

ASSOCIATION OF APARTMENT OWNERS - MAKAHA VALLEY PLANTATION

MINUTES - Board of Directors Meeting

Date: July 18, 1989.

Place: Waianae Public Library Meeting Room

Present: Charles Houtchens, Blythe Thomas, Loretta McDaniel, Tom Youngblood.

Excused Charles Loomis.

By Invitation: Stanley Lizama, Property Manager, Hawaiiana Management Co.; James Morrow, Security Captain; Doug Holoway, District Manager, Ray Romero, Director of Marketing and Dave Stambaugh, Personnel Manager, Burns International Security: M/M Cecil Bindel-10C: Betty Thomas-181A: Floyd Smith-34A: Walter Savedra-134A: Timothy McKeever-102B: M/M Willis Hoff-55C: M/M Oscar Ford-160A: M/M Tyrone Ayala-168C: Margaret Weber-163A: Stephen Kirk-124B: M. Kahalehoe-1A.

A quorum being present, President Houtchens opened the meeting at 7:03 PM

President Houtchens asked the representatives of Burns International Security to introduce themselves, which they did.

The Minutes of the Meeting of June 20th were approved unanimously.

President Houtchens then asked permission of the Board to change the order of the agenda to permit the Burns' representatives to make their presentation. No objections.

Correspondence

Letter from Guy Hogue, President of Akahi Services -moved to New Business.
Letter from Jonathon Carr, CPA - moved to New Business
Letters from Henry McDaniel - 181A - moved to New Business
Letter from Security Captain Morrow - moved to New Business.
Letter from Madelyn Lukela Perry - moved to New Business

Officers Reports

Report of President Houtchens is attached.
Report of Secretary Thomas is attached.
Report of Treasurer McDaniel is attached.
Report of Director Youngblood is attached.

Report of Property Manager Stanley Lizama

Mr. Lizama reported that the delinquencies are roughly the same as last month and one new foreclosure is in progress. Several foreclosures previously made are presently being chased in both Canada and on the Mainland.

SECURITY REPORT

Mr. Morrow's report is attached.

Committee Reports

Research Committee Report is attached.

Unfinished Business

Roto-Router - Moved by Tom Youngblood that we purchase an 8000 Power Pak Drain Auger 3" to 8" line. Seconded by Loretta McDaniel. Carried Unanimously.

Accident-Free Days - Moved by Loretta McDaniel that we activate the Accident-Free days drawing to begin on August 1, which would be for month of July. The prize will be \$100.00 per month. No drawing will take place for any month in which workmens compensation is drawn. The person whose name is drawn cannot be entered in the following month's draw. Seconded by Blythe Thomas. Carried Unanimously.

Boats & Trailers - Mr. Smith advised he researched past minutes but was unable to find any reference to a motion. Moved by Blythe Thomas that as of this date we restrict any marine or recreational vehicles from being on Plantation property. Seconded by Loretta McDaniel. Carried Unanimously.

Petition from Residents regarding Unit 121-B - already covered in Mr. Morrow's report.

Intco Realty/Ms Widlacki-55A - The secretary advised he had written a letter to Intco with a copy to Ms Widlacki offering to instal a restrictor in her showerhead. As of this date, she had not made an appointment.

New Business

Fax Unit - After discussion, it was agreed that the Research Committee check into the possible purchase or lease of a Fax unit. Postponed until next meeting.

By-Laws and House Rules Updates - Moved by Blythe Thomas that our By-Laws and House Rules be given to our Parliamentarian for updating then given to our attorneys for confirmation. Carried unanimously.

By-Laws & House Rules - Charges - Moved by Blythe Thomas that House Rules and By Laws given to Real Estate Agents shall be charged at the rate of \$1.00 per copy. Carried Unanimously.

Akahi Services - Moved by Blythe Thomas that we ask Akahi Services to start work on upgrading the landscape starting with the front area and limiting the cost to around \$3500. for the first portion. Carried Unanimously.

Carr - CPA - To be held until such time as audit is required.

Captain Morrow - re fire equipment - to be postponed until next meeting until we can check with the Fire Department.

Perry re Smith 34A - letter sent to insurance company and awaiting their response. Postponed until next meeting.

Next meeting to be held at the Waianae Public Library at 7:00 PM on Tuesday, August 15.

Board went into Executive Session

Meeting re-opened at 10:53PM

Moved by Tom Youngblood and seconded by Loretta McDaniel that we enter into formal negotiations with Burns International Security with the idea of consumating a contract as soon as possible. Carried unanimously.

Meeting adjourned at 10:55 PM.

REPORT OF THE PRESIDENT - JULY 1989

Many of you have already seen in the Pacific Business News that suit has been filed against us by two different individuals. The first suit was filed by Kathy Pacheco, alleging that she was beaten by Wadsley Abihai, and that Wadsley Abihai was purported to be the Manager of Makaha Valley Plantation.

The second suit was filed by Beverly Barrett, who alleges that she fell down the stairs due to a burned out light bulb, June 23, 1987.

Both of these suits were filed by the same attorneys. Neither suit indicated the location where the alleged problems occurred. It appears that if these things did actually occur, that they occurred on Hale Mololokai property, and not on MVP property.

I had a meeting with Ron Brandvold, President of Brandvold & Associates, Insurance Adjusters, on Friday, July 14. He made a recording of our entire conversation, which he will convert to an affidavit, which will be turned over to DNEN&N for approval. After approval, I will sign it and it will be taken to court. Mr. Brandvold is of the opinion that both cases will be dismissed. My reaction, however, is that simple dismissal of such frivolous actions is not satisfactory.

Also the parking status for July shows that we have collected in excess of \$3000.00.

It was brought to my attention this morning by Maintenance Supervisor, Wilfred Lopes, and Maintenance Man Paul Bailey, that they found some ten chaise lounges on the bottom of the pool. Not too long ago, some 100 golf balls were found in the bottom of the pool. Soap had also been put in the jacuzzi. Also the paint on the bottom of the pool has been used for writing - names which should not be repeated. Kids are also putting rags and toilet paper in the skimmers - a practice which to date has cost in excess of \$538.00. In addition 6 of our new chaise lounges have been destroyed.

Charles Houtchens, President.

SECRETARY'S REPORT - JULY 1989

The Newsletter finally "hit the road". Thanks to Mr. Ramsey at Hawaiiana Management, we saved some money. Hawaiiana charges 15 cents per page for copying, so Mr. Ramsey suggested the copies could be made more cheaply at one of the copy houses. I took the Newsletter to Mr. Copy at Westridge, and had it done for just under \$230.00, then delivered it to Hawaiiana who did the actual mailing. Considering that there were 6 pages to each Newsletter sent

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to tenants and 7 pages sent to owners, it would have cost us almost \$1000.00 had Hawaiiana done the copying. Hence, this was a saving in excess of \$750.00. If anyone did not receive a copy of the Newsletter, please let me know.

In addition, I have a bit of trivia. From January 3rd to June 30th of this year, 101 units or 17.66% changed hands. As of June 30th, we have 87 resident-owners, for a total of 15.21%.

W. Blythe Thomas, Secretary.

TREASURER'S REPORT

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| Total Receipts for June 1989 | \$ 107,817.24 |
| Total Operating Expenses (Including Paint Payment) | 104,152.93 |
| Total Surplus | 3,664.31 |
| Total Reserves | 119,512.02 |

Loretta McDaniel, Treasurer.

Report of Director Youngblood

Mr. Youngblood advised he had attended the C.A.I. Seminar held in June on "Fair Housing Amendment Act-1988", which became effective March 1989. He stated that they barely touched on the Act - it is extremely long and cumbersome. It was his view that the word "reasonable" appeared about 10,000 times throughout the Act, but the word "reasonable" is never specifically defined. The purpose of the Act is to provide an effective means of enforcement by the administrative judicial system. HUD has increased enforcement powers, and the Judicial System also has enforcement powers. Fines are roughly 10 times what they formerly were in this field. As homeowners, we must be attuned to what is going on. The Act also extends the principal of equal housing to handicapped persons. There is also a section protecting against discrimination of families with children. In addition persons with AIDS or recovering drug addicts cannot be discriminated against. However, should a handicapped ramp be required, the association can dictate the type of material, color, etc. and cost of such ramps must be borne by those requesting it. Mr. Youngblood reported that it was felt that this law is extremely new and many test cases will be needed to make it clear.

SECURITY REPORT - JULY 1989

- 1) Tenants of Unit 121-B moved off the property
- 2) June 26 - No-fault insurance check in effect at 0830 hours. By midnight, approximately 40 cars were turned away without any major problems.
- 3) June 27 - Terminated Security Officer T. Samoa due to conflicting work schedules, and K. Wilcox for poor performance. Hired L. Henderson and B. Ramos.
- 4) June 30 - Posted notices that anyone caught violating fireworks rules would be fined \$50.00.
- 5) July 3 - Fined tenant of 150-C for non-supervision account the son admitted turning off common element lights in 688 area at approximately 2220 hours.
- 6) July 4 - Only 1 fireworks incident behind 664 area - slow response to call due to fire in dumpster at same time. Checked the area where fireworks had been used, but unable to say by whom.

- 7) July 7 - Tenant of 66-C, despondent over the threats of his girlfriend that she was leaving him, found a gas can in another tenant's truck, poured it on himself and lit himself on fire. Tony Ricks, 15-year old son of the tenant in Unit 16-A, grabbed the nearest fire extinguisher and put the fire out. The victim was taken by ambulance to the Comprehensive Medical Center, then Medi-vaced to Honolulu. He passed away, July 17.
- 8) July 10 - Suspended Security Officer Pia for 1 week for violation of security rules.
- 9) July 11 - Delivered letter of appreciation from Mr. Houtchens to Tony Ricks Unit 16-A.
- 10) July 15 - Terminated Sgt. Landford for failure to report to work and Security Officer Henderson for violation of security rules.
- 11) July 15 - Tenant of Unit 89-B and his guest were involved in a sexual assault (rape) of the granddaughters of the owner of Unit 159-A. The 16-year old was raped and the 13-year old was attempted assault. Both men were arrested.
- 12) July 16 - Spoke to Nell Kaopua of Tom Powers and Associates, and she advised me that eviction papers on the tenant of 89-B were being drawn up.
- 13) July 16 - Hired B. Goettl as Security Officer.
- 14) July 17 - Deanne of Tom Powers & Associates advised us that the tenant of 89-B is on base restriction. He will be escorted on property to get his personal items from Unit 89-B, and then will be banned from the property.
- 15) July 17 - Promoted Security Officer Michael Roque to Sergeant.

Since June 26, it is estimated that approximately 115 vehicles have been turned away due to inability to show no-fault insurance card. Only problem experienced was with the tenant of Unit 74-C who has insurance but refused to show the card.

Total of 5 fires reported:

- 85-A - Lanai fire
- 66-C - Set himself on fire
- 24-A - son set fire under Unit 3 (fined \$50.00)
- Dumpster fires in 707 and 754 areas.

Total fines issued - \$175.00 - 5 for non-supervision of children at \$25.00 each and 1 for setting a fire at \$50.00. The fine levied against 24-A has now been paid, but the remainder have not and second notices have been sent out, with interest added.

James K. Morrow, Captain of Security.

RESEARCH REPORT

We are unable to connect the public telephone at the Family Pool until wiring is installed by the Plantation.

The telephone at the adult pool is installed and in good working condition. 911 can be dialled without coins. In an EXTREME EMERGENCY it is also possible to call our Security Gate by dialling "0", tell the operator you wish to place a "collect" call to 695-9464, giving your name, unit number and the number from which you are calling, (that is, the number of the pay telephone).

Regarding the purchase of an auger or "Roto-Rooter", we contacted Hawaii Pipe and Supply - about the only one who handles this type of equipment. In the board members packages are copies of the type of unit, along with the description and costs. As you can see, the prices vary from \$327.44 for a small unit used for basin, bath and sink drains, to \$766.24 for one to be used on a 1-1/2" to 4" line, to \$1588.82 for one to be used on a 3" to 8" line.

Clifford & Margaret Weber, Research Committee - July 18, 1989.