President Deleconio adjourned the regular meeting at 11:50 PM for an Executive session to discuss legal issues. The regular meeting was reconvened at 12:20 AM, April 23, 2003

#### NEXT MEETING

The next regularly scheduled meeting of the Board of Directors will be held on Tuesday, May 27, 2003, at 6:30 PM, Makaha Resort & Golf Club.

#### ADJOURNMENT

Noting no other business on the agenda and hearing no objection, President Deleconio adjourned the meeting 12:41 AM, April 23, 2003.

Submitted by:  
Makaha Valley Plantation  
  
Hugh Conroy  
Secretary

Hawaiiana Management Company  
Agent for Makaha Valley Plantation  
R. C. Wolter  
Association Manager  
Recorder

Owners Forum Issues

1. 115C 1<sup>st</sup> meeting as owner
2. 159A Complemented the Board; dated vehicle inspections; unsupervised children.
3. 072A Recommended Shawn Wilson, CPA; fees paid to Engineering Forensics
4. 064A Prior notice of visitors to units
5. 135A Complemented the Board; noise from Unit 129B on 04-14-03
6. 133A Children on Kiana without supervision; noise 128B & 129B
7. 153A Opening of Ala Mahiku pool
8. 189B Mice; pool entry procedures
9. 192C Security response at Gate House; Security & personal radios; lighting along Ala Mahiku
10. 039C Security reports, manning and observation of resident behaviour
11. 111B/C Previous playgrounds in '70s; children in the Ala Mahiku pool; 116B special needs curb to curb service; reasonable accommodation for children
12. 019A Dodge Durango Lic Hi-JSW-120, resident in 3A in visitor stall